
Permanent Mission of the Kingdom of Bahrain to the United Nations Office at Geneva**Explanatory note concerning Zuhair Jasim Mohamed Abbas and Ali Abdul Husain Ali al-Wazeer**

With regard to joint communication AL BHR 1/2021, dated 28 June 2021, from the Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention, the Special Rapporteur on freedom of religion or belief, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, concerning allegations regarding Zuhair Jasim Mohamed Abbas (810705753) and Ali Abul Husain Ali al-Wazeer (880600845), we wish to provide the following information:

I. Registered cases against the persons concerned**1. Zuhair Jasim Mohamed Abbas**

Case No. 2013125168: The person in question was charged with: establishing a terrorist group; providing funds to a terrorist group in full awareness of its activities; participating by means of consent and assistance with two other accused persons in incidents involving explosions with the aim of intimidation for terrorist purposes; participating by means of consent and assistance with two other accused persons in the crime of causing destruction for terrorist purposes; and participating by means of consent and assistance with two other accused persons in using explosives for terrorist purposes. The Public Prosecutor's Office took the necessary legal measures and interrogated him on 20 July 2013. He denied the charges filed against him. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 10 November 2013 he was sentenced, in his presence, to life imprisonment based on the testimony of the investigators and witnesses, a confession, the testimony of one of the accused to the Public Prosecutor's Office, as well as extensive reports and security camera footage. He lodged an appeal, and the court of appeal accepted it in formal terms and upheld the judgment of the court of first instance on the merits at a sitting on 30 April 2014. He did not file an appeal with the Court of Cassation.

Case No. 2013127582: The person in question was charged with: communicating with persons operating for the benefit of a foreign country in order to perpetrate hostile acts within the country; requesting and accepting donations for himself and others from a foreign country with the intention of committing acts that would damage the country's national interests; collecting and delivering funds to persons belonging, as he knew, to terrorist groups; supplying terrorist groups with weapons and ammunition while fully aware of their terrorist activities; participating by means of consent and assistance with persons charged with the crimes of joining and training an armed force;

and manufacturing, possessing and carrying firearms and ammunition without a licence with a view to disrupting security and undermining law and order for terrorist purposes. In light of the foregoing, the Public Prosecutor's Office took the necessary legal measures and during his interrogation on 14 August 2013 he confessed to the charges filed against him. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 20 April 2014 he was sentenced, in his presence, to life imprisonment based on the testimony of the investigator, the forensic evidence officer, his confession to the Public Prosecutor's Office, evidence obtained from his email account and a record of his departure from and return to the Kingdom of Bahrain. It should be noted that he did not file an appeal against the judgment handed down against him.

Case No. 20152005514: The person in question was charged with: joining a terrorist group; communicating with a foreign country and a terrorist organization operating on its behalf in order to perpetrate hostile acts within the country; and requesting and accepting donations from a foreign country and a terrorist organization operating on its behalf with the intention of committing an act that would damage the country's interests. The Public Prosecutor's Office took the necessary legal measures and interrogated the person in question. He confessed to the charges against him during the interrogation on 7 January 2015. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 30 October 2017 he was sentenced, in his presence, to life imprisonment based on the testimony of the investigator and his confession to the Public Prosecutor's Office. It should be noted that he did not file an appeal against the judgment handed down against him.

2. Ali Abdul Husain Ali al-Wazeer

The person in question was charged with physically assaulting a member of the Public Security Forces during the performance of his duties. He was caught *flagrante delicto* by the administration of Jau Reform and Rehabilitation Centre for inmates on 29 August 2020. The administration therefore took the necessary legal measures against him within the Centre. According to the records of the evidence-gathering, he and Zuhair Jasim refused to have their statements placed on record. They were referred on the date on which the act was perpetrated to the Public Prosecutor's Office, which initiated the investigation procedures on the same date. The person in question confessed to having perpetrated the act during the interrogation. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 31 May 2021 he was sentenced in his absence to a term of imprisonment of 10 years.

Case No. 201384310: The person in question was charged with: starting a fire that would endanger people's lives and property for a terrorist purpose; participating with others in disorderly conduct and acts of vandalism; possessing and obtaining incendiary devices with the aim of endangering people's lives and property; and physically assaulting victims together with others for terrorist purposes. The Public Prosecutor's Office took the necessary legal measures and interrogated the person in question on 1 December 2012. He confessed to starting a fire, participating in an unlawful assembly, disorderly conduct and possessing incendiary devices, and denied the other charges. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 11 December 2013 he was sentenced to a term of imprisonment of 15 years based on the evidence contained in the reports of the Material Evidence Department, the testimony of the victims and the investigator, and the confession of the person in question to the Public Prosecutor's Office as reflected in the records of the collection of evidence. It was proven to the court that his confession was made of his own free will, in conformity with the true facts of the crime. He lodged an appeal against the ruling. The court of appeal considered it and handed down a judgment on 24 March 2014 accepting the appeal in formal and material terms and amending the sentence to seven years' imprisonment. He also filed an appeal with the Court of Cassation, which dismissed it on 20 April 2015.

Case No. 201382846: The person in question was charged with: joining a terrorist group; committing premeditated murder for terrorist purposes; detonating an explosion with the aim of intimidation for terrorist purposes; causing destruction for terrorist purposes; using explosives in a manner that endangered people's lives and property; and possessing and obtaining explosives without a licence for terrorist purposes. The Public Prosecutor's Office took the necessary legal measures to interrogate the person in question on 5 December 2012, and he confessed to the charges filed against him. The Office then referred the case to the competent court, which conducted the legal proceedings in several sessions in accordance with all legally established guarantees. On 5 June 2014 the court sentenced him to life imprisonment. The judgment was based, *inter alia*, on the said person's confession before the Public Prosecutor's Office and his description of how the crime was committed. Moreover, it was proven to the court that his confession was made of his own free will and that it was in conformity with the facts and details of the crime and with all the evidence pertaining to the case. He lodged an appeal, and the court of appeal accepted it in formal terms and upheld the judgment of the court of first instance on the merits at a sitting on 30 November 2014. He also filed an appeal with the Court of Cassation, which dismissed it on 18 May 2015.

