



# General Assembly

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## Human Rights Council

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Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

### **Written statement\* submitted by Khiam Rehabilitation Center for Victims of Torture, 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.

[29 May 2023]

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



## **The Case of a Prisoner of Conscience Extradited by Serbia to Bahrain**

In this report, we shed light on the case of the PoC in Bahrain, Ahmed Jaafar. Reports on his condition were issued by the United Nations after the date of his arrest. One of those reports is the report issued by three special rapporteurs. The Government of Bahrain has issued two responses to that report through the Permanent Mission of the Kingdom of Bahrain to the United Nations in Geneva/Vienna.

In 2012, Ahmed Jaafar traveled from Bahrain to the Islamic Republic of Iran and did not return to Bahrain until after he was forcibly deported from Serbia, whose authorities handed him over to the Bahraini authorities on January 24, 2022, even though the European Court of Human Rights issued a decision to stop his deportation. The Serbian authorities handed him over on the basis of promises from the Bahraini authorities that he be re-tried for the cases in which he was convicted. At that time, there were 6 cases, including three charges about incidents that occurred while he was outside Bahrain between 2013 and 2015. He was tried in absentia in the six cases while he was outside Bahrain.

Ahmed Jaafar was arrested upon his forced arrival in Bahrain, and he was 48 years old at the time. Shortly after his arrest and his interrogation, he was kept in solitary confinement for two weeks. After that, he was transferred to the Jaw Central Prison.

### **The Incident of Beating Him During His Transfer to the Criminal Prisoners' Cell:**

On February 19, 2022, he learned that he would be detained with criminal prisoners, he objected, and his objection was met with severe beatings all over his body and on his chest in particular. This happened before a camera, as an officer was filming, and before the surveillance cameras spread across the building.

The severe beating on the chest led to the deterioration of his health at the time, so he filed a complaint about the matter. As a result, the Special Investigation Unit came to him, and he was examined by the coroner of the unit, and the injury marks on his body were photographed, but he did not receive any treatment. Two prosecutors listened to his statements and wrote them down, and asked him to sign two statements. Ahmed signed without reading them, believing that they were indeed the same statements he had made.

During his trial, the judge told him that he was accused of beating a policeman, based on the statements he had signed, which stated that he confessed that he was the one who assaulted the policeman and not the other way around, although his hands and feet were shackled at the time. After many demands by him, his family, and his lawyer, the video that shows the incident was shown, but the judge did not take it into consideration.

Despite proving Ahmed's statements in the video, the High Criminal Court sentenced Ahmed, in July 2022, to 3 years in prison. That was the seventh sentence against him. The appeal ruling in this case decreased his sentence to 1 year in prison on November 30, 2022.

### **Arbitrary Sentences:**

The High Criminal Court issued sentences against him regarding the first six cases in which he was tried in absentia. After his arrest, he was forced to sign the appeal application, so those sentences were appealed. The Court of Appeal appointed an attorney on behalf of Ahmed in the three cases over which he was sentenced in absentia to life imprisonment. Ahmed was not allowed to know his lawyer in those cases or meet him at all. He did not know his name and never saw him because he was not tried directly in court during the trial sessions. Then, the Court of Appeal upheld all six sentences that were issued in absentia, except for dropping part of a sentence, which is one of the decisions to strip him of his nationality. This means that his nationality will absolutely be returned to him, even though a decision to revoke his nationality is found in all of his six sentences.

On August 29, 2022, the Court of Appeal issued a ruling to restore citizenship to Ahmed Jaafar, case number 13202200043, but as of the date of writing this report (May 29, 2023), the ruling has not been implemented and he is still treated as having his nationality revoked.

One of the consequences of this is that a Bahraini citizen whose nationality is revoked will have his request to obtain a housing unit from the state canceled. A Bahraini citizen usually waits about 25 years or less by few years to collect a housing unit after submitting his application, and Ahmed Jaafar submitted his application since about 22 to 23 years ago, but whenever his wife consults the official departments concerned with the matter, they reply that the application has been canceled because her husband has lost his citizenship, and when she tells them that the court of appeal has issued a ruling to restore his Bahraini nationality, they do not respond.

His lawyer contacted the Execution Prosecution Court to inquire about the implementation of the citizenship return ruling, and she was told, "This is all we have, and you have to wait."

### **Filed Complaints:**

His family submitted complaints many times to several authorities, starting with the Ombudsman on March 3, 2022, from which they did not receive any positive results, and then to the NIHR.

The family filed a second complaint at the NIHR on October 26, 2022 stressing their previous recommendations which were not implemented and were not taken seriously into consideration, in addition to the new demands.

On November 23, 2022, the NIHR informed the family of the results of the visit of several NIHR members to the prison administration. All of the results were negative, some were as follows:

- With regard to medical treatment: The prison administration only said that Ahmed must undergo an examination before prescribing medical glasses for him, and that he is obtaining his right to medical treatment.

In response, the family replied that they did not only demand medical treatment for his eyes, but also for his osteoporosis and for the effects of being beaten on the chest by members of the security apparatus in prison. They did not receive any response to that during the call.

- Regarding transferring him to another cell: The prison administration replied that he cannot be transferred to another cell (as he and his family had demanded his transfer from a cell of criminal detainees to a cell of political detainees) on the pretext that his sentences are long-term, while the sentences of detainees in Ward No. 1 to which he is requested to be transferred are approximately seven years. However, the family soon discovered that this claim was not true, as the sentences of some detainees in Ward No. 1 ranged from 20 to 40 years, and the prison administration still insists that he not be transferred because it considers him to be in security isolation and does not acknowledge the court's decision to return the Bahraini nationality to him.

Other negative responses were given as well.

In April 2022, two employees from the Ombudsman and an employee from the NIHR came to him. Ahmed informed them with about the suffering he is exposed to in prison.

Later, on April 18, 2023, he was taken for a medical examination of his eyes, but the examination was limited to no treatment, as he was not given medical glasses. This was the last medical review he received as of May 29, 2023.

From April 16, 2023, Ahmed was denied phone calls until May 03, 2023. He called his family and informed them that he was denied phone calls because a decision was issued by the prison administration stating that foreigners will be denied contact with Bahraini phone numbers, and that he is included in this decision because he holds a foreign nationality and because his Bahraini nationality was not returned to him despite the issuance of a court ruling to restore his nationality.

On the date of his last call, he spoke to an officer who was passing by his cell by chance, and told him about the circumstances of his denial of contact. The latter gave him one exceptional call to his family through the "counter" while he was handcuffed.

After a while, he was allowed to phone again his family, but was not allowed to make video calls, although it is allowed for all other detainees, whether Bahrain's or foreigners.

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Bahrain Forum For Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.

The report by three special rapporteurs

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27094>

The first response <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36897>

The second response <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36953>

full report on Ahmed Jaafar's case until 29 November 2022

<https://www.bfhr.org/english/article.php?id=1042&cid=153>