

URGENT ACTION

CHILD SENT TO PRISON AFTER DEMONSTRATION

A 15-year-old boy, Hussain al-Hawaj, was sentenced to five years' imprisonment by a Bahraini court on 9 June for participation in a protest, arson and rioting . He is held in Jaw prison for adults.

Hussain al-Hawaj, aged 15, was arrested by plainclothes security officers at about 4pm on 7 December 2012 in the capital, Manama, following clashes between protesters and police. Hussain al-Hawaj had been visiting his grandfather and was going to the restaurant across the street to buy some food. He was taken to the Public Prosecution Office (PPO) at 3am without a lawyer or an adult representative, charged with setting fire to communal dustbins and rioting, then led away to be held in Dry Dock prison. His family were able to visit him after 10 days and he told them that while he was detained at a police station he had been beaten, threatened and made to sign documents he was not allowed to read, before being taken to the PPO. His lawyer said the boy had been coerced into "confessing". He appeared in court several times and was charged with illegal gathering, arson and rioting.

The High Criminal Court (Branch 1) sentenced him on 9 June to five years' imprisonment. He was transferred to Jaw Prison for adults (around 30km south of Manama). According to his family all the prosecution witnesses were policemen who gave conflicting testimonies in court. His appeal has been set for 9 September.

Please write immediately in Arabic, English or your own language:

- Expressing concern that Hussain al-Hawaj is being held in a prison for adult despite being 15 years old, and urging the Bahraini authorities to ensure that he is treated in accordance with the rules of juvenile justice;
- Urging the authorities to protect him from torture and other ill-treatment, to ensure that his allegations of ill-treatment are independently investigated and that statements obtained through the use of torture or other ill-treatment are not accepted in any proceedings.

PLEASE SEND APPEALS BEFORE 12 SEPTEMBER 2013 TO:

King

Shaikh Hamad bin 'Issa Al Khalifa
Office of His Majesty the King
P.O. Box 555

Rifa'a Palace, al-Manama, Bahrain
Fax: +973 1766 4587 (keep trying)

Salutation: Your Majesty

Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa
Ministry of Interior
P.O. Box 13, al-Manama, Bahrain

Fax: +973 1723 2661

Twitter: @moi_Bahrain

Salutation: Your Excellency

And copies to:

Minister of Justice and Islamic Affairs

Shaikh Khalid bin Ali bin Abdullah Al
Khalifa

Ministry of Justice and Islamic Affairs

P. O. Box 450, al-Manama, Bahrain

Fax: +973 1753 1284

Email: minister@justice.gov.bh

Twitter: @Khaled_Bin_Ali

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The Bahraini authorities have publicly stated their intention to introduce reforms and learn lessons from events in February and March 2011, when they cracked down on anti-government protesters. In November 2011, the Bahrain Independent Commission of Inquiry (BICI) submitted a report, which concluded that the authorities had committed gross human rights violations with impunity. Despite the authorities' claims to the contrary, abuses are still being committed against those who oppose the Al Khalifa family's rule.

According to Article 15 of the Convention on the Rights of the Child (CRC), to which Bahrain is a state party, "1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly. 2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others".

Article 37 of CRC requires that "States Parties shall ensure that: (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time; (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 40 also states: "2(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed; 2(b)(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence and 2 (b)(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality".

Name: Hussain al-Hawaj

Gender m/f: m

UA: 204/13 Index: MDE 11/027/2013 Issue Date: 02 August 2013