It should be noted that all the measures taken *vis-à-vis* the two persons by the Public Prosecutor's Office and during the judicial proceedings were fully in line with the law and that they

enjoyed all rights and legally prescribed guarantees, the most important of which are full compliance with the Bahraini Code of Criminal Procedure, as amended, and full coverage of the interrogation by means of closed circuit television (CCTV) to ensure that the accused are not subjected to assaults, torture or any humiliating or degrading treatment to extract confessions or for other purposes. All accused persons, witnesses and other persons who have been interrogated or from whom statements have been taken are entitled to submit complaints to the national redress mechanisms. It should also be underscored that the right of access to the records of the proceedings, the right of lawyers to attend hearings, the right to hear pleas and to present submissions and requests, and other guarantees are enshrined in Bahraini legislation.

II. Health care

It should be noted that every inmate undergoes a health examination, in cooperation with the Department of Health and Social Affairs of the Ministry of the Interior, and that primary medical care is provided, in the presence of physicians, at the clinics located in the centres. Cases that require special treatment are referred to the Public Security Health Centre, the Salmaniya Medical Complex or the Military Hospital, depending on the case and the recommendation of the treating physician. Ambulances are available round the clock for inmates in the Reform and Rehabilitation Centre to deal with emergency cases. Transport is also provided to enable inmates to attend medical appointments in hospitals and to obtain the necessary health and medical care.

We wish to underscore that the Ministry of the Interior, represented by the Reform and Rehabilitation Centre, takes vigorous action to provide all legally prescribed guarantees and rights to all male and female inmates, **without discrimination on grounds of gender, language, religion, belief or even the type of crime committed.**

It should be noted that the centres continue to provide inmates with the best possible care in the difficult conditions that the COVID-19 pandemic has created in the country and throughout the world. With that end in view, a telemedicine system was established with consultant physicians from external hospitals (the Salmaniya Medical Complex and the Military Hospital). The COVID-19 vaccine is also administered to persons who so wish, and the necessary preventive measures are taken.

An examination of the medical files of the persons in question yielded the following results:

1. Zuhair Jasim Mohamed Abbas

- The person in question has received health care from the general practitioner at the medical clinic of the Correction and Rehabilitation Centre for inmates on five occasions since the beginning of 2021.

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- The inmate has not been previously diagnosed with any chronic or hereditary diseases and is not undergoing psychotherapy.
 - He received the first dose of the Sinopharm COVID-19 vaccine on 16 February 2021 and the second dose on 9 March 2021.
 - He was examined by the visiting consultant ophthalmologist on 2 May 2021, who found low visual acuity. Accordingly, an examination was conducted to provide eyeglasses based on the results of the medical examination.
 - The inmate was examined and found to be in good condition and to be aware of the place and time and the persons involved. All his external and internal organs appeared to be in normal condition.

2. Ali Abdul Husain Ali al-Wazeer

- The person in question has received health care at the medical clinic of the Correction and Rehabilitation Centre for inmates on four occasions from the general practitioner since the beginning of 2021, and on two occasions from the physician who specializes in the treatment of chronic diseases.
- The inmate had previously been diagnosed with yeast deficiency in the blood and is served special meals adapted to his health condition. He is not undergoing psychotherapy.
- The inmate has refused to receive a COVID-19 vaccine, although different types of vaccine are available, depending on the inmates' preference.
- The inmate was examined and found to be in good condition and to be aware of the place and time and the persons involved. All his external and internal organs appeared to be in normal condition, and all vital signs were in the normal range.

III. National redress mechanisms

The Kingdom of Bahrain has undertaken numerous reforms and taken decisive action to ensure that human rights are protected and that they are not violated or infringed. With a view to ensuring the accountability of perpetrators of such acts, a number of flexible national redress mechanisms have been established. They have been granted wide-ranging powers and are guaranteed full independence with a special budget and independent administrative and functional structures. They are entitled to receive, consider and study complaints and to refer them to the competent authorities so that the necessary action can be taken. The effectiveness and credibility of these bodies during the years since their establishment has won them the confidence of the general public.

The independence of the Office of the Ombudsman

The Office of the Ombudsman enjoys full financial and administrative independence, in accordance with the mechanisms and guarantees enshrined in the Decree concerning its establishment (Decree No. 27 of 2012 promulgated on 28 February 2012) and the amended Decree (Decree No. 35 of 2013 promulgated on 28 May 2013). It has an independent budget and independent administrative and functional structures, as shown by the articles cited below:

Article 2: An independent Office of the Ombudsman shall be established at the Ministry of the Interior and shall be composed as follows:

1. The Ombudsman and his deputy shall be appointed by decree based on a recommendation by the Minister of Interior and with the approval of the Prime Minister for a period of five years, and the appointment shall be renewable for additional periods. They shall be appointed on the basis of their experience and personal ability and shall be required to act independently, impartially and with integrity.
2. An adequate number of suitably qualified staff shall be appointed to discharge the functions of the Office. They shall be appointed pursuant to a decision by the Ombudsman, in accordance with the conditions established with the approval of the Minister of the Interior.

Article 3: The Ombudsman shall exercise his authority and perform his duties regarding complaints and any decisions thereon in a fully independent manner. Accordingly, the Ombudsman:

1. Shall be responsible for oversight, supervision and control of the Internal Audit and Investigation Department of the Ministry of the Interior, including the allocation of duties relating to complaints;
2. Shall estimate the expenditure required to finance the operations of the Office of the Ombudsman;
3. Shall issue recommendations and offer advice regarding the work to be undertaken by the Internal Audit and Investigation Department in order to achieve the objectives set forth in article 6 of this Decree, including recommendations concerning the collection and preservation of evidence;
4. Shall suggest the appropriate disciplinary penalty and the staff of the Ministry of the Interior shall have it signed by the competent authority.

Article 5: The Ombudsman, his deputy and members of the staff of the Office of the Ombudsman and the Office of Internal Affairs may not participate in any activities in which he, his

spouse, his children, any of his relatives or in-laws up to the fourth degree, or anyone for whom he serves as guardian has a personal interest.

Article 7: If the Ombudsman or his deputy fails to perform his duties, he shall be dismissed by decree based on a recommendation by the Minister of the Interior and the Prime Minister's approval.

