

# URGENT ACTION

## VERDICT OF TRIAL TO BE ANNOUNCED ON 4 APRIL

**The verdict on the trial of two children and three male adults who participated in protests in Bahrain will be announced on 4 April 2013.**

On 4 April 2013, the High Criminal Court in Manama will announce its verdict in the cases of **Jehad Sadeq Aziz Salman** (16), **Ebrahim Ahmed Radi al-Moqdad** (15), **Naser Saeed Hassan** (20), **Hassan Abdul Jalil al-Ekri**, and **Sadeq Khalil Ibrahim al-Haiki**. They have been charged under Bahrain Penal Code and Law 59 of 2006 with respect to protection of the community against terrorist acts (anti-terrorism law) for “intending to murder”, “burning a police car”, “illegal gathering and rioting”, “throwing Molotov cocktails”, and “attempting to steal a police car”. The trial started on 16 October 2012, and there have been seven hearings in total. In previous hearings prosecution and defence witnesses were questioned by the court. Prosecution witnesses included several police officers. The defence lawyers complained in previous hearings about inconsistencies in the statements of the prosecution witnesses, as well as inconsistencies in injuries they claimed they sustained.

If convicted, Jehad Sadeq Aziz Salman and Ebrahim Ahmed Radi al-Moqdad could be imprisoned for up to seven years. While under Bahraini law, the criminal responsibility age is 15 years old. Jehad Sadeq Aziz Salman and Ebrahim Ahmed Radi al-Moqdad who are both under 18, should be considered as children and be treated in accordance with the rules and principles of juvenile justice.

With the verdict to be announced in a week's time, Amnesty International asks network to send appeals at this crucial time.

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

- Expressing concern that Jehad Sadeq Aziz Salman and Ebrahim Ahmed Radi al-Moqdad are being treated as adults despite being under the age of 18, and urging the Bahraini authorities to ensure that they are treated in accordance with the rules of juvenile justice;
- Urging the authorities to protect all five detainees from torture and other ill-treatment, ensuring that their allegations of torture 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 4 APRIL 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  
**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 via website:  
<http://www.moj.gov.bh/en>  
 Twitter: @Khaled\_Bin\_Ali  
**Salutation: Your Excellency**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date. This is the second update of UA 236/12. Further information:  
<http://amnesty.org/en/library/info/MDE11/064/2012/en>

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 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 continue to be committed against those who oppose the Al Khalifa family's rule.

The two children and the three male adults were arrested on 23 July 2012 during an anti-government protest in Bilad al-Qadeem, west of Manama. After their arrest, they were taken to a police station in Gudaibiya neighbourhood in Manama, then to the Criminal Investigation Department for interrogation (at which a lawyer was not present) before being taken to the Public Prosecutor Office for further questioning. They were only allowed to contact their families nearly 48 hours after their arrest to inform them where they were being held. When the two children finally saw their families they told them they had been beaten in detention.

Article 15 of the Convention on the Rights of the Child (CRC), to which Bahrain is a state party, states: "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 states 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.

Furthermore, 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: Jihad Sadeq Aziz Salman, Ebrahim Ahmed Radi al-Moqdad, Naser Saeed Hassan, Hassan Abdul Jalil al-Ekri, Sadeq Jalil Ibrahim al-Haiki

Gender m/f: m

Further information on UA: 236/12 Index: MDE 11/007/2013