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Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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The perversity of what passes for a criminal justice system in Bahrain will be on full display on July 13, when Mohamed Ramadan and Hussein Moosa make their final bid to escape execution.

The two are scheduled to appear before the countrys Cassation Court, Bahraíns court of final appeal, the last step in a harrowing journey that began when security forces arrested them more than six years ago, in February 2014, on charges of attacking police with terrorist purpose, resulting in the death of one policeman. Their appeal will turn on whether the Cassation Court judges consider it relevant that a special unit in the public prosecution office determined that interrogators may have tortured the men to secure the confession that convicted them both.

Whats unusual is that this will be their second final appeal. A criminal court sentenced them to death in December 2014, despite the mens torture claims. Ramadan refused to sign a confession, but Moosa did, also implicating Ramadan. They were kicking me on my reproductive organs . . . repeatedly in the same place until I couldnt speak from the pain, he later told a UK-based rights group by phone.

Ramadan for his part told the group that the torture, beating and insults wouldnt stop, even as I was answering their questions and when I told them about my back pain, they lay me on my stomach and hit me on my back. The two had not been able to meet with their lawyers during the interrogations or at any point before their trial began.

The criminal court ruling on their conviction set out no hard evidence linking the defendants to the crime, and relied on the testimony of numerous police officers and the confessions of Moosa and other defendants in the case. The ruling said that the court may admit the defendants confession incriminating himself or another defendant if the court is persuaded of its veracity.

International prohibitions of torture aside, the lack of consideration of their claims that the confession were obtained by torture appears to have ignored [article 19](#) in Bahraíns constitution, which expressly states that courts should treat forced confessions as null and void and [article 253](#) of the criminal procedure code stating that judges must ignore any statement proved to have been made under coercion or a threat thereof. The Cassation Court in November 2015 nevertheless confirmed the death sentences.

Despite complaints to the Interior Ministrys Ombudsman unit in July 2014 that Moosa and Ramadan were tortured, no investigation ensued. Bahraini officials later falsely claimed that there had been no complaints, claims that UK Foreign Office officials repeated when questioned about the case.

After official receipts of the complaints surfaced, the Ombudsmans office promised a full, independent investigation by the public prosecution offices Special Investigation Unit (SIU), which is mandated to investigate allegations of torture or mistreatment. The units report, in March 2018, recommended the court reconsider the verdicts, saying that a medical report by an Interior Ministry doctor that was not made available during the mens trial and appeal raise the suspicion that [Moosa] was subjected to assault and mistreatment. There is a suspicion of the crime of torture, the report concluded, which was carried out with the intent of forcing them to confess to committing the crime they were charged with.

The Cassation Court, on the basis of the new evidence, overturned the death sentences in October 2018 and ordered the appeals court to reconsider the case. The appeals court reinstated the death sentences in January 2020. The court, citing medical examiners, claimed the injuries to the defendants had occurred in the week or so after they had confessed, and declared that it was satisfied with the truth of the witness accounts supported by the confession of the above defendants, in effect ignoring the governments own findings and the prohibition in Bahraini as well as international law against admitting coerced confessions.

So the lives of these two men are once again in the hands of the Cassation Court judges, who must decide whether the facts of the case, including the credible evidence of torture, and the provisions of Bahraini and international law prohibiting torture and the admissibility of coerced confessions, have any meaning. And the judges must decide whether Mohamed Ramadan and Hussein Moosa will have to

pay the ultimate price for the continued criminal malfeasance of Bahrain's justice system when it comes to torture and reliance on coerced confessions to sentence men to death.

Bahrain Death Sentences Follow Torture, Sham Trials

Suspicious Killings and Extrajudicial Executions by Egyptian Security Forces

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