Article 16: The Office of the Ombudsman shall be allocated a separate item in the budget of the Ministry of the Interior that is sufficient to meet its expenses, and the Ombudsman shall have the sole authority to dispose of the prescribed financial allocations.

In addition, the staff of the Office of the Ombudsman have received excellent professional training from reputable institutions within and outside Bahrain so that they are practically and professionally qualified to conduct investigations and perform their duties independently and impartially. Assessment of the degree of independence of the Office is related to the issue of transparency in the performance of its work. This is achieved in practice through the publication of reports, news and responses to human rights organizations and local and international media, as well as through the publication of annual reports on its overall activities containing work-related statistics. In general, the operating procedures and guarantees of the independence of the Office of the Ombudsman comply with international standards.

The independence of the Commission for the Rights of Prisoners and Detainees

The Commission for the Rights of Prisoners and Detainees was established in the Kingdom of Bahrain by Royal Decree No. 61 of 2013 issued on 2 September 2013. The preamble stipulates that: "The Commission shall take into account the principles of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Punishment, which was adopted by United Nations General Assembly resolution A/RES/57/199 at its meeting on 18 December 2002."

Accordingly, the establishment of the Commission was one of the pioneering measures adopted by the Kingdom of Bahrain to promote, protect and respect human rights, especially through the establishment of independent human rights institutions. The Commission is the first effective national preventive mechanism established in the Arab world and the region. It performs its duties freely, impartially, transparently and independently, and in line with a progressive vision of how to deal with prisoners, pretrial detainees and detainees in a manner that prevents them from being subjected to torture and other cruel, inhuman or degrading treatment or punishment. It also guarantees their human rights and supports the concepts of reform, rehabilitation and reintegration with a view to promoting their interests and the interests of society.

Decree No. 61 of 2013 is the authoritative source governing the work and functions of the Commission. It specifies all factors that regulate the Commission's work, including administrative factors governing its formation, membership and budget. There is also an article authorizing the Ombudsman to nominate two physicians for membership of the Commission, one of whom is a psychiatrist. It further stipulates that: "The nominated members shall be renowned for their competence and integrity and shall perform their duties independently. Steps shall be taken when establishing the Commission to ensure that it represents the various sects and doctrines in the Kingdom." The articles of Decree No. 61 of 2013 guarantee the financial and administrative independence of the Commission as follows:

Article 1 stipulates that "The Commission shall perform its duties freely, impartially, transparently and in a fully independent manner." Article 2 stipulates that: "The members of the Commission shall perform their duties in their personal capacity and shall enjoy the privileges and guarantees required to perform the Commission's duties independently." Article 4 stipulates that: "The Commission shall itself determine its methods of work in a fully independent manner and without interference from any entity." Article 7 stipulates that: "The Commission shall adopt internal regulations governing its technical, administrative and financial activities. The regulations shall be issued by the President of the Commission upon approval by the majority of its members." Article 9 stipulates that: "The Commission shall be allocated sufficient funds and they shall be included in the financial allocations prescribed for the Office of the Ombudsman."

Accordingly, the independence of the Commission is fully assured and its work is conducted in a transparent manner. The Commission's budget is also subject to meticulous scrutiny and oversight by the Kingdom's supervisory authorities.

The independence of the Special Investigation Unit

The Special Investigation Unit performs its legal functions under the strict authority of its President. The public prosecutor supervises its work solely in administrative terms without undertaking any technical or judicial supervision. Such supervision is conducted by the President of the Unit in a manner that is entirely independent of all judicial and executive bodies. The Unit is independent of all investigating and judicial authorities that handle cases concerning an accused who is an alleged victim of torture, ill-treatment or cruel punishment. This is confirmed in the decision concerning its establishment and its operating instructions, which is a document containing the introductory principles, guidelines and practical regulations of the Special Investigation Unit. It describes the nature of the Unit, its objectives and the powers vested in it, and specifies its areas of competence, its structure and the specialized tasks assigned to its departments and divisions, which

facilitate the procedures for receiving complaints, conducting investigations and providing appropriate protection and care for complainants. In addition, it specifies the duties of the Unit's members and associates, the qualities that they should possess, and the means and procedures for gathering oral, material and technical evidence. It was elaborated in accordance with the applicable legal provisions and new legal principles, and is based on the norms of the Istanbul Protocol governing the investigation and documentation of cases of torture and ill-treatment.

Illustrations of the Unit's independence:

1. The investigators who work for the Unit enjoy all the guarantees prescribed by law for members of the judiciary. Furthermore, they may not be unjustifiably dismissed or transferred to other judicial authorities, unless they do so of their own free will.
2. The President of the Unit is legally entitled to conduct technical inspections of the Unit's investigation staff and assessments of their legal capacity. Such procedures are entirely independent of the Judicial Oversight Department of the Public Prosecutor's Office.
3. The Unit's structure is composed of administrative, technical and executive departments, which are completely independent of all other bodies. It has specialized sections composed of the requisite number of experts and specialists in forensic medicine, psychiatry, communications, the media and information technology, as well as judicial police officers and administrative staff. They are all subject to the oversight and control of the Unit's President.
4. The Unit has an internal legal adviser, who expresses legal opinions on issues raised by the President and members of the Unit. It also has an external advisor, who expresses opinions and offers advice to the Unit's President on legal issues and elaborates strategies aimed at aligning the Unit's work with international norms.
5. The Unit's headquarters is independent of the headquarters of the Public Prosecutor's Office and those of judicial and executive bodies before which persons alleging torture or ill-treatment appear.
6. The Unit's annual training plan, which is implemented in cooperation with local and international bodies, is independent of the training plans for judges or members of the Public Prosecutor's Office. The agreement concluded in 2014 between the Unit and the United Nations Office in Bahrain provides important support for the implementation of training programmes. It seeks to develop and enhance the capabilities of the Special Investigation Unit with the assistance of international experts in various fields. The Unit also cooperates with the British and Italian Embassies in the Kingdom of Bahrain in order to take stock of international experience in its area of

specialization and to share expertise. The Unit receives complaints by telephone and through its social media sites. Its telephone numbers and websites are independent of those of the Public Prosecutor's Office, the judiciary and all executive authorities.

