

We Will Execute You Soon

A phrase spoken by prison guards to those sentenced to death

A report issued by Salam for Democracy and Human Rights to shed light on the death sentences in Bahrain and clarify the violation and breaches of local and international law



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for Democracy and Human Rights

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DESIGNED BY: 

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Who we are:

SALAM for Democracy and Human Rights (SALAM DHR) is an NGO that endeavours to preserve universal principles of dignity and respect by shielding democracy and human rights.

In the pursuit of this vision, SALAM DHR aims to influence British, European and UN representatives to improve the situation in the Middle East, and foster awareness of human rights and democracy.

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Introductory

The international human rights community, led by the United Nations and the Human Rights Council, is particularly opposed to the death sentences, especially those issued by courts ruled by a non-independent and impartial judiciary. In accordance with international standards. To achieve this goal, it sought to gradually counteract the provisions by suspending execution of death sentences, replacing the penalty or abolishing the penalty from criminal laws. The Second Optional Protocol to the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly in New York on 15 December 1989, on the abolition of the death penalty once and for all to achieve the objectives. Therefore, the number of States joined this Optional Protocol until today is 81 countries, but include not, unfortunately, the Kingdom of Bahrain. The United Nations General Assembly and the Human Rights Council also adopted resolutions on the death penalty. The United Nations General Assembly, for example, adopted a resolution calling for a moratorium on the death penalty in the world in 2007, 2008, 2010 and 2014 by a majority and expanded every year. In 2014, the resolution received 117 votes in favor, 38 against, with 34 abstentions. However, the Government of Bahrain continues to issue death sentences from arbitrary trials that do not have the guarantees and principles of a fair trial set out in article 14 of the International Covenant on Civil and Political Rights. Although Bahrain has ratified and acceded to the Covenant, it still refuses

to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights
The abolition of the death penalty.

The number of countries abolishing the death penalty in law or practice was 141, the number of countries abolishing the death penalty for all crimes was 97, and abolitionist countries were 36, while 8 abolished the death penalty in the crimes of public rights.

On the other hand, since the death sentences were issued from unfair trials and the accused were subjected to torture during interrogation and the physical and moral coercion to extract confessions and to sign statements that had no relevance. Since the Kingdom of Bahrain signed the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment In 1998. Since the Convention provides for the invalidity of judicial verdicts derived from confessions obtained under torture, and since the accused and the trial documents have proven that the accused were tortured, these provisions are invalid by the International laws and agreements of Human Rights. (Attached a copy of the response of the General Secretariat of Complaints).



FIRST: Within the framework of international law

The international human rights community, led by the United Nations and the Human Rights Council, is particularly opposed to the death sentences, especially those issued by courts ruled by a non-independent and impartial judiciary. In accordance with international standards. To achieve this goal, it sought to gradually counteract the provisions by suspending execution of death sentences, replacing the penalty or abolishing the penalty from criminal laws. The Second Optional Protocol to the International Covenant on Civil and Political Rights, adopted by the United Nations General Assembly in New York on 15 December 1989, on the abolition of the death penalty once and for all to achieve the objectives. Therefore, the number of States joined this Optional Protocol until today is 81 countries, but include not, unfortunately, the Kingdom of Bahrain.

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SECOND: The Framework of The Local Law

83 articles stipulating the death penalty in Bahraini penal laws and legislation, all of which are in the hands of the judge of criminal courts who has the absolute authority to apply them on children, women and men, and in their implementations are mostly on the public right, especially with regard to confronting political opposition, human rights activities and opinion and freedom of speech cases. Since the criminal jurisprudence determines that the judge of criminal courts has discretion in applying the sentence, the reality of the criminal courts in Bahrain has proved that the judge considers this discretion to be personal and not subject to substantive consideration. The judge in Bahrain often invokes the law of community protection from Terrorist acts (the law of terrorism) if there is an appropriate opportunity for him to apply the death penalty as a retaliatory punishment to confront human rights activists and politicians, which is proved by evidenced, facts and figures in this report.

