

URGENT ACTION

FOUR BAHRAINI MINORS TRIED AS ADULTS

Four minors are on trial in Bahrain before Branch Four of the High Criminal Court, a court specializing in terror-related cases, on charges including arson and handling Molotov cocktails. At least two of them have been interrogated without the presence of their lawyers.

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

Minister of Justice Khaled bin Ali Al Khalifa

Ministry of Justice

82 Road No. 72

Diplomatic Area

Manama, Bahrain

Fax No.: +973 1753 0574

@Khaled_Bin_Ali

Your Excellency,

I write to you today to express my serious concern about the situation of four minors, **Husain Abdulrasool Salman Abdulla Husain (16)**, **Sayed Hasan Ameen Jawad Abdulla (16)**, **Faris Husain Habib Ahmed Salman (17)** and **Mohammed Jaafar Jasim Ali Abdulla (16)** who are being tried as adults before Branch Four of the High Criminal Court, a court specializing in terror-related cases. They stand charged with arson, handling and using Molotov cocktails on 14 February 2020 in Karrana, a village north west of the capital, Manama. They each face between two and ten years in prison.

On 30 November 2020, the Criminal Investigations Department (CID) summoned Husain Abdulrasool, interrogated him without the presence of a lawyer or a parent, and detained him. The CID referred his case to the prosecution unit for terrorism crimes. On 10 February 2021, the CID summoned the other three boys and their fathers and told them to attend court the next day. On 11 February, the court held the four boys' first trial hearing during which three boys were formally charged and detained. All four denied the charges. Later, the CID interrogated Sayed Hasan without the presence of his lawyer or father. The court held two further hearings on 16 and 24 February. The next one is scheduled for 4 March 2021. The 4 boys remain held at the Juvenile Reform and Rehabilitation Centre at Dry Dock.

As a state party to the Convention on the Rights of the Child (CRC) Bahrain is in breach of its obligations. Being under the age of 18, the four boys are children and should be treated in accordance with the principles of a child justice system. The [Committee on the Rights of the Child](#) has stated that "children... should always be dealt with in specialized child justice systems" and "treated in a manner consistent with the promotion of the child's sense of dignity and worth".

In light of the above, I urge you to investigate the reasons why the boys have been interrogated without a lawyer or legal guardian and urge you to refer their cases to the child justice system. I call on you to treat all four boys in a manner consistent with their best interests as children and ensure that detention is used only as a measure of last resort, and for the shortest possible time; and prioritise use of alternatives to custody, throughout proceedings.

Yours sincerely,

ADDITIONAL INFORMATION

In February 2020, Husain Abdulrasool Salman Abdulla Husain's family received a phone call for his father to accompany Husain Abdulrasool Salman Abdulla Husain to the Criminal Investigations Directorate (CID). Father and son attended the CID building where Husain was interrogated alone without a lawyer and without his father present in the room. Husain Abdulrasool Salman Abdulla Husain was informed of the charges against him and made to sign a document and told that he would be kept under surveillance before being released. His father was simultaneously and separately questioned about his son and while waiting for Husain, he heard the investigators screaming at his son to confess. Husain Abdulrasool Salman Abdulla Husain later told his family that he had also been slapped in the face.

On 30 November 2020, Husain Abdulrasool Salman Abdulla Husain was summoned again to the CID which he attended with his father and was detained. During his interrogation without a lawyer he admitted his involvement in burning tires and handling Molotov cocktails on 14 February 2020 as well as that of three other boys. The case was referred to the prosecution unit for terrorism crimes, who officially charged him under Articles 277 (1), 277(bis), 277(1 bis) and 277 (2 bis) of the Penal Code with premeditated arson; fabricating with other unknown persons Molotov cocktails with the aim of using them and endangering life and property; possessing and obtained Molotov cocktails with the aim of using them and endangering life and property; and using Molotov cocktails with the aim of using them and endangering life and property on 14 February 2020 in Karrana, a village north west of the capital Manama. He was also charged under Articles 178 and 179 of "participating with others in an illegal gathering of more than five people, in order to disturb public security by way of violence". The case was referred to Branch Four of the High Criminal Court. The referral document named the four boys and stated that three of them, Sayed Hasan Ameen Jawad Abdulla, Faris Husain Habib Ahmed Salman, and Mohammed Jaafar Jasim Ali Abdulla were on the run.

Sayed Hasan Ameen suffers from sickle-cell disease and reduced heart function. He was twice hospitalized in October and November 2020. During the first hospitalization he spent a week in the Pediatric Intensive Care Unit at Salmaniya Medical Complex including for vaso-occlusive crisis due to sickle-cell disease, muscular seizure, and encephalopathy.

On 14 February 2021, the King [ratified](#) Law No 4 of 2021 on the promulgation of the Corrective Justice Law for Children and their Protection from Ill-Treatment. The new law will consider anyone who committed an offence when under the age of 18 to be a child and as such would be tried by Juveniles Courts.

At present, under the 1976 Bahraini Juvenile Law, a juvenile is someone not exceeding 15 years of age. As such, Bahrain is in breach of its obligations under the Convention on the Rights of the Child (CRC), to which it is a party.

Article 37 of the CRC states that: States Parties shall ensure that: (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action. Furthermore, Article 40 also states: 2(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed; 2(b)(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence and 2 (b)(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality.

PREFERRED LANGUAGE TO ADDRESS TARGET: Arabic or English.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 28 April 2021

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

NAME AND PREFERRED PRONOUN: Husain Abdulrasool Salman Abdulla Husain (he/him/his), Sayed Hasan Ameen Jawad Abdulla (he/him/his), Faris Husain Habib Ahmed Salman (he/him/his), and Mohammed Jaafar Jasim Ali Abdulla (he/him/his)

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

Monday-Friday 09.00 -16.00