

Bahrain: children in a maze of injustice

1) Introduction

In the last two years scores of children have been arrested and detained in connection with ongoing anti-government protests in predominantly Shi'a towns and villages in Bahrain¹. They have been suspected of, among other things, participating in "illegal gatherings", rioting, burning tyres or throwing Molotov cocktails on police patrols. Some have been released without charge but dozens are currently being tried or being held without trial pending investigation. In a number of cases children have reportedly been tortured or otherwise ill-treated to force them to sign "confessions" which were then used in court to incriminate them and others. Torture and other ill-treatment often takes place in police stations or at the Criminal Investigations Directorate (CID) in Bahrain's capital Manama when children are interrogated following arrest. They are then transferred to the Public Prosecution Office where they are further questioned. In many cases interrogations by the police and the questioning by the prosecution takes place without the presence of lawyers. A number of children were formally charged with criminal offences, convicted and sentenced to prison terms ranging from six months' imprisonment to 10 years. Those aged 15, 16 and 17 are considered adults under Bahrain's law and therefore they are tried by criminal courts and held in prisons for adults, in breach of Bahrain's obligations under the Convention on the Rights of the Child (CRC) to which it is a state party.

Gross human rights violations have been committed by Bahraini security forces since the popular uprising, which started on 14 February 2011, was crushed in March of the same year. Dozens [do we have a figure?] of protesters died as a result of unnecessary and excessive use of force by the security forces. According to local human rights groups and political associations at least 2000, all arrested in relation to the uprising and protests, people are languishing in jail, some serving long prison terms after trials which fell far short of international standards for fair trial. These include at least 20 prisoners of conscience held solely for the peaceful

¹ According to al-Wefaq, a political association, and local human rights groups at least 100 were detained in 2013.

<http://alwefaq.net/cms/2013/09/04/22556/>

exercise of their rights to freedom of expression, association and assembly. Others are held without charge or trial pending investigations. Many have reported that they had been tortured during interrogation. Impunity is rife in Bahrain. A number of policemen who were charged with killing or torturing protesters were acquitted or received very light sentences which are being appealed against. But in most cases, human rights violations are never independently and impartially investigated, let alone successfully prosecuted. Key recommendations made by Bahrain's Independent Commission of Inquiry (ICI), set up in June 2011 and chaired by Professor Mohammad Cherif Bassiouni, remain unimplemented.

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 screws on freedom of expression and assembly. The decrees increased punishments laid out in the 2006 anti-terrorism law² 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.

2) Contradictory Bahraini legislation

Provisions in Bahraini legislation with regards 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.³ However children who have turned 15 who 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. 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

² Law 58 of the year 2006 for the Protection of the Society from Terrorism Acts

³ Decree No. 37 (2012), Official Gazette, No. 3064, 9 August 2012.

responsibility is seven,⁴ 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 in felony cases, up to five years in misdemeanour cases and up to three years in cases of “behavioural problems”.

Article 2 of the Juvenile Law refers to a number of situations when a juvenile is deemed to have behavioural problems including being involved in prostitution, gambling, drugs, truancy, sleeping rough and begging.

In January 2013, during Amnesty International’s visit to two rehabilitation centres for children in ‘Issa Town, south of Manama, in January 2013, workers at the centres confirmed to Amnesty International delegates that some of the children were held there because they are perceived as being homosexual, or for not conforming to the traditional norms in society – some workers said that girls were in the centre at the request of their families for going out with boys. Other boys, including one as young as 12, appeared to be held for taking part in riots.

In August 2013 a decree issued by the King expanded the list of behavioural problems to also include “being found participating in a demonstration, march, public gathering or sit-in, in direct breach of Article 15 of the CRC.⁵ The decree adds that if a child is found participating in a demonstration the parents will be warned in writing by the Ministry of Interior. If six months after the warning the child is found in a new demonstration his or her father could face jail, a fine or both. The new decree deprives children of a basic right, the right to freedom of association and could constitute collective punishment.