In the Penal Code:

- Article 37
- Article 112
- Article 113.
- Article 114
- Article 115
- Article 116
- Article 117
- Article 121
- Article 122
- Article 126
- Article 129
- Article 142
- Article 147
- Article 147
- Article 148
- Article 149
- Article 151
- Article 152
- Article 153
- Article 155
- Article 175
- Article 234
- Article 333
- Article 344
- Article 349
- Article 349
- Article 359
- Article 359
- Article 376
- Article 414
- Article 277
- Article 279
- Article 285

The law protecting society from terrorist acts:

- Article 3 (for articles 1 to 10 of article 2)
- Article 20

Military Justice Act:

- Article 95 (A / b / c / d / e / f / g / h / i / j / k / l)
12 items
- Article 98
- Article 99
- Article 100
- Article 103 (a / b / c)
3 items
- Article 104
- Article 105 (a / b)
- Article 106 (a / b / c / d)
4 items
- Article 108
- Article 110 (a / b)
has two items
- Article 124
- Article 125

Law on narcotic substances and psychotropic substances:

- Article 30 (9 items)
- Article 48
- Article 49

Note: the reason for duplicate article numbers is because there are two articles with death sentences or there were two previous articles with the death penalty.

The total death penalty in all Bahraini laws and legislation penalized above are 83 articles.



THIRD: The Nature of Judiciary System in Bahrain:

The Constitution of the Kingdom of Bahrain of the year 2002 states in Article 33, item H, that: The King shall preside over the Supreme Council of the Judiciary and appoint the judges by royal orders based on the proposal of the Supreme Judicial Council. In this constitutional provision, it is clear that the King is the head of the Supreme Council of the Judiciary, who proposes the names of judges since he chaired the council and he appoints the judges. Which renders this authority under full control of the king, and make it non-independent and not recognizing the principles and international standards of the independence and impartiality of the judiciary.

Article 104 of the same Constitution, which regulates the judiciary in three articles (104-105-106), attempts to give the judiciary independence and impartiality, which is essentially a confiscation of the text of Article 33, item (f), which is governed by the King. Article 105 regulates the three levels of litigation (the Court of Cassation, the Court of Appeal and the Court of Cassation) in section (a), and (b), which

was subsequently amended, prevented the trial of civilians in military courts. Allow the prosecution of civilians in military courts. However, this article has been amended and now allows for the prosecution of civilians in military courts. Article (c) provides for public statements of trials and hearings, but this provision has not been applied in many trials of politicians, jurists, opinion and expression cases.

Article 106 of the Constitution stipulates that a Constitutional Court shall be established to consider the question of the constitutionality of laws. This Court shall be under the authority of the King and he shall appoint its judges. This court has been characterized by defending the laws issued by the king and his government, which is headed by him. This court is disrupted in the judicial and legal reality, and it is complained by all lawyers, even in appeals against administrative, civil and commercial laws.

With this complex structure and the king's hegemony over the judiciary, the Bahraini judiciary has arbitrarily characterized the rights of human rights activists, politicians, and opinion and expression cases, making sentences amounting to death to by the death penalty.

Despite the fact that some of those sentenced to death received a response from the General Secretariat of grievances (official body) that confirmed torture, unfortunately the judiciary did not take into consideration their innocence, but insisted and supported the death sentences, which raises the suspicion of fairness of the judiciary to the level of certainty that these courts do not enjoy integrity and independence without standards Justice.



FOURTH: List of Those Sentenced to Death

Since 2011, after the civil movement in Bahrain, death sentences have been issued against political opponents and civil society activists from the national security courts (military), the military judiciary (under the administration of the army) and the civil courts, and it is noticeable that the number of these sentences has increased recently in this year (2018), with 21 death sentences from political issues (public right) and 4 death sentences from criminal cases (private right), as follows:

#	Name	Date of sentenced	Court Degree	Court Degree
1	Maher Abaas Alkhabaz	29/2/2017	Court of Cassation (Final)	Next steps
2	Hussain Ibrahim Ali Hussain Mar-zooq	26/2/2018	Court of Cassation (Final)	King's approval
3	Hussain Ali Mahdi Jassim	21/5/2018	Court of Cassation (Final)	King's approval
4	Salaman Isa Ali Salman	21/5/2018	Court of Cassation (Final)	King's approval
5	Mohammed Ramadan Isa Ali	4/6/2018	Court of Cassation (Final)	King's approval

6	Hussain Ali Mousa Hassan	29/12/2015	Returned as per the Public Prosecution request	King's approval
7	Mohammed Radhi Abdulla Hassan	29/12/2015	Returned as per the Public Prosecution request	Returned by the King to the Court of Cassation
8	Mohammed Ibrahim Al Touq	28/10/2018	Court of Cassation	Court of Cassation
9	Zuhair Ibrahim Jassim Abdulla	28/10/2018	Court of Cassation	Court of Cassation
10	Mohammed Mahdi Mohammed Hassan	30/11/2018	Court of first instance	With Appeals Court
11	Ali Mohammed Hakim Alarab	30/11/2018	Court of first instance	With Appeals Court
12	Ahmed Isa Ahmed Almalali	31/1/2018	Court of first instance	With Appeals Court
13	Hussain Abdulla Khalil Rashid	31/1/2018	Court of first instance	With Appeals Court
14	Mousa Abdulla Mousa Jafar	23/3/2017	Court of first instance	With Appeals Court

