

URGENT ACTION

CHILDREN DETAINED FOR 'RIOTING'

Two Bahraini boys, Jihad Nabeel al-Samee' and 'Abdullah Yousif al-Bahraini, are being held in a juvenile detention centre for investigation. They were brought before the Juvenile Prosecution on 18 December, accused of "attacking a police patrol with stones" and "illegal gathering and rioting".

The two boys, 10-year-old **Jihad Nabeel al-Samee'** and 13-year-old **'Abdullah Yousif al-Bahraini**, were arrested on 16 December in Jid Hafsa, just outside the capital, Manama, by riot police present as a march was taking place in the area. The two boys did not know each other. They were taken to the al-Khamis Police Station at around 4pm and were accused of throwing stones at a police patrol. The two boys were released that night and their parents were asked to bring them back to the police station on 18 December, from where they were taken to the Juvenile Prosecution.

The Juvenile Prosecution questioned the boys on 18 December, and ordered them to be detained for seven days for investigation. Though their lawyer's representative was present, Jihad did not understand what was said to him; he admitted taking part in the march and seeing 'Abdullah wearing a mask and throwing stones but he denied throwing stones himself. 'Abdullah said that he had been hit on the back of the neck, threatened with electric shocks and forced to sign "confessions". He denied taking part in the march, covering his face or throwing stones at the police. The juvenile judge ordered their detention for seven days pending investigation. They are both facing charges of "illegal gathering and rioting" and "attacking a police patrol with stones" and are scheduled to appear before the Juvenile Prosecutor on 25 December.

Jihad's father was able to visit him on 19 December for five minutes, and has said that his son was very frightened and was shaking. 'Abdullah was taken to a forensic doctor after he had made allegations of being hit.

Please write immediately in Arabic, English or your own language:

- Urging the authorities to ensure that Jihad Nabeel al-Samee' and 'Abdullah Yousif al-Bahraini are treated in accordance with the international standards of juvenile justice;
- Urging them to protect both boys from torture and other ill-treatment;
- Calling on them to order an independent investigation into the reported torture or other ill-treatment of 'Abdullah Yousif al-Bahraini and bring anyone responsible to account.

PLEASE SEND APPEALS BEFORE 31 JANUARY 2014 TO:

King

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

Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa
Ministry of Interior
P.O. Box 13, al-Manama,
Bahrain
Fax: +973 1723 2661
Twitter: @moi_Bahrain
Salutation: Your Excellency

And copies to:

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

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Scores of children have been arrested and detained in the last two years, in connection with anti-government protests in Bahrain. They have been suspected of, among other things, participating in "illegal gatherings", rioting, burning tyres or throwing Molotov cocktails at police patrols. Some have been released without charge but dozens are being tried or held for investigation. According to local sources, a number of children have been tortured or otherwise ill-treated to force them to sign "confessions" which are used in court to incriminate them and others.

Provisions in Bahraini legislation with regard to children, especially those applicable to children in conflict with the law, flout international standards of juvenile justice. According to the Child Law of 2012 (Article 4), a child is defined as someone not exceeding the age of 18 years. However, children who have turned 15 and are in conflict with the law are considered as adults. According to the 1976 Juvenile Law, a juvenile is someone not exceeding 15 years of age, whereas the UN Convention on the Rights of the Child, ratified by Bahrain in 1992, defines a child as anyone below the age of 18. Bahrain's Penal Code (Article 32) states that "there is no [criminal] responsibility for anyone not exceeding the age of 15 when the crime was committed". The Article also states that provisions of the 1976 Juvenile Law apply when a person is below the age of 15 "at the time of committing an act constituting a crime". In reality, the legal minimum age of criminal responsibility is seven, which is extremely low compared to internationally accepted standards. Provisions contained in the Penal Code and the 2006 anti-terrorism law apply to anyone detained in connection with anti-government protests. For those under the age of 15, juvenile courts apply punishment laid out in the Juvenile Law: up to 10 years' imprisonment in felony cases, up to five years in misdemeanour cases and up to three years in cases of "behavioural problems".

Following recommendations made by Bahrain's parliament in July 2013 the King issued several decrees with a view to further suppressing dissent and tightening the screw on freedom of expression and assembly. The decrees increased punishments laid out in the 2006 anti-terrorism law and banned indefinitely all demonstrations, sit-ins, marches and public gatherings in the capital, Manama. Some of the provisions in these decrees undermine certain children's rights, including their right to freedom of assembly.

Nearly three years after the popular uprising in Bahrain, and beneath the fanfare of reform, prisoners of conscience, including some arrested during the protests, remain behind bars and the rights to freedom of expression, association and assembly continue to be suppressed. In recent months, not only have prisoners of conscience not been released, but more people have been jailed simply for daring to express their views, whether via Twitter or on peaceful marches. Bahraini courts have appeared more concerned with toeing the government's line than offering effective remedy to Bahrainis and upholding the rule of law.

The European Parliament passed a resolution on 12 September calling for respect of human rights and fundamental freedoms in Bahrain. Among other recommendations, the resolution urges the Bahraini authorities to respect the rights of juveniles, to refrain from detaining them in adult facilities, and to treat juveniles in accordance with the Convention on the Rights of the Child, to which Bahrain is a party. Also in mid-September a joint statement signed by 47 countries at the UN Human Rights Council expressed concerns about the ongoing human rights violations in Bahrain.

For further information see the report *Children in a maze of injustice* (Index: MDE 11/057/2013), issued on 16 December 2013 (<http://amnesty.org/en/library/info/MDE11/057/2013/en>).

Name: Jehad Nabeel al-Samee' and 'Abdullah Yousif al-Bahraini
Gender m/f: m

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