

URGENT ACTION

TEENAGE PROTESTERS GIVEN 10 YEARS IN PRISON

Two Bahraini boys, Jihad Sadeq 'Aziz Salman and Ebrahim Ahmed Radi al-Moqdad, had their 10-year prison sentences upheld by the High Criminal Court of Appeal.

On 29 September the High Criminal Court of Appeal in Manama upheld the 10-year prison sentences against **Jihad Sadeq 'Aziz Salman** and **Ebrahim Ahmed Radi al-Moqdad**, both aged 16. The two children had been convicted under articles of the Bahrain Penal Code and the 2006 anti-terrorist law with "intending to murder policemen", "burning tyres on a main road", "using force against two policemen, "burning a police car", "illegal gathering" in order "to commit crimes and undermine public security", and "possession of Molotov cocktails".

The court also upheld prison sentences against four men, three to 15 years and one to 10 years, on similar charges. Two of the men were not present in court and had also been sentenced at their original trial in their absence.

The boys were originally sentenced to 10 years' imprisonment on 4 April. 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 the trial. The children are being held at Jaw Prison for adults, around 30km south of the capital Manama, where they are housed in Bloc 3 along with men aged 20 and over.

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

- Expressing concern that Jihad Sadeq Aziz Salman and Ebrahim Ahmed Radi al-Moqdad were tried as adults despite being under the age of 18;
- Urging the Bahraini authorities to quash the children's convictions and order a retrial, in a court abiding by international standards of juvenile justice and reminding them that even under these standards children may only be imprisoned as a last resort;
- Urging the authorities to protect the children and other prisoners 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 11 NOVEMBER 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 (keep trying)
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 bin Abdullah 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

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 fourth update of UA 236/12. Further information:

<http://amnesty.org/en/library/info/MDE11/009/2013/en>

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ADDITIONAL INFORMATION

The trial of Jihad Sadeq Aziz Salman, Ebrahim Ahmed Radi al-Moqdad and the four male adults began on 16 October 2012 before the High Criminal Court in Manama, which issued verdicts against all six on 4 April 2013. The two teenagers and the two adults who appeared in court were arrested on 23 July 2012 during an anti-government protest in Bilad al-Qadeem, west of Manama. When the two children finally saw their families they told them they had been beaten in detention. One of the adults told the court how he had lost the hearing in one ear and was suffering back pain as a result of being beaten in custody.

In the last two years scores of Bahraini children have been detained in connection with ongoing anti-government protests. They have been accused of participating in "illegal gatherings", rioting, burning tyres and throwing Molotov cocktails at police patrols, among other offences. Some have been released but dozens are currently being tried or held without trial, pending investigation. In a number of cases children have reportedly been tortured or otherwise ill-treated in order to force them to sign "confessions". In other cases they have been formally charged with criminal offences under the Penal Code and the 2006 anti-terrorism law, tried as adults and then convicted and sentenced to prison terms.

Provisions in Bahraini legislation with regards to children, including those affecting children in conflict with the law, flout international standards of juvenile justice. Bahrain's Penal Code (Article 32) establishes a minimum age of criminal responsibility of 15, but in reality the legal minimum age of criminal responsibility is seven years, which is extremely low compared to internationally accepted standards. According to the 1976 Juvenile Law a child in Bahrain 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. On 6 August 2013 the King, Shaikh Hamad Bin 'Issa Al Khalifa, issued two emergency decrees including one amending the 1976 juvenile law, which now stipulates that if anyone under 16 years of age takes part in a demonstration, public gathering or sit-in, his or her parents will be warned in writing by the Ministry of Interior. If six months after the warning the juvenile is found in a new demonstration his or her father could face jail, a fine or both.

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; attention to the particular needs of children in custody; and an emphasis on reformation and social rehabilitation of child prisoners.

Two and a half 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.

On 12 September the European Parliament passed a resolution calling for the respect of human rights and fundamental freedoms in Bahrain. Amongst 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 ongoing human rights violations in Bahrain.

Name: Jihad Sadeq Aziz Salman and Ebrahim Ahmed Radi al-Moqdad
Gender m/f: m

Further information UA: 236/12 Index: MDE 11/046/2013 Issue Date: 30 September