15	Hussain Abdulla Marhoon	1/2/2018	Court of first instance	With Appeals Court
16	Hussain Ali Ahmed Dawood	12/11/2018	Court of first instance	With Appeals Court
17	Sayed Moham-med Sayed Qas-sem	12/11/2018	Court of first instance	With Appeals Court
18	Ahmed Moham-med Ali Zain Aldeen	12/11/2018	Court of first instance	With Appeals Court
19	Sayed Murtadha Majid Ramadan Alawi Alsendy	12/11/2018	Court of first instance	With Appeals Court
20	Sheikh Habib Ab-dulla Hassan Ali Aljamry	25/4/2018	Military Appeals Court (final)	--
21	Maytham Omran Hussain Omran	25/4/2018	Military Appeals Court (final)	--
22	Abdulmuhsen Sa-bah Abdulmuhsen Mohammed	23/3/2017	Court of first instance	--
23	Sayed Ridha Khal-il Jafar Ali	23/3/2017	Court of first instance	--
24	Mubark Adel Mubark Muhna	25/12/2018	Court of Cassation	Changed to life imprisonment

25	Sayed Fadel Abaas Hassan Radhi	25/4/2018	Military Court of Cassation	Changed to life imprison- ment
26	Sayed Alawi Hussain Alawi Hussain	25/4/2018	Military Court of Cassation	Changed to life imprison- ment
27	Mohammed Ab- dulhassan Ahmed Almutgawi	25/4/2018	Military Court of Cassation	Changed to life imprison- ment
28	Abdulaziz Ab- dulridha Ibrahim Hassan	25/4/2018	Military Court of Cassation	Changed to life imprison- ment
29	Ali Abdulla Has- san Alsingace	25/12/2012	Court of Cassation	Changed to life imprison- ment
30	Saeed Abduljalil Saeed	25/12/2012	Court of Cassation	Changed to life imprison- ment
31	Qassem Hassan Matar Ahmed	25/12/2012	Court of Cassation	Changed to life imprison- ment
32	Ali Yousef Abdul- wahab Altaweel	25/12/2012	Court of Cassation	Changed to life imprison- ment

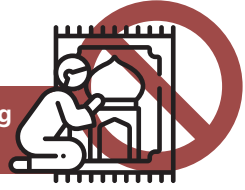
33	Asian	8/10/2015	Court of Cassation	Changed to life imprisonment
34	Asian	10/1/2018	Court of Cassation	Court of Cassation
35	Asian	10/1/2018	Court of Cassation	Court of Cassation
36	Bahraini private soldier	28/11/2018	Court of Cassation	Court of Cassation
37		11/1/2018	Court of Cassation (Final)	King's approval
38	Abbas Jameel Taher Alsamea	9/1/2017	Court of Cassation	Executed 15/1/2017
39	Sami Mirza Mus- haima	9/1/2017	Court of Cassation	Executed 15/1/2017
40	Ali Abdulshaheed Alsingace	9/1/2017	Court of Cassation	Executed 15/1/2017



FIFTH: Cells of Death (The Conditions of Death Sentenced Prisoners)

In the central prison of "Jaw", specifically building number one which contains the called the isolation cells (death cells) allocated by the administration of the prison for those sentenced to death in which more than fifteen sentenced to death living in inhuman conditions in all aspects and do not receive their minimum rights are not treated in accordance with the Standard Minimum Rules of Treatment Prisoners (Nelson Mandela Rules), and according to our monitoring and documentation of the conditions of imprisonment and sentenced to death, we have reached the below violations:

Deprivation them from practicing their rituals and worship



The intention from the prison administration to make bathing water cold in winter and hot in the summer

Imprisonment cells are not suitable for human beings



They are not allowed to wear special and adequate clothing, making their clothes shabby

They are only allowed to use the bathrooms once a day



They are denied access to lawyers

The food is inadequate and not enough



The prison guards enter the cells to threaten them

Confiscation of the possessions of the convicts by the guards

الإختفاء القسري أثناء فترة التحقيق



Threatening to rape members of their families

Torture, some with electric shocks and sexual harassment



Not providing them with guarantees of a fair trial

Confinement in solitary confinement cells

Signing the confessions without knowledge of their content



Drinking water is bottled in non-useable bottles (bottles of cleaning materials)