⁴ Article 31 of the Penal Code only states that there is no criminal responsibility for anyone with no cognitive ability and the capacity to make choices. The article itself does not indicate a specific age, but in an explanatory note published with the Penal Code the age of seven is mentioned as the minimum age because, as the note states, most Arab countries define the age of seven as the legal minimum age of criminal responsibility. On 11 November 2013 a Parliamentary Committee approved a draft aiming at defining the aged of criminality from seven to 15.

⁵ Decree No. 23 (2013), Official Gazette, No. 3117, 15 August 2013

The Juvenile Law states that those under the age of 15 cannot be imprisoned if they commit a crime (Article 6). They are supposedly given alternatives to deprivation of their liberty. However, in reality, most of those tried and sentenced in connection with the anti-government protests and who are below 15 are held in the Juvenile Centre in 'Issa Town which is under the Ministry of Interior's control and they are deprived of their liberty. During the day social workers are in charge of the well-being of the juveniles held in the Centre, but at night the Bahraini police take over. Torture and other ill-treatment of children often take place during the night and in some cases children are interrogated in the same building or taken to various police stations for interrogation.

Once those serving prison sentences in the Centre reach the age of 15 then they are transferred to prisons for adults such as Jaw Prison in the southeast of the country to serve the remaining of their sentence.

Article 24 of the Juvenile Law states that a child (under 15) could be held in the same facility (Juvenile Centre) for up to seven days pending investigation if the police suspect him or her of involvement in any activity deemed to be criminal. This could be renewed by the Public Prosecution on a weekly basis while the investigation is ongoing.

All those who have reached the age of 15 when they allegedly have committed a criminal offence are treated as adults. According to reports received by Amnesty International there are at least 100 children (aged between 16 and 18) held in the Dry Dock Prison, in al-Muharraq Island, pending investigation or trial. Others are held in Jaw Prison where they are serving prison sentences.

Following arrest and interrogation juveniles under the age of 15 are then taken before a Juvenile Prosecutor who will determine whether to detain or release them, would renew their detention orders if necessary. Should the children be charged and their case goes to trial, the trial would take place before a court for Juveniles.

3) International standards relating to children

The CRC is a legally binding treaty which Bahrain acceded to in 1992 without any reservations. The core principles underlying the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.

The Convention defines a child as anyone below the age of 18. In 2011 the UN Committee on the Rights of the Child, the body that monitors the implementation of the Convention, urged the Bahraini government to raise the legal minimum age of criminal responsibility to at least 12 years, to raise the age of full criminal responsibility to 18 and accord protection of juvenile justice to all children below the age of 18 years.⁶

The guiding principles of juvenile justice, which would apply to anyone under the age of 18 who comes into contact with the criminal justice system, include: detention or imprisonment only as a measure of last resort – under regular review and for the shortest appropriate time and a commitment to the use of alternatives to detention whenever possible; prohibition of solitary confinement; separation of children in detention facilities from adult detainees; and attention to the particular needs of children in custody and an emphasis on reformation and social rehabilitation of child prisoners.

Article 37 Of the Convention states that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;

(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;

⁶ Committee on the Rights of the Child, Fifty-seventh session, 30 May-17 June 2011: Consideration of Reports Submitted by States Parties; Concluding observations: Bahrain. CRC/C/BHR/CO/2-3

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(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.

Children have the right, as do the adults, to have an opinion, to express it and to meet to exchange views. Article 13(1) of the Convention states that "The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice."

Article 15(1) emphasises that "States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly."

4) Detention and reported torture of children

Some children have been detained solely for participating in "illegal" public gatherings or unauthorised demonstrations. Other children have been detained on the suspicion that they had been involved one way or another in acts of violence, including burning of tyres on main roads to disrupt traffic, attacking police patrols with Molotov cocktails and throwing stones at security forces. Protesters and security forces appear involved in a circle of repression and violence. Acts of violence are claimed to be in retaliation to police brutality and excessive use of force, including the reckless use of tear-gas, and to the detention and imprisonment of many Shi'a men, including prominent political and religious figures of the community and their ill-treatment in custody. While the Bahraini authorities have an obligation to maintain law and

order they must do so in accordance with international human rights law.

