

URGENT ACTION

EXPECTED VERDICT ON DEATH PENALTY CASE

The High Criminal Court of Appeal in Bahrain has set 25 December 2019 to issue its verdict in the cases of Mohamed Ramadhan Issa Ali Hussain and Hussain Ali Moosa Hussain Mohamed. On 22 October 2018, Bahrain's Cassation Court overturned their death sentences, which it had confirmed in 2015 and returned their cases to the Appeal Court for re-examination, based on new evidence.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

*Shaikh Khalid bin Ali Al Khalifa
Minister of Justice and Islamic Affairs
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Your Excellency,

*On 25 December 2019, the High Criminal Court of Appeal is expected to issue its verdict into the cases of **Hussain Ali Moosa Hussain Mohamed** and **Mohamed Ramadhan Issa Ali Hussain**, who both faced death sentences following an unfair trial relying on so-called "confessions" extracted under torture. Their case is currently being reviewed following evidence of the torture they were subjected to.*

In December 2014, Hussain Ali Moosa and Mohamed Ramadhan were sentenced to death for the killing of a policeman. During the trial, Hussain Ali Moosa's forced "confession" was used as the main piece of evidence against him and was also used to incriminate Mohamed Ramadhan. On 16 November 2015, the Court of Cassation confirmed the death sentences. In March 2018 the Special Investigation Unit (SIU) brought forth medical reports by doctors affiliated to the Ministry of Interior, indicating that the two men had been tortured; and recommended a review of the trial. On 22 October 2018, the Bahraini Court of Cassation overturned the death sentences pending review by the High Criminal Court of Appeal under a new panel of judges.

*We call on the Bahraini authorities to ensure that the verdict in the case of **Hussain Ali Moosa Hussain Mohamed** and **Mohamed Ramadhan Issa Ali Hussain** is the fair outcome of a trial that has fully complied with international fair trial standards; one which excludes evidence obtained under torture, and without recourse to the death penalty. Also, we call on your Excellency to ensure that all those suspected of the torture of the two men are held accountable and to guarantee the two men reparations, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.*

We acknowledge the authorities' duty to prevent crime and bring those responsible to justice, but emphasise that this should always be done in accordance with Bahrain's international human rights obligations; and urge

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Bahrain to commute all death sentences to terms of imprisonment and immediately establish an official moratorium on executions with a view to abolishing the death penalty.

Yours sincerely,

ADDITIONAL INFORMATION

Security forces arrested **Hussain Ali Moosa Hussain Mohamed**, a hotel employee, on 21 February 2014, and **Mohamed Ramadhan Issa Ali Hussain** on 20 March 2014 at Bahrain International Airport, where he worked as a member of the security forces. The two men were taken to the Criminal Investigations Department where they were tortured during interrogation.

Mohamed Ramadhan refused to sign a "confession", but Hussain Ali Moosa said he was coerced to confess to the crime and incriminate Mohamed Ramadhan, after being suspended by the limbs and beaten for several days. His "confession" was later used as main evidence in the trial to convict both men. Hussain Ali Moosa and Mohamed Ramadhan are held in Jaw prison in south Manama, Bahrain's capital.

On 29 December 2014, a criminal court sentenced Mohamed Ramadhan and Hussain Ali Moosa to death for the killing of a policeman, who died in a bomb explosion in al-Deir, a village northeast of Manama, on 14 February 2014. The High Criminal Court of Appeal upheld their conviction and death sentences on 30 March 2015 and the Court of Cassation confirmed them on 16 November 2015. Ten people, who were sentenced in the same case, to between six years and life in prison, also had their sentences upheld.

Despite receiving complaints from Mohamed Ramadhan's wife and a US-based NGO in 2014, the Ombudsman's office failed to investigate the allegations of torture for two years. In [April 2016](#), the Ombudsman incorrectly informed the UK government that it had received "no allegations of mistreatment or torture" in relation to Mohamed Ramadhan. Following international pressure, the Ombudsman told the UK government in July 2016 that it had committed to undertake "a full, independent investigation", subsequently interviewing Mohamed Ramadhan's wife and lawyer.

On 28 March 2018, the Public Prosecutor confirmed having received from the Special Investigation Unit (SIU) a memorandum on the SIU's investigations into the complaints that Mohamed Ramadhan and Hussain Ali Moosa had lodged about their torture. Based on the SIU's recommendations, the cases were referred to the Minister of Justice, who in early May 2018 sent an application to the court of cassation for reconsideration of the verdicts. The SIU claimed to have uncovered medical reports by doctors of the Ministry of Interior indicating that the two men had been tortured. These reports had not been made available during the trial.

On 22 October 2018, the Bahraini Court of Cassation overturned the death sentences imposed on the two men, resting on new evidence based on medical reports by doctors of the Ministry of Interior; which indicated that the two men had been tortured, and ordered the High Criminal Court of Appeal to re-examine the cases under a new panel of judges.

Bahrain is a state party to the International Covenant on Civil and Political Rights, which recognises the right to life and the right to a fair trial, which includes the right not to be compelled to testify against yourself or to confess guilt. The UN Human Rights Committee has stated, "the imposition of a sentence of death upon conclusion of a trial, in which the provisions of the [International] Covenant [on Civil and Political Rights] have not been

respected constitutes a violation of article 6 of the Covenant” [right to life]. In its [2012 report](#), the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has reiterated that “it is arbitrary to impose the death penalty where the proceedings do not adhere to the highest standards of fair trial.”

Amnesty International opposes the death penalty in all cases without exception, regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual or the method used by the state to carry out the execution.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 21 January 2020

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Mohamed Ramadhan Issa Ali Hussain (He/him) and Hussain Ali Moosa Hussain Mohamed (He/him)

ADDITIONAL TARGETS: Embassy of Bahrain, 30 Belgrave Square, Knightsbridge, London SW1X 8QB

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde11/9347/2018/en/>