



# General Assembly

Distr.: General  
22 June 2021

English only

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## Human Rights Council

### Forty-seventh session

21 June–9 July 2021

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Alsalam Foundation, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2021]

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\* Issued as received, in the language(s) of submission only.



## **Continued Detention of Political Opposition Leaders in Bahrain, Including Hassan Mushaima, Abdulwahab Husain, and Sheikh Ali Salman**

### **Introduction**

In response to the 2011 peaceful pro-democracy movement, the Bahraini government used excessive force and violence to crackdown on protesters. This repression included the unlawful arrest and arbitrary detention of thousands of individuals for their pro-human rights and oppositional political stances. Thousands of political prisoners remain incarcerated, after having been sentenced to life imprisonment.

### **Conditions in Prisons**

The conditions of detention in Bahraini prisons are of the utmost concern, especially given the COVID-19 pandemic. Overcrowded and unhygienic, they do not meet the United Nations Standard Minimum Rules for the Treatment of Prisoners, also called the Mandela Rules. Human rights groups like Amnesty International and Human Rights Watch have repeatedly brought attention to the abhorrent conditions, including the authorities' persistent failure to provide adequate medical care. In early April 2021, political prisoner Abbas Malallah died in custody after being continuously denied medical attention by prison authorities.

### **COVID-19 in Prisons**

During the COVID-19 pandemic, prisoners and their families have repeatedly reported a mismanagement of the situation by prison officers. Prisoners have not received adequate access to personal protective equipment, like masks and gloves, nor have they received proper sanitation supplies like soap and hand sanitizer. Prisoners routinely do not receive the medical treatment they need, despite repeated requests from prisoners themselves and their families. Overcrowding remains an issue.

As of mid-April 2021, nearly 100 cases of COVID-19 had been detected within Jau Prison, alone. The months of March and April 2021 saw prisoners and their families hold routine protests calling for an adequate response to COVID-19 in prisons. Instead, authorities withheld food, moved sick prisoners to solitary confinement, denied medical attention, prevented prisoners from seeing or calling their loved ones, and, on one occasion, sent riot police to severely beat protesters. It is clear that the prison authorities do not have a plan of response to COVID-19, and moreover that Bahraini prisons are not safe places for political prisoners.

Alsalam has repeatedly raised concerns about the treatment of these prisoners in written submissions made to the HRC on June 19, 2020 and February 1, 2021, in advance of the 44th and 46th sessions of the Council.

### **The Imprisonment of Opposition Leaders**

Hassan Mushaima is 73 years old and the former Vice-President of Al-Wefaq, Bahrain's largest political opposition group until it was forcibly dissolved by the Al-Khalifa tribe in June 2016. Mr. Mushaima was arrested in March 2011 for his participation in the peaceful protests, and unlawfully convicted by a military court for "attempting to overthrow the government." For this, he was given a life sentence.

Mr. Mushaima has repeatedly been subjected to torture and ill-treatment, including the denial of necessary medical care. He suffers from a number of chronic medical conditions including remission from cancer (lymphoma), high blood pressure, gout, and an acute form of diabetes. Although he should be receiving regular, 6-month cancer screenings, he has been continuously denied his right to health. He is also repeatedly denied access to his diabetes

medication. Alsalam is deeply concerned by the treatment he regularly receives, as well as the potential impact of COVID-19 on his health.

Abdulwahab Hussain is a prominent political activist and founding member and chair of Al-Wefaq, Bahrain's largest but now forcibly dissolved opposition political society, as well as the co-founder and official spokesman of Al Wafa' Islamic Movement. A long-time political activist who was one of the most prominent opposition leaders in the 1990s uprising, he has been arrested and detained for numerous periods throughout his life. He has been imprisoned since March 17, 2011, and is now serving a life sentence. He suffers from numerous medical conditions, including nerve damage, sickle cell disease, retinal detachments, and polyradiculoneuropathy; despite being in serious need of specialist health care, he has been routinely denied proper medical attention.

Sheikh Ali Salman is the leader of Al-Wefaq and a Shi'a cleric. He has been detained since December 28, 2014, after leading a protest rally against parliamentary elections in November, which Al-Wifaq had chosen to boycott citing interference by the Al-Khalifa ruling family. He is now serving a life term after he was indicted on spurious charges of inciting hatred, promoting disobedience, and insulting public institutions in relation to a series of political statements he made in 2014—for which he received a four-year sentence; inciting political change by force—for which he was temporarily acquitted by lower courts, though the sentence was later upheld by the Court of Cassation in January 2019; as well as “spying for Qatar,” for having communicated with the Qatari government in 2011 when mediations occurred following the violent crackdown on protesters. Amnesty International called his conviction a violation of the International Covenant on Civil and Political Rights (ICCPR), to which Bahrain became a signatory in 2006. In response to the January 2019 decision, the UN Office for Human Rights said there were “serious doubts” as to whether Sheikh Ali Salman was given a fair trial.

## Grounds for Release

On the simple basis of the original reasons for their arrest, each of these individuals should be released and pardoned. When factoring in the risks posed by COVID-19—given their personal medical histories, the conditions of Bahraini prisons, and the inadequate protection that prison authorities have offered to their detainees—it is clear that it is of the utmost urgency that Hassan Mushaima, Abdulwahab Hussain, and Sheikh Ali Salman be released immediately and unconditionally.

All other political prisoners should also be released immediately and unconditionally, as they pose no threat of violence to society and also remain at risk of the threat of COVID-19. In the case that the administration does not release all political prisoners immediately, elderly prisoners and those with underlying health risks should be considered for early release.

## Conclusions and Recommendations

The peaceful, democratic actions of these political opponents never warranted prison sentences. Taking into consideration the conditions surrounding the original imprisonment of these individuals, the fact that King Hamad already agreed to the pardoning of many prisoners, and the imminent dangers posed by COVID-19, Bahrain must unconditionally release its political prisoners. The international community, including the HRC, must work for their release.

In particular, Alsalam calls on the Government of Bahrain to:

- Unconditionally release and pardon Hassan Mushaima, Abdulwahab Husain, and Sheikh Ali Salman;
- Unconditionally release and pardon all political prisoners;
- Conduct independent and impartial investigations into allegations of mistreatment and torture, and hold those responsible to account;
- End the campaign of reprisals against political prisoners;

- Until the administration releases these prisoners, ensure that the prison administrations follow all UN guidelines related to the treatment of prisoners, especially considering the dangers posed by COVID-19. Namely, authorities must ensure that prisoners have safe, socially-distanced, and sanitary spaces and prevention measures in all housing, eating, and social areas. Prisoners' family members must be able to access information about them, and families and prisoners must be allowed to resume regular, direct, private contact. In the event of illness or ailment, prisoners must receive proper medical attention.
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