Deny them from regular visiting rights





SIXTH: Identification Cards of The Sentenced Prisoners

1



**Hussain Ibrahim Ali
Hussain Marzooq**

Age: 28

Area: Alma'amir



Accusation: Malicious accusation – Explosion caused the death of a female citizen

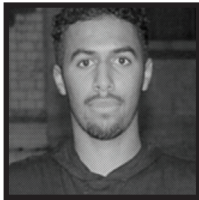
Date of Decision: 26-02-2018

Decision Degree: Court of Cassation (Final)

Violations: Enforced disappearance, tortured in the Criminal Investigation Building - tortured at the Public Prosecution Building, was not allowed to meet with a lawyer until the trial sessions, he was not afforded a fair trial.

Place of detention: Joe Central Prison - Building 1 - Insulation building

2



**Sayed Ahmed
Fouad Abaas Alabar**

Age: 23

Area: Karana



Accusation: Burning a police car and death of a police officer

Date of Decision: 21-05-2018

Decision Degree: Court of Cassation (Final)

Violations: Torture, electric shocks in the genital area, deny him from sleeping, eating and drinking for long hours, not allowed to meet with a lawyer during the investigation and denied meeting family members before trial.

Place of detention: Joe Central Prison - Building 1 - Insulation building

3



**Hussain Ali Mahdi
Jassim**

Age: 22
Area: Hamad Town



Accusation: Killing of a police officer
Date of Decision: 21-05-2018
Decision Degree: Court of Cassation (Final)
Violations: Court of Cassation
Violations: tortured, Incommunicado
detention, enforced disappearances, death
threats, and sexual rape, and not allowed
to meet with a lawyer until the trial
sessions, he was not afforded a fair trial.
Place of detention: Joe Central Prison -
Building 1 - Insulation building

4



**Ali Mohammed :
Ali Hakeen Alarab**

Age: 24
Area: Bani Jamrah



Accusation: killing an officer
Date of Decision: 31-01-2018
Decision Degree: First Degree
Violations: Torture and ill-treatment in the
criminal investigation building, the removal of
his toenails, suspension and punching on the
nose and mouth (hearing loss naturally),
humiliated when he was transferred to the
prison of the dry dock. He was tortured on
312018/1/ after the sentencing, by the guards
of building number one
Place of detention: Joe Central Prison -
Building 1 - Insulation building

5



**Ahmed Isa Ahmed
Almalali**

Age: 24

Area: Aldair



Accusation: Explosion resulted in the death of a police officer

Date of Decision: 16-11-2015

Decision Degree: Court of Cassation (Final)
Returned as per the Public Prosecution request

Violations: torture, electric shocks, sexual harassment, beaten in the genital area, deny him from sleeping, forced him to stand for days and no food or drinks for long hours, and deny family visit until after the trial, and deny having a lawyer during interrogation

Place of detention: Joe Central Prison -
Building 1 - Insulation building

6



**Sayed Ahmed
Fouad Abas Alabar**

Age: 23

Area: Albilad
Alqadeem



Accusation: Killing of the officer Hisham Alhamadi and possession of a weapon

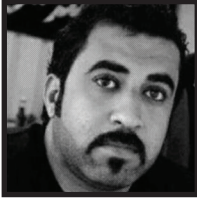
Date of Decision: 31-01-2018

Decision Degree: first degree

Violations: Enforced disappearance, tortured in the Criminal Investigation Building - tortured at the investigation Building, was not allowed to meet with a lawyer during interrogation in Public Prosecution or detention. tortured and sexual harassment by the ministry of interior officers.

Place of detention: Joe Central Prison -
Building 1 - Insulation building

7



**Mohammed
Ramadan Isa**

Age: 36
Area: AlDair



Accusation: Explosion caused the death of a police officer

Date of Decision: 16-11-2015

Decision Degree: Court of Cassation (Final)
Returned as per the Public Prosecution request

Violations: Torture, electric shocks in the genital area, deny him from sleeping, eating and drinking for long hours, not allowed to meet with a lawyer during the investigation and denied meeting family members before trial.

Place of detention: Joe Central Prison - Building 1 - Insulation building

8



**Salman Isa Ali
Salman**

Age: 33
Area: Alakr



Accusation: killing a police officer

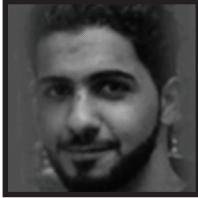
Date of Decision: 29-04-2018

Decision Degree: Court of Cassation (Final)

Violations: tortured by electric shocks and punching on the mouth which led to losing the front teeth, broken nose, hole in the ears and dysfunction of the ears. sexual harassment, beaten in the genital area, not allowed to sleep for two days and deny meeting with the lawyer and family members for more than two months.

