

URGENT ACTION

DEATH SENTENCES UPHELD AT FINAL APPEAL

Bahrain's Court of Cassation has upheld the death sentences imposed on two men in December 2014 after a trial that relied on "confessions" extracted under torture. If the King ratifies their sentences, they will be in danger of execution.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed had their death sentences upheld by Bahrain's Court of Cassation on 16 November. The two men had been sentenced to death on 29 December 2014 for the killing of a policeman, who died when a bomb exploded in al-Deir village on 14 February 2014. Ten people, who were sentenced with them, to between six years and life in prison, also had their sentences upheld. No additional written or verbal pleas or new evidence were presented during the hearings. The death sentences have been passed to the King. If he ratifies their sentences, the two men will be at risk of execution.

Under Bahraini law, once a death sentence has been confirmed by the Court of Cassation, it is sent to the King of Bahrain. The King has the authority to ratify the sentence, commute it or grant a pardon.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed did not receive a fair trial. Hussain 'Ali Moosa's "confession", which he said had been obtained under torture, was used as the main evidence in his trial and was also used to incriminate Mohamed Ramadhan.

No investigation into the men's allegations of torture is known to have taken place. They are both held in solitary confinement in Jaw prison, south of Manama.

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

- Urging the authorities to commute the death sentences imposed on Mohamed Ramadhan and Hussain 'Ali Moosa, order a full retrial where no evidence obtained under torture is used and investigate their allegations of torture;
- Acknowledging that the Bahraini government has a responsibility to protect the public and bring to justice those who commit crimes, but insisting that this should always be done in accordance with international law and Bahrain's international human rights obligations;
- Urging them to commute all death sentences and declare a moratorium on executions.

PLEASE SEND APPEALS BEFORE 23 FEBRUARY 2016 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

Ministry of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa

P.O. Box 13, al-Manama

Bahrain

Fax: +973 1723 2661

Email via website:

www.interior.gov.bh/contact_en.aspx

Twitter: @moi_Bahrain

Salutation: Your Excellency

And copies to:

Minister of Justice and Islamic Affairs

Shaikh Khaled bin Ali bin Abdullah 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/default76a7.html?action=category&ID=159>

Twitter: @Khaled_Bin_Ali

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 1/15. Further information:

<https://www.amnesty.org/en/documents/mde11/1752/2015/en/>

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ADDITIONAL INFORMATION

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed told their lawyers that they had been tortured or otherwise ill-treated in the first few days they were detained, in February and March 2014, during interrogation at the Criminal Investigations Directorate (CID). In the absence of their lawyers, Mohamed Ramadhan refused to sign a "confession" but Hussain 'Ali Moosa said he was coerced to "confess" and incriminate Mohamed Ramadhan after being suspended by his limbs from the ceiling and beaten repeatedly for several days. Hussain 'Ali Moosa's "confession" was later used as the main evidence in the trial of the two men and led to them being convicted. Hussain 'Ali Moosa told his lawyers that he reported to the Public Prosecutor that he had been tortured, and that his "confession" had been coerced, but the Prosecutor dismissed the allegations and sent him back to the CID where he has said he was tortured for a further two months. Mohamed Ramadhan claimed that he too had reported being tortured to the Public Prosecution but had had his allegation dismissed.

Mohamed Ramadhan 'Issa 'Ali Hussain and Hussain 'Ali Moosa Hussain Mohamed appealed their death sentences before the High Criminal Court of Appeal on 30 March 2015. No new evidence was presented during the appeal hearing. The men's lawyers only received a copy of the original judgement during the first session of the appeal hearing. In the second session they had to ask permission to summon witnesses in the next session, as they had not had enough time to prepare their pleadings. The judge rejected this request and adjourned the hearing to 26 May for final judgement before the lawyers could give their final pleadings. The Court upheld their death sentences that day.

The last person executed in Bahrain was a Bangladeshi man, Jassim Abdulmanan, who was put to death in 2010. However, at least 16 people have since been sentenced to death in Bahrain, although some of the death sentences have since been quashed on appeal.

The right to life and the right not to be subjected to cruel, inhuman or degrading treatment or punishment are recognized in the Universal Declaration of Human Rights (UDHR) and other international human rights instruments. Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime, the guilt, innocence or other characteristics of the offender or the method used by the state to carry out executions. The death penalty violates the right to life as proclaimed in the UDHR. It is the ultimate cruel, inhuman and degrading punishment.

Names Mohamed Ramadhan 'Issa 'Ali Hussain, Hussain 'Ali Moosa Hussain Mohamed

Gender m/f: m

Further information on UA: 1/15 Index: MDE 11/3180/2015 Issue Date: 12 January 2016

