

(Translated from Arabic)

Permanent Mission of the Kingdom of Bahrain to the United Nations Office at Geneva

Reply concerning Nazar Naama Baqer al-Wadaei, Hajar Mansoor Hasan Radi and Mahmood Marzooq Mansoor Hasan

Introduction

The authorities in the Kingdom of Bahrain adopt a constitutional approach based on non-discrimination. People are treated equally before the law and the courts. Legal proceedings against a person who has committed an offence are not based on the person's racial or political background. This approach stems from the Kingdom's obligations under international treaties, including the International Covenant on Civil and Political Rights, which the Kingdom ratified in 2006, particularly article 14, which stipulates that "all persons shall be equal before the courts and tribunals". The Kingdom of Bahrain reaffirms the principle of the rule of law and the independence of the judiciary. No one is above the law and everyone enjoys legal safeguards based on international human rights law.

The subject

- According to a communiqué, fake explosives to be used for terrorist purposes were found in the roadway on 28 January 2017 on Sheikh Zayed Road in Ali district (near Mayoof junction) in the direction of Fakhar junction in Ali district at compound No. 740. The investigations found that Hajar Mansoor Hasan, Nazar Naama Baqer and Mahmood Marzooq Mansoor had participated with others in the incident under investigation.
- All of the accused confessed that they had committed the acts investigated, according to the evidentiary records.
- The accused Nazar Naama confessed to the charge filed against him and admitted that he had produced the fake material and conveyed it to the location with his cousin, the accused Mahmood Marzooq Mansoor, and his mother, the accused Hajar Mansoor Hasan. They monitored the movements of police officers until the others proceeded to complete the operation.
- The accused Mahmood Marzooq Mansoor confessed to the charge of possession of a dagger and denied the charge of planting fake explosives.
- The accused Hajar Mansoor Hasan denied the charge filed against her. She was accompanied by the lawyer [REDACTED].
- The accused were placed in pretrial detention for 30 days. The accused were examined by a forensic physician. He found no injuries and none of the accused claimed to have been tortured.
- All the accused were charged with producing, transporting and planting fake explosives for terrorist purposes. The charge is based on article 10/3 of the Act on Protection of Society from Terrorist Acts.
- The third accused was charged with unlicensed possession of a dagger under articles 13bis and 21 of the Arms and Ammunition Act.
- The three accused were detained pending the court hearing on 25 April 2017.

We wish to provide the following information regarding the allegations contained in the urgent appeal:

I. Nazar Naama Baqer Ali Yusuf al-Wadaei

In accordance with the procedures prescribed by the Institutional Reform Act and its implementing regulations, all detainees or inmates must undergo a comprehensive medical



examination in the public security clinic, where they are immediately referred to the competent physician so that he can issue a medical report on their state of health and any chronic disease, for which appropriate treatment is provided. The physician also investigates whether there are any physical injuries, and records them in the file of the inmate or remand detainee. There is a medical clinic attached to the Centre, where a competent physician performs his duties around the clock with the assistance of a number of nurses. The above-mentioned detainee benefited from this service. He has also received 11 family visits since his detention, in accordance with the rules and regulations governing the Reform and Rehabilitation Centre. He has also made 15 telephone calls since his detention.

The person concerned has submitted no complaints or reports concerning ill-treatment during his detention at the Centre or during the investigations at the General Directorate for Criminal Investigations and Evidence.

