



The Case of Prisoner of Conscience Ahmed Jaafar

Bahrain Forum for Human Rights (BFHR)

November 29, 2022

WWW.BFHR.ORG



Table of Contents

Background:.....	3
Statement of head of monitoring and documentation at the BFHR, Hussein Nooh, on the issue of handing over detainee Ahmed Jaafar:.....	4
The Incident of beating him during his transfer to the criminal prisoners' cell:	4
Arbitrary sentences:.....	6
The State of Continuous Restrictions:	6
Clothes	6
Food	6
Books.....	7
Communication.....	7
Money	7
His Health Condition:	7
Complications of being beaten on the chest	7
Osteoporosis	8
Vision Problems	8
Risking his life during the spread of COVID-19	8
Filed complaints:	8

Background:

Name: Ahmed Jaafar Muhammad Ali

Date of birth: December 19, 1973

Date of arrest: January 24, 2022

Area: Jidhafs

Sentences: He is convicted in 7 cases, the sentences of which amounted to 5 life sentences + 10 years in prison + 3 years in prison)

Health status: He suffers from complications from being beaten on the chest. He has osteoporosis, and suffers continuous pain in the back and leg resulting from injuries. He also has poor eyesight.

In 2012, Ahmed Jaafar traveled from Bahrain to Iran and did not return to Bahrain until after he was forcibly deported from Serbia, whose authorities handed him over to the Bahraini authorities on January 24, 2022, even though the European Court of Human Rights issued a decision to stop his deportation. The Serbian authorities handed him over on the basis of promises from the Bahraini authorities that he be re-tried for the cases in which he was convicted. At that time, there were 6 cases, including three charges about incidents that occurred while he was outside Bahrain between 2013 and 2015, such as the charge of “participating in the killing of Emirati policeman Al-Shehhi,” who was killed in 2015, or what is known as the “Saraya Al-Ashtar” case. ". He was tried in absentia in the six cases while he was outside Bahrain. Sentences were issued against him by the High Criminal Court, including 4 life sentences and a 10-year prison sentence, in addition to the sentence of revocation of nationality, which was issued along all six sentences. His nationality was later restored in one of the cases, which implies dropping all the sentences of stripping him of his nationality in all the cases and restoring his nationality completely.

Ahmed Jaafar was arrested upon his forced arrival in Bahrain, and he was 48 years old at the time. Shortly after his arrest, he was first taken to the Criminal

Investigation Department Building, where he was interrogated and kept for a whole day. Then, he was transferred to the Dry Dock Detention Center, where he was kept in solitary confinement for two weeks. After that, he was transferred to the Jaw Central Prison and detained in Building No. (4), which is designated for isolating the prisoners first. Then, he was transferred to Building (12), Ward (3), room no. (1), with criminal prisoners accused of drugs, rape and other crimes. As a result, Ahmed objected detaining him with them and demanded that he be transferred to Ward (1) in the same building, where political prisoners are held.

Statement of head of monitoring and documentation at the BFHR, Hussein Nooh, on the issue of handing over detainee Ahmed Jaafar:

"As a Bahraini human rights and civil society, we hoped that the Serbian authorities would take into account the results of the decision issued by the European Court of Human Rights to stop his deportation. However, as a result of evading the decision, the Bahraini authorities persisted in the violations committed against Ahmed Jaafar, for which the Serbian authorities bear responsibility in the first place. Their extradition of a political opposition refugee resulted in subjecting him to cruel torture and ill-treatment. We call on the Serbian Ministry of Foreign Affairs to correct its mistake against the prisoner of conscience Ahmed Jaafar and to pressure the Bahraini authorities to release him or return him to Serbia."

The Incident of beating him during his transfer to the criminal prisoners' cell:

During his transfer to Building (12), Ward (3), room no. (1), on February 19, 2022, he was accompanied by 6 police officers, one of whom was holding a camera in his hand and filming the process of transferring the detainee. After Ahmed learned that he would be detained with criminal prisoners, he objected, and his objection was met with severe beatings all over his body and on his chest in particular by two of the six policemen. One of these two is called "Saddam," but the name of the other, who is Yemeni, was not mentioned. This happened before

the camera, as another officer was filming, and before the surveillance cameras spread across the building.

The severe beating on the chest led to the deterioration of his health at the time, so he announced a hunger strike in protest of what he was subjected to and filed a complaint about the matter. As a result, the Special Investigation Unit, including Public Prosecutor, Khaled Al-Jalahma, came on February 25, 2022. He was examined by the coroner of the unit, and the injury marks on his body were photographed, but he did not receive any treatment. The prosecutor listened to his statements and wrote them down, claiming that he supports him and that he is keen on his rights. However, he just advised him not to clash with the prison police and asked him to sign his statements. Ahmed signed without reading them. The next day, the Public Prosecutor, Muhammad al-Zubari, came and took his statements as well, wrote them down, and then asked him to sign them. Ahmed signed also without reading them, believing that they were indeed the same statements he had made.