In a memorandum submitted to the Bahraini authorities on 2 August 2013 Amnesty International reminded them that policing of assemblies should always be guided by human rights considerations. The fact that an assembly is illegal, or that minor violations of the law occur during a peaceful assembly, should not necessarily lead to a decision to disperse it. Similarly, where a small minority tries to turn a peaceful assembly into a violent one, police should ensure that those who are protesting peacefully are able to continue to do so, and not use the violent acts of a few as a pretext to restrict or impede the exercise of rights of a majority. Any decision to disperse an assembly should be taken only as a last resort and carefully in line with the principles of necessity and proportionality, i.e., only when there are no other means available to protect a legitimate aim and when the level of threat of violence outweighs the right of people to assemble. Police should prioritize peaceful settlement of disputes and the methods of persuasion, negotiation and mediation, both before and during assemblies, as a means of avoiding the escalation of disputes, recourse to restrictions or the use of force.

While relevant international human rights treaties only refer to “peaceful assemblies”, an assembly does not automatically lose its peaceful character if there is sporadic or isolated violence, or other unlawful behaviours, by some within the crowd.

In a response to Amnesty International, dated 30 August, the Minister of State for Human Rights Affairs stated that protests were only forbidden on legal basis and not arbitrarily and this is according to articles 21 and 22 (2) of the International Covenant on Civil and Political Rights (ICCPR). Therefore, the development of controls for the practice of this right is not incompatible with the exercise when such controls are in accordance with the law and required by the imperatives of national security or of public order, public safety or public health or morals or the protection of the rights and freedoms of others.

This tit-for-tat violence has increased considerably in recent months.

The following examples are a sample of children being detained and sometimes tortured or otherwise ill-treated.

Sayed Hassan Sayed Mohammad Shubbar, aged 14, was first arrested by the police on 17 September 2013 when he, his family and others were celebrating the birthday of a Sh'ia Imam in a Hussainiya (Shi'a mosque) in the village of al-Sahla, west of Manama, the capital. According to the information gathered by Amnesty International, he was taken to the al-Khamis Police Station at around 7pm. He was questioned for nearly three hours in connection with rioting and burning of tyres near al-Sahla village that same day. A police officer reportedly asked him to become an informant and gave him his telephone number.

The boy's father went to the police station at around 10pm on the same day and managed to convince the police to release his son. He had to sign a document pledging that he would take his son back to the same police station the next morning. On 18 September the police took Sayed Hassan Sayed Mohammad Shubbar to the Public Prosecution Office (PPO) where he was interrogated by a prosecutor, without the presence of a lawyer, for several hours. The Prosecutor charged him with burning tyres and ordered his detention for seven days pending investigation.

Sayed Hassan Sayed Mohammad Shubbar was then taken by the police to the al-Khamis Police Station where he had medical check-ups before being transferred to the Juvenile Centre in 'Issa Town. On 25 September he was brought again before the Public Prosecution, which ordered his detention for another seven days pending investigation. His parents were able to visit him in detention on 23 September and his father told Amnesty International that they were very concerned, especially as their son was missing school. Sayed Hassan Sayed Mohammad Shubbar was released on 3 October. His father signed a pledge in al-Khamis Police Station that he would take his son to the police if they wanted him for interrogation. On 2 October the Public Prosecution ordered the release on bail of Sayed Hassan Sayed Mohammad Shubbar in order for him to continue his studies however the bail stipulated that the family must be ready to bring him back to the Public Prosecution Office whenever summoned at any time. The case against him has not been closed.