On reviewing the records, the following complaints submitted to the Office of the Ombudsman and the Special Investigation Unit concerning the persons in question were found:

1. Zuhair Jasim Mohamed Abbas

The Office of the Ombudsman:¹

The ombudsman office confirms, in accordance with its professional and legal duty, it followed up, formally and professionally, on the issues raised about the aforementioned inmate. The office dealt with the requests received regarding the aforementioned inmate in accordance to its independent procedures. During their requests, the Ombudsman Office investigated any allegation raised by the inmate or his family, as is the case for any inmate of detainee, within a framework of professionalism and transparency.

The Ombudsman Office, taking into consideration of the privacy of the inmate and the family's feelings, preferred to not publish any statements. Nevertheless, due to the aggravation of the inmate's situation by some organization and the spread of falsified information on various web and social media outlets, the Ombudsman Office would to clarify to the public and the public opinion of the facts of its investigation conducted on the aforementioned inmate based on the allegations of the inmate (including the statement of January 18, 2021) in response to the inquiries raised by one of the organizations, in addition to the referral of the case by the Ministry of Interior on January 18, 2021.

First: On August 27, 2020 the Ombudsman Office investigated the compliant [REDACTED] [REDACTED] which [REDACTED] stated that his family had not received any phone calls from the inmate since July 10, 2020. The [REDACTED] also alleged that he was mistreated and prevented from receiving religious ceremonies. The Ombudsman Office conducted its investigation where it interviewed the inmate in his location at the Reform and Rehabilitation Centre, hereinafter the Centre in Jau on August 29, 2020 and requested the relevant administrative and health documents, it found that:

- The aforementioned inmate began in mid-July 2020, to voluntarily refrain from contacting his family, in the context of a campaign launched by some inmates at the time to refuse to use their right to call in protest against the administrative measures taken by the Centre's administration. These regulatory measures, which were in accordance to the Executive

¹ The following 12 paragraphs were originally in English and they have not been edited.

Regulation of the Reform and Rehabilitation Law, hereinafter the regulation, were taken to prevent the transmission of coronavirus (covid-19) infection into the Centre, including suspending regular visits and replacing them with virtual and phone communication, to protect the health the safety of inmates.

- Regarding the [REDACTED] allegation of mistreatment, during the interview, the inmate stated that it was with regard to re-classifying the inmate from one building to another. The Centre's administration justified that the reclassification comes as a normal procedure applicable to any inmate and does not violate the law nor the regulation. The Ombudsman Office reviewed the inmate's administrative documents which showed that he was reclassified to another building and in fact it was in accordance to the law and regulation.
- Concerning the allegations of deprivation from practicing religious ceremonies, the Centre's administration stated that the practice of religious ceremonies for the inmate, and all the other inmates, is guaranteed and facilitated to ensure the continuation of the practice of their religious rituals in according to the regulations of the Centre and the current precautionary measures taken to combat the spread of the coronavirus among the inmates.
- At the same time, the Ombudsman was informed of the circumstances that accompanied the crime of attempted murder of a policeman inside the Reform and Rehabilitation Centre on August 29, 2020, which the Public Prosecution is currently investigating. In the aforementioned investigation, the testimony of the witness before the Public Prosecution accused the aforementioned inmate of provoking another inmate to commit a crime. The offender made a sharp instrument with which he attacked the policeman while he was carrying out his usual duties of inspecting and checking on inmates inside the "ward". The offender stabbed the policeman (the victim) several times in the neck, face and different places of his body, intending to kill him. Due to the attack, the victim faced a number of severe injuries that he is still treating to this day. During the Ombudsman Office's interview with the aforementioned inmate, he alleged that he was physically assaulted in a vehicle during his return from the Public Prosecution. The inmate did not have other allegation of assault occurring in his usual role or in solitary confinement. In the same context, the Ombudsman Office reviewed the documents of his transfer to the solitary confinement room, and verified that this transfer was a precautionary measure and in accordance with the administrative measures taken in accordance with the executive regulation. The inmate was then returned to his room after seven days, the investigation of the crime is still ongoing.

Second: The Ombudsman Office conducted its investigation into the complaint submitted [REDACTED] on December 29, 2020 [REDACTED] which [REDACTED] stated “Contact with the inmate has been cut off for more than six months and we do not know anything about him and we request that he calls the family as [REDACTED] is in a critical psychological condition”. When the Ombudsman Office contacted the Centre’s administration, it found that, after reviewing the inmate’s communications record, it was reported that he had not made calls from mid - July 2020 up to December, 2020. The Centre’s administration also added that it had tried more than once to convince the inmate to contact his family but he would refuse. The Ombudsman Office looked at a CCTV video on October 28, 2020, where a number of the Centre’s administration officials were talking to the inmate convincing him to call but he refused to call and sign the form with that regard. The same situation occurred on December 27, 2020 which also came with the same outcome.

Third: The Ombudsman received two emails on January 4 and 6, 2021 from one of the international organizations, in which it mentioned some allegations and requests made by the family of the aforementioned inmate, including request to be reassured of the safety of the inmate and confirming his location, inquiring about his transfer from one building to another, claiming that he is deprived of privacy when communicating and that the communications he makes are recorded, which annoys him, and recalling about the family not receiving and audio or visual communication from him for six months ago. The aforementioned organization also considered that this constitutes an ‘enforced disappearance’ of the inmate. Therefore, on January 12, 2021, the Ombudsman Office met the inmate at 11:15 am, at its independent office in the Centre. The inmate was interviewed and asked about the complaint received from the organization, and he mentioned his whereabouts within the Centre (the building, ward, and the cell). He also added that “he does not know anything about this organization, and it is true with regards to the phone calls only, that this last call was made on July 10, 2020.” When asked about the reason for not having contacted since that date, he said: “I have one request, which is that I do not want to speak, I refuse to speak.” When he was asked if there was anything he wanted to say, he said “no”, and then he signed the investigation report on the same day and time.

The Ombudsman Office looked at the inmate’s medical reports and found that he is having his right to health care, the same rights as the other inmates. The record shows that the inmate visited the Centre’s clinic and met with doctors and specialists, in addition to getting the necessary medications. Furthermore, it was found that for the past couple of the month, the inmate visited the Centre’s clinic six times, the latest visit was on January 14, 2021. Nevertheless, the inmate’s medical condition is being followed-up at external clinic for opticians at the Salmaniya Medical Complex,

virtually due to the precautionary measures against COVID-19, on June 9, 2020, and a further appointment was scheduled for follow-up.