During his trial, the judge told him that he was accused of beating the policeman, "Saddam," based on the statement he had signed, which stated that he confessed that he was the one who assaulted the policeman and not the other way around. Accordingly, Ahmed discovered that he had been deceived to believe that he was signing his statements while he was actually signing fabricated statements that arbitrarily transformed him from a victim into a perpetrator. After many demands by him, his family, and his lawyer (assigned to him by the court), the video that shows the incident was shown, but the judge did not take it into consideration. Meanwhile, the police officers testified that Ahmed hit the policeman and bit him as well, so Ahmed objected to these statements, claiming that his hands and feet were shackled, and he was not even able to defend himself from the policeman's blows. He demanded that evidence be presented, but no evidence confirming the statements of the police officers was presented.

Despite proving Ahmed's statements in the video, and the weakness of the argument of the other party and their lack of evidence, the High Criminal Court, headed by Judge Jassim Al-Ajlan, sentenced Ahmed, in July 2022, to 3 years in prison, which is the maximum penalty in such cases. That was the seventh

sentence against him. The appeal ruling in this case is supposed to be issued on November 30, 2022.

Arbitrary sentences:

The High Criminal Court issued sentences against him regarding the first six cases in which he was tried in absentia. After his arrest, he was forced to sign the appeal application, so those sentences were appealed. The Court of Appeal appointed an attorney on behalf of Ahmed in the three cases over which he was sentenced in absentia to life imprisonment. Ahmed was not allowed to know his lawyer in those cases or meet him at all. He did not know his name and never saw him because he was not tried directly in court during the trial sessions. Then, the Court of Appeal upheld all six sentences that were issued in absentia, except for dropping part of a sentence, which is one of the decisions to strip him of his nationality. This means that his nationality will absolutely be returned to him, even though a decision to revoke his nationality is found in all of his six sentences.

The State of Continuous Restrictions:

Clothes: He was not allowed to buy clothes from the "canteen" despite being provided with money by his family. He only had one prison uniform, while the rest of the prisoners were allowed to buy two other uniforms and even civilian clothes such as a T-shirt. Recently, he was allowed to buy two non-cotton uniforms made of poor fabric, one of which is small in size and has no alternative. Both uniforms do not suit his health condition, as his osteoporosis requires him to wear thick clothes that provide him with warmth. His family asked to bring him a coat to prison, but they were not allowed to do so, even though they emphasized this request to the Ombudsman and the National Institution for Human Rights (NIHR). He also tried to buy shoes from the prison canteen, but he did not find his shoe size, and his family was not allowed to bring him suitable shoes. (It should be noted that prisoners are allowed to delegate only one of them from each cell to buy their needs from the canteen once a month).

Food: He was not allowed to buy food from the canteen, unlike the rest of the prisoners, and he only received the meal provided by the prison administration,

which is sometimes of poor quality. Recently, he was allowed to buy from the canteen once a month.

Books: Prisoners are allowed to own two books. Ahmed only owns one book, the Qur'an, but the prison administration noted that he owns two books, and when he asks for another book, he is answered: "You own two books, and if you want to get another one, you have to give up one of them." He has also been prohibited from buying pens for two months.

Communication: Prisoners are allowed to buy phone credits that allow them to contact their families for 30 minutes a week. However, Ahmed was not allowed to buy them until a short while ago, yet he is still denied communication sometimes despite having phone credits.

Money: In October 2022, an official in the prison administration called Hamid Faraj contacted the family of prisoner Ahmed Jaafar, asking them to receive a sum of money, which was in Ahmed's possession when he was arrested. The prison security officer, Ali Farhan, asked Ahmed to fill out a form in order to hand it over to Hamid Faraj as a routine procedure for handing over the money. However, Farhan did not hand over the document to the official, Faraj, without any apparent reason. Accordingly, the money is still in the possession of the prison administration and has not been handed over to the family. The family tried to contact Hamid Faraj to resolve the issue, but they were not allowed to do so.

His Health Condition:

Complications of being beaten on the chest: He is still suffering from the effects of being beaten on the chest by the police officer, "Saddam." He now suffers from swelling and deformity on the left side of the chest. He had requested medical treatment for his chest for nine months, but did not receive any response until November 14, 2022, when he was finally examined by the prison doctor. The doctor asked to transfer him to the hospital, and an x-ray was taken of him in the Al-Qalaa center for prisoners. However, the prison administration did not allow him to be seen by specialists at Salmaniya Hospital.

Osteoporosis: Ahmed suffers from osteoporosis and chronic pain as a result of a back injury and an old fracture in his leg. He urgently needs treatment for his bones, including physiotherapy. Since he was transferred to Jaw Central Prison, he was given the last remaining bed in the cell. The bed faces the air conditioner, which is not suitable for osteoporosis, and this causes him severe pain in various parts of his body, in addition to his back and leg pain. None of the other inmates of the cell agrees to exchange beds with him to be in a location suitable for his condition.

