URGENT ACTION

FATE AND WHEREABOUTS OF BAHRAINI UNKNOWN

Al-Sayed Alawi Hussain al-Alawi continues to be detained without charge or access to a lawyer since his arrest in October 2016. His family have not heard from him since 14 December 2016, nor have they received any information about his whereabouts or well-being. Amnesty International is concerned that he is a victim of enforced disappearance and is at risk of torture and other ill-treatment.

Al-Sayed Alawi Hussain al-Alawi has been detained without charge since his arrest in 24 October 2016. He has not had access to a lawyer and only limited contact with his family. The authorities allowed him to make a second phone call to his family on 14 December 2016. After his family repeatedly asked where he was, al-Sayed Alawi Hussain al-Alawi replied that he was at the Criminal Investigations Directorate (CID). When they asked what he was being charged with, the line went dead. His family have not heard from him since. Despite numerous inquiries made to the authorities and human rights institutions, no information has been given on his fate and whereabouts. Amnesty International is concerned that being detained without access to a lawyer and with only negligible phone contact with his family puts al-Sayed Alawi Hussain al-Awai at risk of torture and other ill-treatment, and that the ongoing denial of information as to his whereabouts could amount to enforced disappearance.

Al-Sayed Alawi Hussain al-Alawi's family continue to seek clarification of his whereabouts and well-being and have attempted on multiple occasions to obtain access to him. On 1 December 2016, his wife lodged a second complaint with the Ombudsman after she had not been contacted by his office after her first complaint, issued the day after his arrest; she was told her first complaint had not been registered in their files. She received a phone call on 10 January from the Ombudsmen's office informing her that her complaint had now been submitted to the Special Investigations Unit (SIU). On 4 December 2016, al-Sayed Alawi Hussain al-Alawi's family went back to the Public Prosecution Office (PPO) to follow up on the visitation request they made on 10 November, but were told that the PPO had not looked at the request letter and were asked to send another. His family were also told that al-Sayed Alawi Hussain al-Alawi had been taken to the Terrorism Prosecution of the PPO but did not say on what date and under what charges. On 6 December, they received a call from the Terrorism Prosecution requesting the names of six family members, in order to arrange for them to visit al-Sayed Alawi Hussain al-Alawi. They have received no further information since. Amnesty International also wrote to the Ombudsman on 2 December 2016 -and on 5 January, and to the Public Prosecutor and Minister of Interior on 13 January, but has yet to receive a response.

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

- Urging the Bahraini authorities to immediately disclose the fate and whereabouts of al-Sayed Alawi Hussain al-Alawi and to release him unless he is promptly charged with a recognizable criminal offence, in line with international law and standards;
- Calling on them to provide him with prompt and regular access to his family, lawyer and any medical attention he may require and ensure that, pending his release, he is protected from torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 10 MARCH 2017 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

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: http://www.moj.gov.bh/en/
Twitter: @Khaled_Bin_Ali

Please check with your section office if sending appeals after the above date. This is the first update of UA 275/16. Further information: www.amnesty.org/en/documents/mde11/5251/2016/en/

AMNESTY INTERNATIONAL

URGENT ACTION

FATE AND WHEREABOUTS OF BAHRAINI UNKNOWN

ADDITIONAL INFORMATION

Al-Sayed Alawi Hussain al-Alawi was arrested following a raid by four armed men in civilian clothing at about 4 pm on 24 October 2016, while in a meeting with engineers and contractors at a site they were working on in al-Muharraq, north east of the capital Manama. No reason was given for his arrest. His work phone and computer were confiscated and he was driven to an unknown location. On the same day, his wife filed a missing persons report at Budaya Police station. On 25 October 2016, his wife submitted a complaint to the Ombudsman's office, where she was told that they would keep her informed of any developments. Despite the CID initially denying several times to the family that Al-Sayed Alawi Hussain al-Alawi was in their detention, his wife received a call from the CID on 3 November 2016, at around 6pm, stating that he had been transferred to Dry Dock prison in Manama. The prison authorities then denied having him in their custody and referred them to the PPO where they received the same answer. On 10 November 2016, Al-Sayed Alawi Hussain al-Alawi's family sent a letter to the PPO requesting a visit, but they received no response. On 17 November 2016, the family contacted the National Institution for Human Rights (NIHR) to inquire about the latest updates they had on the case and were surprised to hear that according to their investigations, the CID had told them that al-Sayed Alawi Hussain al-Alawi had called his wife and told her about his whereabouts. On 27 November 2016, at 11.15 pm al-Sayed Alawi Hussain al-Alawi phoned his wife, and also spoke to his mother, and told them that he was being held at the CID. He only answered yes or no to their questions. The call lasted four minutes and according to his family, he sounded exhausted. Requests by the family to visit him and by his lawyer to be present during his interrogation have all been rejected. On 4 January 2017, his lawyer wrote to the NIHR and his wife also called the NIHR on 9 January but was told they had no information

Amnesty International has documented arbitrary arrests and detentions and torture and other ill-treatment of detainees, particularly while held in the CID, when detainees allege they are forced to sign "confessions". The right of access to a lawyer is a fundamental safeguard against torture and other ill-treatment, and is one of the key norms for a fair trial under international human rights standards. It is important to enable detainees to challenge their detention at an early stage and serves as an important safeguard against torture and other ill-treatment, enforced disappearance and other human rights violations.

Persons deprived of their liberty should also be able to have contact with family members and friends, as well as medical professionals. Such access should be given, subject only to conditions and restrictions which are necessary and proportionate to a legitimate aim. Under international law and standards, anyone who is arrested and detained has the right to inform, or have the authorities notify, someone in the outside world that they have been taken into custody and where they are held. In addition, they should be given all reasonable facilities to communicate with and receive visits from their family. Like the right of access to a lawyer, the right of detainees to communicate with the outside world and to receive visits is a key safeguard against torture and other ill-treatment and other human rights violations. It enables persons concerned about the wellbeing of detainees to see where they are held and their condition. It is also a key safeguard against enforced disappearances.

In 2012 the Bahraini government created human rights institutions to investigate alleged human rights violations and ensure accountability, in particular the Ombudsman of the Ministry of Interior and the SIU within the PPO. The Ombudsman and the SIU are empowered and resourced to conduct prompt and effective investigations into alleged human rights violations by state agents, acting in response to complaints or at their own volition. The Ombudsman's office has generally been effective in referring serious human rights violations for investigation by the SIU. However, in some cases it failed to take prompt action to protect detainees from torture and other ill-treatment, or to effectively investigate their allegations. See also Amnesty International's November 2016 report *Window-dressing or pioneers of change? An assessment of Bahrain's human rights oversight bodies* (https://www.amnesty.org/en/documents/mde11/5080/2016/en/).

Name: al-Sayed Alawi Hussain al-Alawi
Gender m/f: m
Further information on UA: 275/16 Index: MDE 11/5581/2017 Issue Date: 27 January 2017