Ja'far 'Abdel-Jalil Radhi al-Miqdad, aged 15, was released with 12 others on 1 December 2013. He was among a group of 14 people, 10 of them children, who were arrested in the early hours of 5 September 2013 by plain-clothed policemen at a swimming pool in 'Adari village, south of Manama. They were taken to the CID for interrogation. Ja'far al-Miqdad later told his family that he was held in a room, blindfolded and forced to stand up for about 20 hours. He said he was repeatedly kicked and punched on different parts of his body, including the head. He was threatened with rape if he did not "confess" to participating in an attack with Molotov cocktails on a police patrol and burning tyres on a road on 2 June 2013. He denied any involvement and told the police that he was nowhere near where the incident happened. Other people arrested with him "confessed", reportedly as a result of torture, that he was with them. On 6 September, at around 4 am, Ja'far al-Miqdad called his family and told them that he was fine and that he was at the CID before the police stopped the call. On that day he was taken to the Public Prosecution Office for questioning. He was questioned without the presence of a lawyer. He told the prosecutor that he had been tortured and that the police wanted him to make a confession but he refused. Again he denied any involvement in the 2 June incident before the prosecutor who ordered his detention for 60 days pending investigation. All the other people with him were also given 60 days' detention orders.

Ja'far al-Miqdad was transferred to the Dry Dock Prison on the same day. On 10 September he called his family and told them he had been told by the prison authorities that he was allowed a family visit on 11 September. He started telling them about his torture and other ill-treatment in the CID, but a prison guard stopped the call. On 11 September his parents went to the prison to visit him but were unable to see him. The prison authorities told them he was not scheduled to receive visitors on that day. The family were eventually able to see him on 2 October. Throughout his detention his lawyer was denied access to him. On 12 November the public prosecution extended the detention of the group by another 45 days.

'Ali Hatem Ali Salman, aged 14, was arrested on 26 August 2013 in a coffee shop in the neighbourhood of Sanad, south Manama. Prior to his arrest a police patrol vehicle in the area was set alight

with a Molotov cocktail. Ali Hatem Ali Salman was reportedly playing a board game with friends when police officers arrested him and five others. He was taken to a police station blindfolded. He reported to his family and lawyer that during his interrogation he was beaten and electrocuted in order to make him “confess” to rioting. He was brought before the Juvenile Prosecutor on 27 August and he denied the accusations and told of his torture and other ill-treatment. The Juvenile Prosecutor ordered his detention for seven days pending an investigation. He was transferred to the Juvenile Centre at 4am on 28 August.

On 3 September, in the presence of Ali Hatem Ali Salman’s father and lawyer, the Juvenile Prosecutor extended his detention order for a further seven days. Ali Hatem Ali Salman is facing charges of “illegal gathering” and “rioting”. Ali Hatem Ali Salman’s family was allowed to visit him on 5 September for the first time. He was released on bail by the Juvenile Prosecution on 10 September.

‘Ali Muslim Ebrahim, aged 15, was arrested by police officers at his home in al-Hidd, northern Bahrain, at 2:45 am on 8 September 2013. When his father let them in the house, the officers stated that the boy’s name was on a list of people to be arrested on orders of the Public Prosecution, but they did not show an arrest warrant. He was taken to al-Hidd Police Station where he was reportedly hit on the head during questioning by the police. ‘Ali Muslim Ebrahim was forced to “confess” to “participating in illegal gatherings”, “throwing Molotov cocktails” and “rioting”. He appeared before the Public Prosecutor on 10 September, accompanied by his lawyer, where he recanted his “confessions” stating that he had made them under duress. The Public Prosecutor ordered his detention for 45 days pending investigation and scheduled his next hearing for 25 October. He was held in Bloc 11 at Dry Dock Prison along with other children until his release on bail on 22 October.

‘Ali Muslim Ebrahim suffers from diabetes for which he needs insulin injections and a special diet. It is not clear whether he is receiving regular and adequate medical care.

