

URGENT ACTION

HIGHEST COURT UPHOLDS DEATH SENTENCES

On 13 July 2020, the Court of Cassation in Bahrain reaffirmed the death sentences of Mohamed Ramadhan and Hussain Moosa, despite evidence that the men were tortured during their interrogations. On 22 October 2018, the same court had 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. The Case will now be sent to the King of Bahrain who has the authority to ratify the sentence, commute it or grant a pardon.

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

Shaikh Hamad bin 'Issa Al Khalifa
King of Bahrain
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace, al-Manama, Bahrain
Fax: +973 1766 4587

Your Highness,

*On 13 July 2020, the Court of Cassation confirmed for the second time the convictions and death sentences of **Hussain Ali Moosa Hussain Mohamed** and **Mohamed Ramadhan Issa Ali Hussain**, which followed an unfair trial and were primarily based on one of the defendants' "confession" extracted under torture.*

In 2014, Hussain Ali Moosa and Mohamed Ramadhan were convicted and sentenced to death for the killing of a policeman. On 16 November 2015, the Court of Cassation confirmed the death sentences. However, in 2018, the Special Investigation Unit (SIU) brought forward new medical evidence supporting both men's claims of torture in detention. As a result, the Court of Cassation overturned the death sentences, pending a review by the High Criminal Court of Appeal under a new panel of judges. Despite the new evidence, the High Criminal Court of Appeal upheld the convictions and sentences again in January 2020.

On 14 July 2020, the [UN Human Rights Office](#) spokesperson expressed deep concern that Bahrain's highest court, has upheld the death penalty against the two men, and urged the authorities to halt immediately any plans to execute them.

We call upon your Highness not to ratify the death sentences imposed on the two men and ensure they are not executed. We urge you to order an independent and impartial investigation into their allegations of torture with the view to bringing those responsible to justice. We also urge you to quash their convictions and sentences imposed after an unfair trial and the reliance on information extracted under torture. We acknowledge the authorities' duty to prevent crime and bring those responsible to justice, but emphasize that this should always be done in accordance with Bahrain's international human rights obligations; and urge you 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.

Kind regards,

AMNESTY
INTERNATIONAL



ADDITIONAL INFORMATION

Security forces arrested Hussain Ali Moosa, a hotel employee, on 21 February 2014. Mohamed Ramadhan was arrested on 18 February 2014 at the Bahrain International Airport, where he worked as a member of the security forces. Following their arrests, the two men were taken to the Criminal Investigations Department where they say they were tortured during interrogations. Mohamed Ramadhan refused to sign a “confession”, but Hussain Ali Moosa said he was coerced to confess to killing a policeman and incriminate Mohamed Ramadhan after being suspended by the limbs and beaten for several days. His “confession” was later used as the main evidence in the trial to convict both men. They 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.

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 a memorandum on the Special Investigation Unit’s (SIU’s) investigations into Mohamed Ramadhan and Hussain Ali Moosa’s torture complaints. 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 re-consideration of the verdicts. The SIU claimed to have uncovered medical reports by doctors of the Ministry of Interior supporting both men’s claims of torture in detention. These reports had not been made available during their first trial. On 22 October 2018, the Court of Cassation overturned the death sentences imposed on the two men on the basis of this new evidence and ordered the High Criminal Court of Appeal to re-examine the cases under a new panel of judges.

On 25 December 2019, Jaw prison authorities told Hussain Ali Moosa and Mohamed Ramadhan to ready themselves to appear that day before the High Criminal Court of Appeal so as to hear the verdict in their case. Shortly after, the two men were told that they would no longer be taken to court but were not provided with any reason. In court, in the presence of representatives of the UK, France and Germany, the judge postponed issuing his decision given the defendants’ absence. On 8 January 2020, the conviction and death sentences of the two men were upheld again.

Bahrain is a state party to the International Covenant on Civil and Political Rights, which recognizes the right to life and the right to a fair trial, which includes the right not to be compelled to testify against himself or to confess guilt. The UN Human Rights Committee has stated that “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. Under international law, statements elicited as a result of torture or other forms of coercion must be excluded as evidence in criminal proceedings, except those brought against suspected perpetrators of such abuse (as evidence that the statement was made).

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic or English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 27 August 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)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/mde11/1642/2020/en/>

ADDITIONAL TARGETS

Shaikh Khalid bin Ali Al Khalifa
Minister of Justice and Islamic Affairs
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama, Bahrain
Fax: +973 1753 1284
Twitter: @Khaled_Bin_Ali

And copies to:

His Excellency Shaikh Fawaz Bin Mohammed Al Khalifa
Embassy of the Kingdom of Bahrain
30 Belgrave Square SW1X 8QB
020 7201 9170
Fax 020 7201 9183
www.bahrainembassy.co.uk
information@bahrainembassy.co.uk