II. Hajar Mansoor Hasan

- In accordance with the procedures prescribed by the Institutional Reform Act and its implementing regulations, all detainees or inmates must undergo a comprehensive medical examination in the public security clinic, where they are immediately referred to the competent physician so that she can issue a medical report on their state of health and any chronic disease, for which appropriate treatment is provided. The physician also investigates whether there are any physical injuries and records them in the file of the inmate or remand detainee. There is a medical clinic attached to the Centre, where a competent physician performs her duties around the clock with the assistance of a number of nurses. A psychologist regularly visits the Centre to assess and study relevant cases, which are also monitored by psychiatric experts.
- She was informed of her rights and duties and signed a statement on taking note of its content. She was immediately received by the directorate of the Centre and, according to the records, she was asked whether she suffered from any chronic illness or injury or whether she had been assaulted by anyone. She replied in the negative.
- By 16 April 2017 she had been visited on four occasions by a physician. The competent doctor examined her in the Centre, provided her with appropriate treatment and monitored her state of health during each visit. During her examination by the competent doctor on 16 April 2017, she was suffering from a pain in her stomach. The doctor requested the detainee's relatives to deliver the requisite medicine from her home.
- With regard to the allegation that the detainee has not received any family visits since being detained, we wish to state that, in accordance with the rules and regulations applicable to the Reform and Rehabilitation Centre, she has received a total of six visits from her family and lawyer since her detention. She has also made 45 telephone calls to her family and lawyer.

We wish to reaffirm that the detainee has not submitted any complaints or reports of ill-treatment since being admitted to the Centre or during the investigations at the General Directorate for Criminal Investigations and Evidence.

III. Mahmood Marzooq Mansoor Hasan Ali

- In accordance with the procedures prescribed by the Institutional Reform Act and its implementing regulations, all detainees or inmates must undergo a comprehensive medical examination in the public security clinic, where they are immediately referred to the competent physician so that he can issue a medical report on their state of health and any chronic disease, for which appropriate treatment is provided. The physician also investigates whether there are any physical injuries, and records them in the file of the inmate or remand detainee. There is a medical clinic attached to the Centre, where a competent physician performs his duties around the clock with the assistance of a number of nurses. The above-mentioned detainee benefited from this service. He has received 8 family visits since his detention, in accordance

with the rules and regulations governing the Reform and Rehabilitation Centre. He has also made 24 telephone calls since his detention.

We wish to reaffirm that the detainee has not submitted any complaints or reports of ill-treatment since being admitted to the Centre or during the investigations at the General Directorate for Criminal Investigations and Evidence.

The Reform and Rehabilitation Institution Act and Decree No. 131 of 2015 of His Excellency the Ministry of the Interior concerning the implementing regulations governing the Reform and Rehabilitation Institution Act

The Ministry wishes to inform you that the Kingdom of Bahrain, represented by the Ministry of the Interior and the General Directorate for Reform and Rehabilitation, endeavours to guarantee a healthy and appropriate environment for all inmates in reform and rehabilitation centres. It introduced a number of measures with that end in view and adopted Act No. 18 of 2014 concerning the Reform and Rehabilitation Institution Act and Decree No. 131 of 2015 of His Excellency the Ministry of the Interior concerning the implementing regulations governing the Reform and Rehabilitation Institution Act. Every centre is required to have a clinic providing comprehensive services and free medical care to inmates and remand detainees. The clinic employs one or more doctors and is run by the chief physician. Each centre also employs one or more social experts who specialize in social science and psychology. They monitor and supervise the conduct of inmates and remand detainees. All inmates and remand detainees must, with the knowledge of the centre's physician, undergo a medical examination on arrival in the centre with a view to investigating their state of health.

The centre's physician must take steps to protect the health of the inmates and remand detainees, for instance by inspecting their cells, ensuring that they are provided with healthy nutrition, making whatever recommendations he sees fit to promote healthy conditions in the centre, and performing any other tasks required by the Reform and Rehabilitation Institution Act promulgated by Act No. 18 of 2014 or the various regulations or decrees adopted with a view to its implementation.

The Kingdom reaffirms that treatment is provided on a regular basis, at specific times and free of charge in order to ensure that the inmates remain fit.

It is clear from the evidence contained in the file that the persons concerned enjoyed all the rights enshrined in the Institutional Reform Act, which guarantees the best possible medical services for all inmates without discrimination on a regular and systematic basis, and provides for oversight of the humanitarian situation of all inmates, in accordance with the Standard Minimum Rules for the Treatment of Prisoners.