Mohammad Mohammad ‘Abdulnabi ‘Abdulwasi, aged 16, was arrested at his house in Sitra after it was raided on 11 December 2012 by riot police who allegedly did not show an arrest warrant. During the raid, the riot police apparently broke the main door and

took money and other items found in the house. Mohammad Mohammad ‘Abdulnabi ‘Abdulwasi was able to call his family two days after his arrest, informing them he was being held at Dry Dock Prison. The day after his arrest he was taken to the Public Prosecution Office without his lawyer or family. He was released without charge on the evening of 20 December 2012. In the morning he had been transferred from Dry Dock Prison, north-eastern Bahrain, to the juvenile detention centre in ‘Issa Town, where his family were able to visit him. According to information received by Amnesty International, following his arrest Mohammad Mohammad ‘Abdulnabi ‘Abdulwasi was kept in a police vehicle for up to six hours, while the police officers carried out their rounds. Later, during his interrogation at the Dry Dock Prison, he was reportedly hit by the interrogating officers.

5) Children tried and sentenced

A number of children have been charged under the the Penal Code and the 2006 anti-terrorism law, tried by criminal courts and sentenced to prison terms. At least two children were given 10 years imprisonment. Trial proceedings did not meet international standards for fair trial. Defendants often complained that they were tortured or otherwise ill-treated to force them to “confess” and that such “confessions” were then used as the basis of their conviction.

The cases below are examples of children who were tried and sentenced to prison terms.

Jehad Sadeq ‘Aziz Salman and **Ebrahim Ahmed Radi al-Moqdad**, both aged 16, were arrested on 23 July 2012 during an anti-government protest in Bilad al-Qadeem, west of Manama. After their arrest, they were first taken to a police station in al-Qudhaibiya neighbourhood in Manama; then to the CID for interrogation, before being taken to the Public Prosecutor Office for questioning. They were not allowed to speak to their families or to contact lawyers until nearly 48 hours after the arrest, and there was no lawyer present during their interrogation. They finally called their families nearly 48 hours after their arrest to inform them where they were being held. On 16 October they and two adults with them were brought before the High Criminal Court on charges which included “intending to murder”, “burning a police car”, “illegal

gathering and rioting”, “throwing Molotov cocktails”, and “attempting to steal a police car”.

On 4 April 2013 the court sentenced the two children to 10 years’ imprisonment each. According to one of the children’s lawyers, their conviction was based on “confessions” that they allege they were forced to sign, without the presence of a lawyer or a family member, and which they recanted during their trial. On 29 September the High Criminal Court of Appeal upheld the sentences. Their lawyers have submitted an appeal request before the Court of Cassation. The children are being held at Jaw Prison.

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 reportedly going to the restaurant across the street to buy some food. He was taken to the 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. According to his family all the prosecution witnesses were policemen who gave conflicting testimonies in court. His appeal was set for 9 September but was postponed because he was having treatment on his left hand in the al-Salmaniya Medical Complex. He had sprained it after slipping in prison. On 18 November the High Criminal Court of Appeal reduced his sentence from five year to one year’s imprisonment. He was released from Jaw Prison on 8 December having served his sentence.

‘Ali Faysal al-Shoufa, a 17-year-old secondary school student, was arrested in the early hours of 12 March 2013 from his parents’ house in al-Koura village near ‘Issa Town, south of Manama. His laptop and mobile phone were confiscated. He was taken to the CID

where he was interrogated for several hours without a lawyer in relation to messages he published on twitter.

He was then taken to the Public Prosecution Office. He was formally charged with insulting the King of Bahrain on Twitter between 2011 and 2013. He was detained for nearly two months pending investigation in the Dry Dock Prison, but was released on bail on 8 May while his trial was ongoing. On 25 June 2013 the Lower Criminal Court sentenced him to one year imprisonment. He denied the charge against him and told the court that he personally did not publish any material, but admitted that he simply re-tweeted messages from other people. His lawyer appealed against the sentence and verdict and a hearing is scheduled for 30 December. If imprisoned solely on this charge he would be considered a prisoner of conscience.

'Ali Faysal al-Shoufa is currently not in prison and is attending school. On 4 October the police arrested him at 7 am from his home and took him away. The police did not inform the parents about the reasons for the arrest nor where they were taking him to. The parents later went to several police stations to look for him but without success. At 10:30 pm on the say day 'Ali Faysal al-Shoufa called his family and told them that he was in al-Wusta Police station and that he was let free. His father went there and collected him. The parents had been to al-Wusta Police Station earlier to ask about him but were told he was not held there. 'Ali Faysal al-Shoufa was interrogated for several hours in connection with an incident of burning tyres in the same village a day earlier when he was actually in school.