Fourth: The Ombudsman followed up on the developments that occurred regarding the aforementioned inmate, and confirmed, by CCTV recording, that he made a phone call to his family on January 15, 2021. Which also showed that the inmate got involved in an argument with another inmate at the Centre during the call and the inmate ended the call. Three days later, on January 18, 2021, the Ombudsman Office looked at the CCTV recording which showed that he has conducted a phone call and fully used the allotted time without any interference in a room with privacy and no one was accompanying him.

Based on all of the above, the Ombudsman Office assures that all of the allegations regarding the condition of the aforementioned inmate, including the allegations enforced disappearance and preventing him from communicating, are baseless allegations. The Ombudsman Office concluded that the inmate was exploited to launch a targeted campaign that manipulates human rights issues, which was due to his voluntary refusal to make a call from July 2020 to January 2021. Nonetheless, the other inmates have ended their protest in different lengths in order to deceive the public opinion on the gravity of the inmate's situation and the fact he is subjected to "enforced disappearance", which comes in contrary to the facts and without taking into consideration the substantive and credibility rules of publications.

The Special Investigation Unit:

1. The allegation that the person in question was subjected to ill-treatment in August 2020 while serving his sentence in the Reform and Rehabilitation Centre for inmates in Jau

On 24 January 2021, the Unit received a complaint from the Office of the Ombudsman, which included the allegation by the person in question that he had been subjected to physical abuse when boarding a bus that transports inmates to the Reform and Rehabilitation Centre, and that two members of the Public Security Forces assaulted and beat him when he was being transferred to the solitary confinement building. The complaint also referred to the disciplinary sanction imposed on him by the Disciplinary Committee on 29 August 2020, pursuant to which he was placed in solitary confinement for seven days and deprived of visits and contacts for two weeks. The investigations undertaken by the Centre's legal affairs officer proved that he had incited an inmate to assault a law enforcement officer working in the Reform and Rehabilitation Centre. When the said person was questioned during the Unit's investigations on 25 January 2021, he testified that he had been transferred to solitary confinement on 29 August 2020 after an inmate had assaulted a member of the Public Security Forces working in the Centre. He was unaware of the grounds for the transfer and he had been subjected to

verbal abuse by unknown members of the Public Security Forces. On the same date, while he was on his way to the bus that transported inmates, two members of the Public Security Forces had assaulted him, hitting various parts of his body, because they believed that he had incited and assisted the inmate who had assaulted a law enforcement officer (the victim). Nobody was charged in that connection. The physical assault resulted in pain and injuries that persisted for a month. He was referred on several occasions to the clinic of the Department of Health and Social Affairs, but he refrained from disclosing the injuries to the physician. He added that when he was returned to solitary confinement the verbal abuse had continued until he was returned to prison on completing his legal period of confinement. He stated that he was unwilling to be referred to the Forensic Medicine Department, since he was not suffering from any injuries. He also denied suffering from any psychological disorders as a result of the alleged incident. The complaint is still under investigation.

2. The allegation that the person in question was subjected to torture during the investigation conducted in 2013 and after he was visited by the National Human Rights Institution in 2015, and the allegation that he was subjected to ill-treatment in Building No. 14 of the Reform and Rehabilitation Centre for inmates in Jau

It should be noted to begin with that the Special Investigation Unit did not receive or investigate any complaints about the said person being subjected to torture in 2013 or after he was visited by the National Human Rights Institution in 2015 when he was in the Reform and Rehabilitation Centre in Jau. It did not receive any complaints either concerning ill-treatment while he was serving his sentence apart from the above-mentioned complaint which is still being investigated. Furthermore, he made no such allegations when questioned by the Unit. The Unit wishes to draw attention to the following:

The person in question was charged with: establishing, joining and managing a terrorist group; providing the group with support and funds; communicating with a foreign country and a person operating on its behalf in order to perpetrate hostile acts against the Kingdom of Bahrain; participating in the training of accused persons to use weapons and explosives; possessing weapons without a licence; and manufacturing weapons without a licence for terrorist purposes. On 14 August 2013 he confessed before the Public Prosecutor's Office to the charges filed against him. He did not claim to have been subjected to torture or ill-treatment. He did not display any visible injuries during his interrogation by an investigator from the Public Prosecutor's Office and he denied that he was suffering from any invisible injuries. In addition, a forensic medical examination found no traces of any injury. On 20 April 2014, the said person was sentenced, in his presence, to life imprisonment based on the testimony of the investigator, the forensic evidence officer, his confession to the Public

Prosecutor's Office, evidence obtained from his email account and a record of his departure from and return to the Kingdom of Bahrain.

The person in question was charged with: establishing a terrorist group; providing financial support to a terrorist group; training persons to use explosives; and participation by means of consent and assistance in the theft of two vehicles. On 20 July 2013, he denied the charge filed against him before the Public Prosecutor's Office. He did not claim to have been subjected to torture or ill-treatment and he did not display any injuries during his interrogation. Moreover, a forensic medical examination found no recent injuries indicating that he had been subjected to physical violence. On 10 November 2013, the said person was sentenced, in his presence, to life imprisonment based on the testimony of investigators and witnesses, a confession, the testimony of one of the accused to the Public Prosecutor's Office, as well as technical reports and security camera footage.

The person in question was also charged with: joining a terrorist group; communicating with persons operating for the benefit of a foreign country; requesting and receiving donations from a foreign country and persons operating on its behalf; and collecting and delivering funds for the perpetration of terrorist acts. On 7 January 2015, he confessed before the Public Prosecutor's Office to the charges filed against him. He did not claim to have been subjected to torture or ill-treatment. He did not display any visible injuries during his interrogation by an investigator from the Public Prosecutor's Office and he denied that he was suffering from any invisible injuries. On 30 October 2017, the said person was sentenced, in his presence, to life imprisonment based on the testimony of the investigator, his confession to the Public Prosecutor's Office, and evidence derived from documents issued by the General Directorate for Nationality, Passports and Residence Affairs.