Key measures undertaken in the Reform and Rehabilitation Centre for women inmates

Health care

A special clinic providing comprehensive services is run by the Department of Health Affairs of the Ministry of the Interior, and there is also a clinic in the Reform and Rehabilitation Centre for women in remand detention. They provide round-the-clock services, examining and treating inmates and remand detainees. The Department of Health Affairs also plays an awareness-raising role in this regard, organizing numerous awareness-raising sessions for its staff and all inmates and remand detainees as well as regular campaigns to inspect the general health conditions in the centres run by the public authorities.

The right to communicate with society

Detainees and inmates enjoy the right to receive weekly visits and telephone calls from their relatives, in accordance with the provisions of the Reform and Rehabilitation Institution Act promulgated by Act No. 18 of 2014 and its implementing regulations. Foreign inmates can also contact their embassy and receive regular visits, in coordination with the Ministry of Foreign Affairs, from foreign representatives.

Monitoring and inspection

The Ministry of the Interior has established a new Department, the Internal Investigation Department, to investigate complaints alleging the perpetration of an offence by a member of the Public Security Forces. The General Secretariat for Grievances is an administratively and financially independent body in the Ministry tasked with ensuring that police officers comply with the Kingdom's legislation and the professional standards contained in the Police Code of Conduct, which establishes a general framework comprising human rights, promotion of justice and the rule of law, and securing public trust. It performs its duties in a fully independent manner when examining complaints filed against any staff members of the Ministry of the Interior who allegedly commit an offence during or on account of the performance of their duties.

Many independent institutions have been established to monitor the circumstances of inmates and detainees in the Kingdom of Bahrain, such as the Special Investigation Unit of the Public Prosecution Service, the Commission for the Rights of Prisoners and Detainees, the Public Prosecution Service, and the National Human Rights Institution. They are authorized to visit and monitor prisons and pretrial detention facilities. In addition, the Ministry acts in cooperation and coordination with the International Committee of the Red Cross. We hereby affirm that we operate in a manner that guarantees the rights of inmates and detainees, in accordance with the provisions of the Reform and Rehabilitation Institution Act promulgated by Act No. 18 of 2014 and its implementing regulations.

Special boxes are available for depositing complaints or requests addressed to the Office of the General Secretariat for Grievances, and there are also boxes for depositing complaints addressed to the Reform and Rehabilitation Centre run by the General Directorate. The complaints are studied with a view to taking appropriate legal measures that can be implemented in accordance with the applicable legislation.

The Ministry of the Interior provides training courses in human rights comprising both theoretical instruction and practical training for all its staff and for foreign missions, with a view to ensuring that they perform their duties and achieve their lofty goal of protecting the country's potential and achievements and maintaining the security and safety of its citizens and residents, while correctly implementing the law and achieving justice. The Royal Police Academy has introduced a human rights diploma for the staff of reform and rehabilitation centres, and it implements extensive training programmes on public order regulations, international standards, particularly the Convention against Torture and the International Covenant on Civil and Political Rights, and Bahraini legislation with a view to consolidating human rights concepts among the Public Security Forces.

Complaint mechanisms in the Ministry of the Interior

The General Secretariat for Grievances was established pursuant to Royal Decree No. 27 of 2012 and Royal Decree No. 59 of 2012. It is administratively and financially independent, and performs its duties in a fully independent manner when examining complaints filed against any staff members of the Ministry of the Interior who allegedly commit an offence during or on account of the performance of their duties.

A new Internal Investigation Department was established in the Ministry to investigate complaints alleging the perpetration of an offence by a member of the Public Security Forces. In addition, a complaint hotline was established and complaint boxes were placed in diverse security directorates.

Boxes have also been placed in rehabilitation centres for complaints and proposals addressed to the General Directorate for Reform and Rehabilitation.

Conclusion

The Ministry of the Interior aspires to respect human rights and to meet its obligations under the national legislation of the Kingdom of Bahrain as well as its international human rights obligations when dealing with detainees. It believes in the human right to dignity, in accordance with international human rights standards. The Ministry has also established rules and regulations specifying the rights and duties of all persons responsible for detention centres and detainees.