Hussain Mohammad Mahdi Kadhem, now aged 15, was arrested while at a swimming pool in al-Malikiya at the beginning of April 2013. The police took him first to his parents' house and then took him away. He was held in a police station in Hamad City for one week during which he was interrogated and then released. On 8 May he was taken to a juvenile prosecutor who ordered his detention for one week pending investigation. His detention order was renewed several times and Hussain Mohammad Mahdi Kadhem was detained in the Juvenile Centre in 'Issa Town. He was then brought before a juvenile court which sentenced him on 5 September to six months' imprisonment for "illegal gathering". His

imprisonment could be extended as according to his lawyer the sentence is conditional on good behaviour. If a report from a social worker at the Juvenile Centre is not satisfactory then the court could renew the six-month prison term. The lawyer has appealed against the sentence. As of 11 December 2013 three appeal sessions have been postponed. He remains held in the Juvenile Centre. If imprisoned solely for “illegal gathering” he would be considered a prisoner of conscience.

Salman Mahdi Salman, aged 13, was arrested on 11 August 2013 at around 5pm near a shopping mall on al-Budaiya’ Street in Manama. He was taken to al-Budaiya’ Police Station and released at 1am on 12 August. The police contacted his family on the day of his release and asked them to bring Salman Mahdi Salman back to the police station for further interrogation, which they did the next day. The Juvenile Prosecution ordered his detention for seven days pending investigation, which was renewed again. Salman Mahdi Salman was held in the Juvenile Centre. He was released on 10 September 2013 after his first hearing before a juvenile court the same day.

In an interview published on 13 September in the independent daily newspaper, the Bahrain Mirror, Salman Mahdi Salman said that he had been repeatedly hit on the face by policemen during his interrogation on 14 August at al-Budaiya’ police station. He said that he was threatened with more beatings if he did not “confess” and if he complained about his treatment. He further added that the two policemen also threatened to arrest his parents. His trial started on 10 September on charges of “illegal gathering”, “riots” and “attacks on security patrols”, which he denies. The court ordered that he be released on bail.

6) Conclusion and recommendations

Scores of Bahraini children have been deprived of their liberty in connection with ongoing anti-government protests which have engulfed the country since February 2011. The authorities have taken extreme measures, including sentencing children to harsh prison terms, to deal with children who they accuse of being in conflict with the law. They have also treated children like adults. In doing so they disregard international standards for juvenile justice.

Some of the charges levelled against children such as “participating in illegal gatherings” should not even be considered as offences. Children have the right to freedom of expression and assembly and those who might be in conflict with the law must be treated in accordance with juvenile justice principles.

Amnesty International calls on the Bahraini government to, as a matter of urgency:

- raise the legal age of criminal responsibility to internationally acceptable level, at least and not below 12 years;
- raise the age of full criminal responsibility to 18 years;
- treat all children below 18 years according to the principles of juvenile justice;
- ensure that detention of children is used only as a measure of last resort, and for the shortest possible time; and wherever possible prioritise use of alternatives to deprivation of liberty such as probation and community service;
- ensure that children in detention are held separately from adults and in facilities that cater to the particular needs of children in custody and which emphasise reformation and social rehabilitation of child prisoners;
- immediately and unconditionally release all children under 18 deprived of their liberty solely for exercising their right to freedom of expression, peaceful assembly, or association;
- set up prompt, impartial and independent investigations into allegations of torture and other ill-treatment committed against children in detention. The outcome of these investigations should be made public and where there is sufficient admissible evidence, suspected perpetrators should be prosecuted in proceedings that conform in international fair trial standards;
- review and amend relevant legislation, in particular the Juvenile Law and the Penal Code and Anti-Terror Law, to ensure they are fully compatible with international standards, specifically the UN Convention on the Rights of the Child.