2. Ali Abdul Husain Ali al-Wazeer

The Office of the Ombudsman:²

The Independent Ombudsman Office had already received a complaint from Al Wazeer's █████ on his behalf on the same dates, accordingly, the Ombudsman's investigator went to privately meet and interview Mr. Al Wazeer in its independent office at Jau prison. The aforementioned inmate stated that he was physically assaulted by a prison staff in the bus during his transportation from building 23 to solitary confinement as a disciplinary sanction was impose on him, and he also stated that there were no witnesses nor CCTVs in the place of the incident, moreover he couldn't identify the police staff who he alleged that he assaulted him and he did not file any complaint at the prison administration and was not examined by the clinic's doctors.

² The following 10 paragraphs were originally in English and they have not been edited.

The aforementioned inmate added that he suffers from pain in his shoulder and ask for medical checkup.

The Independent Ombudsman Office requested the Directorate of Medical and Social Affairs to examine the inmate and asked for all his medical reports, which showed that he did not complain of any health issues, and his health condition was stable.

In light of the forgoing, The Independent Ombudsman Office found that there is no evidence which substantiate Mr. Al Wazeer's statement on the incident of assault. While it was found that he was detained in solitary confinement according to a disciplinary sanction.

Moreover, it was found that the aforementioned inmate already has an access to the medical clinic, being examined by the clinic doctor regularly, attending his medical appointments which confirms that [REDACTED] is having all his rights in the regard. Therefore, the Independent Ombudsman Office has concluded its investigation into the decision of closing the complaint as no act of misconduct by any of Ministry of Interior personnel.

Secondly: Allegations of mistreatment in April 2021:

The Independent Ombudsman Office commenced its investigation into the allegation related to physical assault of Mr. Al Wazeer by a police staff inside the bus.

The Ombudsman's investigator virtually interviewed the aforementioned inmate in the Ombudsman's independent office in Jau prison, and he stated that he was physically assaulted by a prison staff in the bus during his transportation to the court hearing as he stated that on 13 April 2021, while he was escorted from building 23 where he is staying, he was physically assaulted by a police staff member in the bus where he was alone.

The Independent Ombudsman Office requested and examined all the related documents which included the statements of the inmate and the police staff, medical reports and CCTVs recordings.

The Independent Ombudsman Office interviewed the police staff who were asked about the alleged incident as he denied it.

In accordance with its professional mechanism and independent procedures which reflect methodology it follows; the Independent Ombudsman Office has referred those allegations along with all relevant documents to the Special Investigation Unit (SIU) as it may constitute a crime.

The Special Investigation Unit:

1. The allegation that he was subjected to physical abuse in 2020 in the Reform and Rehabilitation Centre for inmates in Jau, and the allegation that he was subjected to torture on 30 August 2020 in the Criminal Investigations Directorate

The Special Investigation Unit did not receive or investigate any complaint that the person in question was subjected to torture or ill-treatment during the past year, apart from the complaint received from the judge for the enforcement of sentences on 28 October 2020, which was submitted by the said person's legal representative. With regard to the complaint that he had been assaulted and beaten while he was in the Reform and Rehabilitation Centre for inmates in Jau, he testified to the Unit that when he was boarding the internal transport bus on 28 August 2020, one of the law enforcement officers accompanying him restrained him from behind with iron handcuffs, pushed him to the ground and raised him up with the handcuffs, injuring his left shoulder. He added in his testimony that he was unaware of the purpose of the assault. He was referred to the clinics of the Ministry of the Interior after the incident. He was not referred to the Unit's forensic physician because the impact of the injuries was no longer detectable. He denied suffering from any psychological disorders. The medical reports concerning the person in question were requested from the Department of Health and Social Affairs of the Ministry of the Interior and were presented to the Unit's forensic physician. They indicated that on 29 August 2020 he was suffering from superficial injuries to the face, back, shoulders and chest and that he recovered in less than 20 days. The complaint is still under investigation.

The Unit also reports that it received a complaint on 18 April 2021 from the National Human Rights Institution alleging that the person in question was assaulted and beaten by a member of the Public Security Forces belonging to the staff of the Reform and Rehabilitation Centre staff on 13 April 2021. It received another complaint concerning the same incident from the Office of the Ombudsman. The Unit is taking all necessary legal measures to ascertain the facts and identify the person responsible for the incident.

It should be noted that the Unit is the judicial body mandated to investigate all allegations of torture or ill-treatment, and to take the necessary legal measures to verify their authenticity in order to identify those responsible, either intentionally or due to negligence, as principals or accomplices, in line with its national duty to protect human rights in the criminal justice system. Given the allegations that the person in question was subjected to torture on 30 August 2020 in the Criminal Investigations Directorate, which resulted in facial bruises, broken front teeth and a suspected fracture that prevented him from moving his hand, the Unit wishes to draw attention to the following:

The said person was sentenced in absentia on 31 May 2021 to a term of imprisonment of 10 years for physically assaulting a member of the Public Security Forces during the performance of his duties on 29 August 2020. He was caught flagrante delicto by the administration of Jau Reform and Rehabilitation Centre for inmates on 29 August 2020. The administration therefore took the necessary legal measures against him within the Centre. According to the records of the evidence-gathering, he and Zuhair Jasim refused to have their statements placed on record. They were referred on the date on which the act was perpetrated to the Public Prosecutor's Office, which initiated the investigation procedures on the same date. The person in question confessed during the interrogation to having perpetrated the act and he did not claim to have been tortured or ill-treated. The investigator from the Public Prosecutor's Office also found an injury to the area around his left eye which, according to the person in question, was due to the fact that the law enforcement officer (the victim) had resisted him during his perpetration of the incident. The forensic medical record indicated that he suffered from bruising on his left shoulder joint and the lower right side of his back. He informed the forensic physician that they had occurred previously and were unrelated to the incident under investigation.