Vision Problems: As for his vision, he needs medical glasses and the prison administration does not respond to his and his family's requests to provide him with glasses or provide any necessary treatment for his eyes.

Risking his life during the spread of COVID-19: Shortly after placing him in Cell No. (1) in Building (12), Ward No. (3) – in which he is still being held – some of his cellmates were infected with COVID-19, and yet they were not isolated from the rest of the prisoners, which endangered Ahmed's life.

Filed complaints:

His family submitted complaints many times to several authorities, starting with the Ombudsman on March 3, 2022, from which they did not receive any positive results, and then to the NIHR. They demanded that he be examined by specialized doctors, allowed to buy clothes and books, and granted the right to make phone calls, just like the other prisoners. However, all he got after submitting these complaints was a medical examination once in the prison clinic, during which he was not given any medical treatment but was promised that a medical appointment would be secured for him with a specialist in the hospital, which did not happen.

The family filed a second complaint at the NIHR on October 26, 2022, during which Rawdha Salman Al-Aradi, head of the NIHR's Committee on Complaints, Monitoring and Follow-up, and Khaled Abdulaziz Al-Shaer, vice-president of the NIHR, attended. During their meeting with them, the family stressed their previous recommendations, which were not implemented and were not taken seriously into consideration, in addition to the new demands, such as retrieving

the money that Ahmed owns from the prison administration. They promised them that they would meet with Ahmed the next day to look into his case.

On November 06, 2022, the family received a phone call from the NIHR, through which they were given an appointment to meet with the committee again on November 21, 2022, and to be informed of the results of the first visit. At the time of the meeting, the family met with members of the NIHR, namely Ahmed Salloum, MP and member of the NIHR's Board of Commissioners, Rawdha Salman Al-Aradi, head of the NIHR's Committee on Complaints, Monitoring and Follow-up, Iman Ali, Head of the NIHR's Complaints Department, and lawyer Dina Abdullah Al-Lathi, member of the NIHR. They informed them that the NIHR will contact them after 48 hours to inform them of the final result on the complaints submitted. Then, on November 23, 2022, the NIHR called the family by phone and informed them of the results of the visit of Rawda Al-Aradi, Khaled Al-Shaer, and Dr. Malallah Al-Hammadi, head of the Committee on Visiting Places of Detention and Facilities, to the prison administration. All of these results were negative, as follows:

- With regard to medical treatment: The prison administration only said that Ahmed must undergo an examination before prescribing medical glasses for him, and that he is obtaining his right to medical treatment.

In response, the family replied that they did not only demand medical treatment for his eyes, but also for his osteoporosis and for the effects of being beaten on the chest by members of the security apparatus in prison. They did not receive any response to that during the call.

- With regard to clothes: The prison administration said that there are clothes in the 'canteen' and there is no need for the family to bring them in from outside the prison.

The family replied that the clothes available in the canteen were of poor quality and did not fit his size, and that they had informed Ahmed Salloum in their meeting with him that if clothes of large sizes that fit Ahmed were available in the canteen, they would be sold out before the turn of purchase reaches the building where Ahmed is. The family also did not receive any response to the request of providing Ahmed with a coat, which is needed due to his health condition.

In the last call with Ahmed, on November 28, 2022, he told his family that his cellmate, who was assigned to buy things for the rest of them, had bought him shoes that turned out to be small in size, and he did not know if he could exchange them or get a refund in case there weren't an alternative, because in a previous experience, he was prevented from exchanging or returning a suit that was small in size. He also informed his family that they are allowed to buy once every 45 days, although it is supposed to be once a month.

- Regarding books: The prison administration replied that they provide books to prisoners from the Jaafari Endowment Directorate.

The family replied that Ahmed had requested to allow him to bring one prayer book that he did not have in prison. They also said that he was prohibited from acquiring any book other than the Qur'an that he owns, unless he gave up the Qur'an, adding that there is no need for all this complication.

- Regarding transferring him to another cell: The prison administration replied that he cannot be transferred to another cell, (he and his family had demanded his transfer from a cell of criminal prisoners to a cell of political prisoners) on the pretext that his sentences are long-term, while the sentences of prisoners in the cells to which he had requested to be transferred are approximately seven years.

When his family told him so, Ahmed replied that it was not true and that there are political prisoners sentenced to more than 20 years in prison in the buildings and cells to which he had asked to be transferred.

- As for the money: The family did not receive any response from the NIHR regarding the request to retrieve the money owned by Ahmed and withheld by the prison administration.

The family called the NIHR five times after receiving the last reply from them, with the aim of speaking with the head of the complaints department, Iman Ali, and the response was that it was not possible to speak with her.