

Human Rights Watch

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

<https://www.hrw.org/news/2020/03/09/bahrain-death-sentences-despite-torture-claims>

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Mohamed Ramadan (left) and Hussein Ali Moosa (right).

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Mohamed Ramadan (left) and Ali Moosa (right). Bahrain Institute for Rights and Democracy

(Beirut) [Bahrain's](#) authorities should overturn the death sentences following unfair trials against two men who say they were tortured, Human Rights Watch and the Bahrain Institute for Rights and Democracy (BIRD) said today. The Court of Cassation, Bahrain's court of last resort, will issue the final verdict in the coming weeks.

This is the second time the Court of Cassation will examine the case of Hussein Ali Moosa and Mohamed Ramadan. A criminal court on December 29, 2014 sentenced both to death for murdering a policeman, despite their torture allegations. The Court of Cassation confirmed the death sentences in November 2015 but overturned them in October 2018 after a previously undisclosed medical report appeared to corroborate Moosa's torture allegations. Despite the new evidence, the High Criminal Court of Appeal reinstated the convictions and death sentences on January 8, 2020.

Moosa and Ramadan have now twice been sentenced to death despite compelling evidence that their convictions were based on confessions obtained under torture, said [Joe Stork](#), deputy Middle East director at Human Rights Watch. This is an indictment of Bahrain's criminal justice system, and the Court of Cassation should not miss the opportunity to correct this grave miscarriage of justice by overturning their death sentences.

Security forces arrested Moosa, 33, on February 21, 2014 and Ramadan, 37, on February 18, 2014, in connection with the murder of a policeman and other terrorism charges. Both men alleged that Central Investigations Directorate (CID) officers tortured and sexually assaulted them. Ramadan refused to sign a confession, but Moosa told BIRD that he was tortured into confessing to the charges against him and incriminating Ramadan.

They were kicking me on my reproductive organs, and would hit me repeatedly in the same place until I couldn't speak from the pain, Moosa told BIRD in a voice message recorded on December 11, 2019. Someone at the torture site was telling me, We already have the judgment written. Just say that Mohammed Ramadan is the one who gave you the bomb, and we'll commute your verdict to a life sentence. I decided to tell them what they wanted.

Ramadan also described to BIRD the beatings and sexual abuse at the CID. During my interrogation, the torture, beating, and insults wouldn't stop, even as I was answering their questions. And when I told them about my back pain, they lay me down on my stomach and hit me on the back. They would pull down my pants to show my private parts. I would remain in such shameful condition throughout the interrogation.

Despite torture complaints from Ramadan's wife and from the United States-based Americans for Democracy and Human Rights in Bahrain (ADHRB), the Interior Ministry's Ombudsman did not investigate the allegations for two years. In April 2016, in response to a question from the United Kingdom Foreign Office, the Ombudsman and the Bahraini embassy in London [falsely claimed](#) that the authorities had not received any allegations of mistreatment or torture regarding Ramadan's case.

After ADHRB produced a receipt for the original complaint from the Ombudsman, and following UK Foreign Office pressure, the Ombudsman said it would conduct a full, independent investigation into the treatment of both Mohamad Ramadan and Hussein Moosa.

The Ombudsman on August 7, 2016 referred the case to the [Special Investigations Unit](#) (SIU) in the Public Prosecutors Office, which investigates and prosecutes criminal allegations against security or other officials for torture or mistreatment of detainees. On March 18, 2018, the investigations unit issued its report, which Human Rights Watch reviewed, recommending that the courts reconsider the verdicts against Moosa and Ramadan in light of a newly uncovered medical report by an Interior Ministry doctor that had not been available during the initial trial.

The medical report detailed injuries on Moosa's wrists that raise the suspicion that he was subjected to assault and mistreatment that coincide with the procedures of his arrest, detention, and questioning. The investigations unit concluded that there is a suspicion of the crime of torture which was carried out with the intent of forcing them to confess to committing the crime they were charged with.

The investigation failed to definitively establish whether security forces tortured Moosa and Ramadan, and did not state that neither had been allowed to meet with their lawyers either during their formal interrogations or before their trial. The investigators stated in the report that the torture allegations were still undergoing investigation, but told the families in person on January 23, 2020 that they had closed the investigation and the matter was in the courts' hands.

Following a request from London-based rights organization Reprieve, the Copenhagen-based International Rehabilitation Council for Torture Victims (IRCT) conducted an independent expert review of the forensic medical reports for both men. They found that the [forensic examinations failed to meet the minimum standards](#) and principles on appropriate investigation into allegations of torture and ill-treatment under international law. The IRCT also described the Special Investigative Unit's investigation as cursory and superficial.

Bahrain's Ombudsman and the investigative unit have [repeatedly failed to investigate](#) credible allegations of detainee abuse or to hold accountable officials who participated in and ordered torture during interrogations. The United Nations Committee Against Torture [raised concerns](#) that these bodies were neither independent nor effective.

Based on freedom of information requests, the United Kingdom has provided [6.5 million pounds](#) of technical assistance to Bahrain since 2012, some of which has supported the Special Investigative Unit and Ombudsman. The UK should investigate these oversight bodies and publicly state what they need to do to demonstrate their effectiveness in combatting torture and their independence of the executive.

According to BIRD, eight death row inmates in Bahrain are at imminent risk of execution, having exhausted all legal remedies. On July 27, Bahrain executed three men, including [Ali al-Arab and Ahmad al-Malali](#), both convicted of terrorism offenses in a mass trial marred by allegations of torture and serious due process concerns.

Human Rights Watch opposes the death penalty in all circumstances because of its inherent cruelty. Bahrain's allies, including the United Kingdom, should press Bahrain to abolish the death penalty, or reinstate the moratorium on executions, and give UN experts the opportunity to independently investigate Moosa and Ramadan's torture claims.

A thorough and independent investigation of the torture alleged by Moosa and Ramadan is vital, said Sayed Ahmed Alwadaei, advocacy director at BIRD. Millions of pounds of UK-government support have failed to compel Bahrain to hold abusers to account, so it's time that UN experts have access to Bahrain to investigate the matter further.

Bahrain Death Sentences Follow Torture, Sham Trials

Suspicious Killings and Extrajudicial Executions by Egyptian Security Forces

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