2. The allegation that he was subjected to torture during the investigation in 2013 and when he was in building No. 2 of the Reform and Rehabilitation Centre in Jau

The Special Investigation Unit did not receive or investigate any complaints alleging that the said person was subjected to torture in 2013 or when he was in building No. 2. Moreover, he did not make such allegations when questioned by the Unit during its investigations. The Unit wishes to state the following:

He was charged with joining a terrorist group, committing murder, and possessing and detonating explosive devices for terrorist purposes. He confessed to the charges on 5 December 2012 before the Public Prosecutor's Office. He did not claim during his interrogation that he was subjected to torture or ill-treatment, and he was not found during his interrogation to be suffering from any traumatic effects. According to the forensic medical examination, there were no traces of any injury stemming from criminal violence, resistance or wrestling. He insisted before the court of first instance and the court of appeal that his confession was invalid because it was the result of physical and mental coercion. He was sentenced to life imprisonment, and his conviction was based, inter alia, on his confession to the Public Prosecutor's Office and his description of how the crime had been committed. It was proved to the court that his confession had been made of his own free will and was in conformity with the facts and details of the crime and all the evidence pertaining to the case. Moreover, when he appeared before the Public Prosecutor's Office, he was examined, no injuries

were found, and he did not claim to have been assaulted. According to the forensic report, there were no traces of any injury stemming from violence, resistance or wrestling. The documents were devoid of any trace of alleged coercion, which was mere hearsay on the part of the person concerned. Furthermore, the defence failed to present any evidence that could convince the court had he had been subjected to physical or mental coercion to obtain a confession before the Public Prosecutor's Office or during the collection of evidence.

The person in question was also charged with starting a fire, participating in an unlawful assembly, rioting, possessing and acquiring incendiary devices, and physically assaulting persons for terrorist purposes. On 1 December 2012, he confessed before the Public Prosecutor's Office to starting a fire, participating in an assembly, rioting and possessing incendiary devices, but he denied the other charges. He did not claim to have been subjected to torture or ill-treatment and did not display any visible injuries during his interrogation by an investigator from the Public Prosecutor's Office. He also denied that he was suffering from any invisible injuries. He was sentenced to a term of imprisonment of 15 years based on the evidence contained in the reports of the Material Evidence Department, the testimony of the victims and the investigator, and his confession to the Public Prosecutor's Office as reflected in the records of the collection of evidence. It was proven to the court that his confession was made of his own free will, in conformity with the true facts of the crime. When he appeared before the Public Prosecutor's Office he was examined and no injuries were found. He also denied that he was suffering from any injuries, and he did not claim to have been subjected to torture or abuse in order to extract a confession. Furthermore, the defence failed to present any evidence that could convince the court had he had been subjected to physical or mental coercion to obtain a confession before the Public Prosecutor's Office or during the collection of evidence. This justifies the response by the court of first instance to the plea that the confession was invalid before the court of appeal, which amended the appealed sentence of imprisonment to seven years.

IV. Additional information on the allegations concerning Zuhair Jasim Mohamed Abbas

It has been alleged that Zuhair Jasim Mohamed Abbas was held in solitary confinement for about four months. To begin with, we wish to underscore that the administration of the Reform and Rehabilitation Centre for inmates adheres strictly to the legally prescribed periods of solitary confinement, which may not exceed seven days, according to article 56 of the Reform and Rehabilitation Institution Act. The above-mentioned inmate was placed in solitary confinement for a period of seven days from 29 August 2020 to 5 September 2020 (legal measures regarding the offence were taken in coordination with the Public Prosecutor's Office so that it could complete the requisite investigatory procedures). The solitary confinement was a disciplinary sanction for the offence of

incitement and of participation in the offence of assaulting a public official during the performance of his duties, using sharp instruments belonging to Ali Abdul Husain Ali al-Wazeer at the instigation of Zuhair Jasim Mohamed Abbas, according to the testimony of witnesses to the incident. He was then returned to building No. 4, which is nowhere near the ward for inmates with contagious diseases, contrary to what is stated in the allegation. The classification procedure is conducted in accordance with the provisions of the Reform and Rehabilitation Institution Act, which specify criteria relating to the category of crime, the duration of the sentence, the person's conduct within the Centre and the security risk. The person in question, like all other inmates, enjoys all rights without any restrictions. According to the building's daily programme, inmates have the right to contact people, to take a walk in the fresh air, to open their rooms, to submit requests, and to have officers and individuals see to their needs on a permanent basis. In addition, inmates are permanently allowed to practise their religious rituals, contrary to the alleged allegations. They also have access to medical services and consultations and can visit the Centre's physician at any time.

With a view to promoting full compliance and preventing the abuse of authority and individual decision-making, article 67 of the implementing regulations of the Reform and Rehabilitation Institution Act stipulates that disciplinary sanctions shall be implemented by a three-member Disciplinary Committee. Inmates can also file a complaint against a sanction with the director of the institution within the legally stipulated period, bearing in mind the need to comply with the legal requirement that the penalty or disciplinary sanction should be proportionate to the category and gravity of the offence or infringement. Inmates must have access to all types of care during the implementation of the sanctions in a manner that respects human dignity. Places of detention in general and of solitary confinement in particular are supervised by the administration and independent monitoring bodies, in accordance with the provisions of article 63 of the Code of Criminal Procedure and article 63 of the Reform and Rehabilitation Institution Act. Inmates also undergo regular medical examinations before, during and after enforcement of the penalty of solitary confinement, under the supervision of the Centre's physician, in order to ensure that their health is preserved and is not damaged in any way.

Meals and drinking water are also available in the buildings, wings and places of solitary confinement on a permanent basis, depending on inmates' needs. No restrictions are placed on access to or use of such facilities as a means of torture or of bringing pressure to bear on inmates, as stated in the allegations.

With regard to visits and contact with the outside world, visits are always possible in normal times between inmates and their families in the places designated for the purpose, bearing in mind

local conditions, customs and traditions. Such visits have not, as alleged, been unnecessarily halted or restricted, but they have been temporarily suspended as a precautionary measure in the context of the COVID-19 pandemic. This is an emergency procedure that was implemented by the administration of the Reform and Rehabilitation Centre, primarily in order to protect the inmates and their families from the risk of infection, and to confront and eliminate the virus in line with the precautions in force in the Kingdom combined with relevant international action. However, the temporary suspension of external visits did not impede internal visits between the inmates and their families. In addition, video communication facilities were introduced so that inmates could contact their families and the outside world through the social media. It should be noted, however, that the inmate Zuhair deliberately abstained from communicating with his relatives, by the normal means available at the Centre or by video communication, during the period from August 2020 to January 2021. As it was confirmed that he refused to communicate with his relatives, he was asked to sign a statement to that effect but refused. The competent regulatory authorities in the Kingdom were therefore contacted so that they could arrange a meeting with the inmate and inform his relatives of his condition, after his family issued a statement expressing concern about the inmate's fate. Accordingly, the administration of the Centre dealt with the matter in a transparent manner by admitting all the supervisory authorities and enabling them to visit the inmate and examine his living conditions. They were able to meet him in private, unobserved by the Centre's staff and without any restrictions.

