

URGENT ACTION

CHILDREN DETAINED, THREATENED

Two young Bahraini cousins, Sayed Tameem Majed Ahmad Majed and Sayed Hashim Alwai Ahmad Majed, have been detained since 8 December in the juvenile detention centre in 'Issa Town, south of the capital, Manama. The Juvenile Prosecution has renewed the order for their detention twice.

Cousins **Sayed Tameem Majed Ahmad Majed** and **Sayed Hashim Alwai Ahmad Majed** were arrested on 7 December in the north-western village of Bani Jamra, and taken to the police station in al-Budaya, Manama, in two separate incidents. Sayed Tameem, who turned 13 on 19 December, was arrested at about 3.10pm in front of his grandparents' house about 15 minutes after he had arrived with his family, for a visit, and while he was playing with a younger cousin. He had run away after seeing a police patrol car approaching, but his family did not see him being arrested. They were later told by eyewitnesses that he had been taken away by a police patrol. Sayed Hashim, aged 13, was arrested at about 3.45pm near his grandparents' house while on his way to a nearby shop.

The families of the two boys saw each other at the police station when they went to inquire about their sons. Sayed Tameem's family were told that he had been found with a stone in his hand. Both boys said they had been shouted at during questioning, while Sayed Hashim, who apparently looks older than his age, was threatened with being burned on the head with a cigarette butt if he did not "confess" to rioting. They were released the same day, but their families were told to bring them back the next day to be taken to the Juvenile Prosecution. They were brought before the Juvenile Prosecution, with their lawyer, on 8 December. The prosecutor ordered them to be detained for five days for investigation on charges of "illegal gathering", "throwing Molotov cocktails" and "setting fire to communal dustbins". The detention order was renewed twice, on 12 and 19 December. They will next appear before the Prosecution on 26 December.

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

- Urging the authorities to ensure that Sayed Tameem Majed Ahmad Majed and Sayed Hashim Alwai Ahmad Majed are treated in accordance with the international standards of juvenile justice which require that detention of children only be used as a measure of last resort;
- Urging them to protect both boys from torture and other ill-treatment;
- Calling on them to order an independent investigation into the reported threat of torture made against Sayed Hashim Alwai Ahmad Majed and to bring anyone responsible to account; any evidence based on such treatment must be rendered inadmissible in court.

PLEASE SEND APPEALS BEFORE 31 JANUARY 2014 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
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 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
Salutation: Your Excellency

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

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

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

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Scores of children have been arrested and detained in the last two years in Bahrain, in connection with anti-government protests. They have been suspected of, among other things, participating in “illegal gatherings”, rioting, burning tyres or throwing Molotov cocktails at police patrols. Some have been released without charge but dozens are being tried or held for investigation. According to local sources, a number of children have been tortured or otherwise ill-treated to force them to sign “confessions” which are used in court to incriminate them and others.

Provisions in Bahraini legislation with regard to children, especially those applicable to children in conflict with the law, flout international standards of juvenile justice. According to the Child Law of 2012 (Article 4), a child is defined as someone not exceeding the age of 18 years. However, children who have turned 15 and are in conflict with the law are considered as adults. According to the 1976 Juvenile Law, a juvenile is someone not exceeding 15 years of age, whereas the UN Convention on the Rights of the Child, ratified by Bahrain in 1992, defines a child as anyone below the age of 18. Bahrain’s Penal Code (Article 32) states that “there is no [criminal] responsibility for anyone not exceeding the age of 15 when the crime was committed”. The Article also states that provisions of the 1976 Juvenile Law apply when a person is below the age of 15 “at the time of committing an act constituting a crime”. In reality, the legal minimum age of criminal responsibility is seven, which is extremely low compared to internationally accepted standards. Provisions contained in the Penal Code and the 2006 anti-terrorism law apply to anyone detained in connection with anti-government protests. For those under the age of 15, juvenile courts apply punishment laid out in the Juvenile Law: up to 10 years’ imprisonment in felony cases, up to five years in misdemeanour cases and up to three years in cases of “behavioural problems”.

Following recommendations made by Bahrain’s parliament in July 2013 the King issued several decrees with a view to further suppressing dissent and tightening the screw on freedom of expression and assembly. The decrees increased punishments laid out in the 2006 anti-terrorism law and banned indefinitely all demonstrations, sit-ins, marches and public gatherings in the capital, Manama. Some of the provisions in these decrees undermine certain children’s rights, including their right to freedom of assembly.

Nearly three years after the popular uprising in Bahrain, and beneath the fanfare of reform, prisoners of conscience, including some arrested during the protests, remain behind bars and the rights to freedom of expression, association and assembly continue to be suppressed. In recent months, not only have prisoners of conscience not been released, but more people have been jailed simply for daring to express their views, whether via Twitter or on peaceful marches. Bahraini courts have appeared more concerned with toeing the government’s line than offering effective remedy to Bahrainis and upholding the rule of law.

The European Parliament passed a resolution on 12 September calling for respect of human rights and fundamental freedoms in Bahrain. Among other recommendations, the resolution urges the Bahraini authorities to respect the rights of juveniles, to refrain from detaining them in adult facilities, and to treat juveniles in accordance with the Convention on the Rights of the Child, to which Bahrain is a party. Also in mid-September a joint statement signed by 47 countries at the UN Human Rights Council expressed concerns about the ongoing human rights violations in Bahrain.

For further information see the report *Children in a maze of injustice* (Index: MDE 11/057/2013), issued on 16 December 2013 (<http://amnesty.org/en/library/info/MDE11/057/2013/en>).

Names: Sayed Tameem Majed Ahmad Majed, Sayed Hashim Alwai Ahmad Majed
Gender m/f: m