

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

27 July 2015

Index: MDE 11/2163/2015

Bahrain: Trial of 57 opened amidst allegations of abuse during prison riot

Amnesty International has today called on the Bahraini authorities to make public investigations into allegations of torture and other ill-treatment of prisoners during a riot in Jaw prison, south of the capital Manama, on 10 March and other abuses that continued for several weeks afterwards and to bring to justice any officials responsible for ordering or committing such acts.

The call came after the trial of 57 individuals, including on charges of assault on public officials and destruction of public property, started on 23 July. It was postponed to 17 September.

On 29 June, the Public Prosecution issued a statement that it had filed charges against 57 individuals, 51 of whom are prisoners, in connection to the prison riot. The other six are believed to be relatives of prisoners in Jaw prison.

The Ministry of Interior stated on 10 March that when a visitor who wanted to see a prisoner without presenting an ID card was stopped by the security guards earlier that day, family members of that visitor and some of the prisoners refused to comply with orders and began “rioting and vandalized parts of the building” and “held a male nurse supervisor hostage”.

The following day, the Chief Prosecutor of the Southern Governorate, where the prison is located, announced that an investigation into the incidents had been launched and that a female relative of a prisoner was charged with “assaulting police personnel on duty” and “damaging portables” and that other witnesses were being summoned for questioning.

Amnesty International recognizes the Bahraini authorities’ duty and responsibility to maintain and restore order in the prison and bring those responsible for acts of violence or vandalism to justice. However, the organization is concerned about reports that in doing this, the prison guards and riot police committed human rights violations. While the authorities have announced that they opened investigations into these allegations, so far, the outcome of these investigations has not been made public and no security officer has been brought to justice.

Bahraini human rights activists and former detainees said that the police used tear gas and shotgun pellets inside the prison to break up the riot. Families of prisoners told Amnesty International that prisoners were lined up, beaten with batons, slapped, verbally abused and moved to the prison’s courtyard. Prisoners were forced to sleep in tents in the

prison's courtyards for several weeks and phone calls and family visits were suspended. Prisoners told family members that they were not allowed to go to the toilet or shower for three days. They said they were beaten with batons and wooden sticks on a regular basis in the day and in the night and if they asked to go to the toilet, they were also beaten. Some prisoners said they were given electric shocks. Former prisoners who witnessed the incidents have stated that those wounded during the riot were not taken to see a doctor for the first few days. Some prisoners had no communication with their families for more than two months.

Ahmad Mshaima', who is serving a one-year prison sentence for reading a poem considered offensive to the King of Bahrain, told his family that on 10 March he and other prisoners were beaten and not allowed to go to the toilet or shower for three days. His family did not receive any news from him and were not allowed to visit until 5 May, almost two months after the riot began. He told them that two days earlier he was blindfolded, slapped and beaten on his back and knees because he had told other prisoners not to ask to go to the toilet while a guard who humiliated them was on duty.

Ali Ahmed Ibrahim Haroon, who is serving a life sentence for involvement in an explosion that injured four policemen in Bani Jamra in 2013, was seen by other prisoners being removed from his cell blindfolded and bleeding from both ears and taken to Salmaniya Medical Complex, in the capital Manama, on 19 March. His family had no news about him until 30 March when he called for a few seconds before the line was cut. They visited him on 15 April and saw he had a yellow complexion, was shacking and had difficulty speaking.

Abbas al-Samea', who was convicted and sentenced to death in connection with an explosion that killed three policemen in al-Daih village in March 2014, was also seen by visiting relatives with bruises and a number of his teeth missing.

Naji Fateel, a human rights defender serving a 15-year prison sentence for "setting up a terrorist group which aims to suspend the constitution and harm national unity", told his family that injuries to his leg and back he had before his arrest and imprisonment have worsened and since March, he has been prevented from receiving treatment. His family had no communication with him and were not able to visit him until 12 April. He filed a complaint with the Ombudsman of the Interior Ministry about his treatment and his family filed a complaint with the National Institution for Human Rights but neither he nor his family has received any news about an investigation. In protest against his treatment in prison, he is currently refusing phone calls and visits. He is amongst the 57 on trial.

Under international law and standards, law enforcement officers may use force, including against rioters, where unavoidable, while exercising restraint in such use and acting in proportion to the seriousness of the offence and the legitimate objective to be achieved. However, once a person has been brought under officials' control, no violence may be used against them in any circumstances as this would amount to cruel, inhuman or degrading treatment or punishment or torture.

Amnesty International is concerned that more than four months after the Jaw prison riot, no results of any investigations have been made public. On 18 March, the Director of

monitoring of prisons and detention facilities in the Ombudsman of the Ministry of Interior stated that his office had “taken all necessary action and within its mandate and authority” and sent a team of investigators to the prison to look into the 105 concerns and requests raised by families. He stated that 15 of the prisoners who were interviewed filed a complaint.

Ahead of the trial, Amnesty International wrote to the Special Investigation Unit, the body in charge of examining allegations of abuse by the security forces, on 21 July seeking updates on the investigation but has received no answer to date.

The prosecution of those who committed acts of violence or disobedience in detention should not take priority over publishing the results of investigation into all instances of unnecessary or excessive use of force and subsequent torture or other ill-treatment of prisoners by officers and bringing those responsible to justice in fair trials.

The 57 defendants must be guaranteed a fair trial. In particular, the authorities must carry out an independent and thorough investigation into allegations of torture or other ill-treatment during and following the prison riot and ensure that no “evidence” obtained under coercion is admitted in court proceedings against them.