V. Additional information on the allegations concerning Ali Abdul Husain Ali al-Wazeer

With regard to the contradictory allegations concerning the placement of Ali Abdul Husain Ali al-Wazeer with three inmates of a different nationality in solitary confinement, we wish to inform you that inmates are classified in their cells according to the category of crime, the duration of the sentence, the inmate's security risk and other criteria based on the Centre's capabilities. Accordingly, the inmate in question was classified in accordance with the law and the allegations are unfounded.

The inmate was placed in solitary confinement for seven days because he had seriously assaulted and attempted to kill a public official with a sharp instrument during the performance of his duties (as previously stated) at the instigation of Zuhair Jasim Mohamed Abbas on 29 August 2020. The Public Prosecutor's Office and the competent authorities were therefore notified and came to the Centre to launch the necessary legal procedures. The inmate was also presented to the forensic physician. The resulting medical report confirmed that his mental and physical health condition was satisfactory, apart from minor injuries resulting from the resistance of the assaulted law enforcement

officer, who resisted manually without any means of defence. As the inmate was not assaulted and did not suffer any fractures, the allegations in this regard are false and unsubstantiated. It should be underscored that medical care is available around the clock and that medical requirements are provided free of charge to all inmates without discrimination.

After serving his sentence of solitary confinement for seven days, the inmate was returned to building 23 and enjoys all the freedoms of other inmates, including freedom to walk in the open air, freedom to make phone calls and video calls, access to special needs and personal hygiene items from the inmates' shop, in accordance with the relevant programme, and freedom to practise religious rituals. We also underscore that the allegations regarding the transfer of the person in question from the Reform and Rehabilitation Centre for any reason or his transfer to the Royal Academy building or the Criminal Investigations Directorate for interrogation and subjection to torture are untrue.

VI. Management and supervision of reform and rehabilitation centres

The objective of the Reform and Rehabilitation Institution and its centres is to achieve the psychological, physical and intellectual rehabilitation of convicts so that they become active members of society capable of contributing to the Kingdom's future. This is done by reassessing inmates' behaviour, promoting positive conduct, eliminating negative conduct, developing their talents, refining their skills and practical abilities, exploiting inmates' latent energies, steering them in the right direction, providing educational, rehabilitation, sports and health programmes and monitoring their implementation. It is also essential to comply with obligations to respect their rights and preserve their human dignity, to refrain from any type of infringement, and to ensure that the penalty imposed on convicts is enforced in accordance with the law and public order.

In view of the important role played by the centres, the Kingdom of Bahrain, represented by the Ministry of the Interior, has accorded high priority to support for the Reform and Rehabilitation Department by renovating and modernizing its buildings and providing it with the equipment required for the implementation of reform programmes in accordance with the most recent international procedures and standards.

In addition, external monitoring bodies, such as the International Committee of the Red Cross, are permitted by law to investigate the treatment of inmates and to listen to their complaints. National monitoring bodies are also permitted to assess the action taken by the Reform and Rehabilitation Institution and its counterparts to achieve the above-mentioned goals and to implement the provisions of article 63 of the Reform and Rehabilitation Institution Act. With that end in view, they visit and inspect the centres, review their records, receive complaints and grievances from inmates, and listen to their complaints. Such action is undertaken by the President of the Court of Cassation, the

Prosecutor General, the President of the High Court of Appeal, the President of the High Criminal Court, the President of the High Civil Court, the judge for the enforcement of sentences, and public prosecutors within their areas of jurisdiction. Such action is also undertaken, within their respective fields of competence, by the National Human Rights Institution, the Office of the Ombudsman, the Special Investigation Unit, the Commission for the Rights of Prisoners and Detainees, and the Internal Audit and Investigation Department of the Ministry of the Interior.

VII. Questions regarding training for law enforcement personnel on the treatment of inmates in reform and rehabilitation centres

The Ministry of the Interior has attached great importance to the human rights dimension of training programmes on behalf of its personnel in this area. It has organized, through the Royal Police Academy, many educational and training programmes, conferences, and awareness-raising seminars and lectures relating, for instance, to the human rights diploma and the programme on the role of the police in protecting human rights. It has also arranged for the participation of staff members in external training courses held by international organizations, the Secretariat General of the Cooperation Council for the Arab States of the Gulf, and other bodies. It also sends officers to internal and external universities for advanced studies in the area of human rights.

In addition, the Ministry of the Interior, given its continuous dedication to compliance with the provisions of international treaties, promotes security work for law enforcement officers and training in the most recent international norms by arranging for their participation in relevant training courses, seminars, conferences, workshops and awareness-raising lectures. Training and awareness-raising on the absolute prohibition of torture is mandatory for all public officials who are in contact with persons deprived of their liberty, including law enforcement officers and evidence gatherers. Such training begins at the preliminary stages and continues during qualification courses leading to their current ranks.

It should be noted that the Ministry of the Interior issued a Code of Conduct for Police Officers pursuant to Ministerial Decision No. 14 of 2012. The Code was derived from the best international practices contained in the Code of Conduct for Law Enforcement Officials, which was issued by the United Nations and approved by the United Nations General Assembly with the aim of promoting the principles of transparency, justice, equality and accountability. It stipulates that one of the most important rights of police officers, when it comes to ensuring that they perform their duties and fulfil their honourable mission in the best possible manner and in an atmosphere of psychological and material stability, is the right to continuous training at all levels of the security system and to recognition of training courses as a condition for advancement and obtaining benefits. Courses on the

Code of Conduct for Police Officers are held regularly for all members of the Public Security Forces. A key element of the course is training in the basic principles governing the use of force and firearms by law enforcement officers. Training courses are also held on the regulations applicable, as a general rule, to the use of force and weapons. The Ministry seeks the assistance of the International Organization of the Red Cross in delivering lectures to the staff of reform and rehabilitation centres with a view to investigating the treatment of inmates and hearing their complaints.