Place of detention: Joe Central Prison - Building 1 - Insulation building

9



**Mohammed
Radi Abdulla
Hassan**

Age: 26

Area: Sitra



Accusation: Explosion and other cases

Date of Decision: 20-10-2018

Decision Degree: Court of Appeals

Violations: Enforced disappearance for more than 45 days, tortured in the Criminal Investigation Building, electric shocks in the Genital area, kicking on testicles and punishing the nose, ears, and mouth, and beaten by a hose.

Place of detention: Joe Central Prison - Building 1 - Insulation building

10



**Hussain Abdulla
Khalil Ibrahim**

Age: 30

Area: Dimstan



Accusation: Intentional murder

Date of Decision: 23-03-2017

Decision Degree: First Degree



Violations: Tortured since being arrested, not allowed to appeal the court decision, denied meeting with a lawyer and family members, he wasn't provided the opportunity to be presented in the trial after the court issued a judgment in the absence.











Place of detention: Joe Central Prison - Building 1 - Insulation building












SEVENTH: The Role of The International Communication and Human Rights Organization in Fighting the Death Sentences in Bahrain:

82 countries submitted 175 recommendations to the Kingdom of Bahrain during the universal periodic review on 1 May 2017 before the UN Human Rights Council in Geneva. Among them were 22 countries whose recommendations differed between condemnation and condemnation. Some recommended and recommended the abolition or suspension of the death penalty, Of the International Covenant on Civil and Political Rights, which we have summarized as follows:

Norway		Recommended the abolition of the death penalty.
Portugal		Expressed its concern about the death penalty and recommended the abolition of the death penalty and accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights.
Montenegro		Recommended the abolition of the death penalty.

Slovenia		Expressed its regret over the execution of the death sentences and called on Bahrain to reconsider the application of death sentences.
Espain		Re-examination of the death penalty.
Sweden		The abolition of the death penalty and the cessation of the implementation of judgments in this regard.
United Kingdom		Expressed its concern about the implementation of the death penalty.
Uruguay		Recommended the abolition of the death penalty.
Argentina		Recommended urgent measures to halt the death penalty.
Armenia		Urged further steps to stop the death penalty.
Australia		Recommended the abolition of the death penalty.
Austria		Recommended the abolition of the death penalty and accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights.
Belgium		Recommended the abolition of the death penalty.

Bulgaria		Expressed its concern at the application of the death penalty and recommended that the death penalty be replaced by other punishments in line with international standards.
Estonia		Regretted the death sentences.
Finland		Called for the abolition of the death penalty.
France		Recommended an immediate the abolition of the death penalty.
Germany		Recommended the abolition of the death penalty.
Ireland		Expressed its concern at the application of the death penalty
Italy		Recommended the abolition of the death penalty.
Lithuania		Recommended the abolition of the death penalty.
Luxembourg		Expressed its concern at the application of the death penalty

International human rights organizations have consistently demanded that the Government of Bahrain retry trials, suspend sentences and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, including Amnesty International, the International Federation of Human Rights and Human Rights Watch.



EIGHTH: Results and Recommendations

Results:

1-It is clear from this report that the judiciary in Bahrain is not independent and is not committed to international principles of justice, fairness, and criminal courts as a station for retaliation against human rights activists and politicians.

2-The judiciary in Bahrain is appointed by the king and his appointment is in accordance with the ruling policy. This judiciary does not enjoy integrity and independence.

3-Bahraini laws and legislation are full of the death penalty, and the judiciary is a tool to confront those who claim rights and freedoms

4- The death sentences are clearly flawed and the trials do not conform to the fair trial guarantees provided for in article 14 of the International Covenant on Civil and Political Rights.

5-The judiciary in Bahrain does not consider allegations of torture and establishes a policy of impunity.

Recommendations:

1-The Government of Bahrain should abolish political executions and sign and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights.

2-The Government of Bahrain must abide by the Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

3-The Government of Bahrain should prosecute the perpetrators of torture and compensate the victims fairly.

4-We urge the international community and the human rights organizations to continue the pressure on the Government of Bahrain to abolish the political death penalty and reform the human rights situation.



SALAM for democracy and Human Rights

You can follow the news of «Salam» for Democracy and Human Rights through the following contacts:

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