

URGENT ACTION

FORCIBLY DISAPPEARED BAHRAINI FACES MILITARY TRIAL

On 9 May, Fadhel Sayed Abbas Hasan Radhi's case has been transferred to a military court. Neither his family nor lawyer have been informed of the charges. Fadhel Sayed has been subjected to enforced disappearance since his arrest in September 2016, and since then remains at risk of torture and other ill treatment.

On 9 May, the Public Prosecution informed **Fadhel Sayed Abbas Hasan Radhi's** family that his case has been transferred to the military court. This is the first case to be heard before a military court since the King of Bahrain ratified a constitutional amendment on 3 April to allow military trials for civilians. As trying civilians under military law could lead to a closed trial or a denial to access a lawyer, it is prohibited by international law. As such, it contravenes fair trial standards. The Public Prosecution has not disclosed to Fadhel Radhi's family or his lawyer what the charges against him are, nor where he is being held.

Fadhel Radhi has been subjected to enforced disappearance since his arrest on 29 September 2016. His family has received only three brief phone calls since. On 28 February, during his last call, his family told Amnesty International that they heard another voice supplying answers to Fadhel Radhi. Amnesty International and Fadhel Radhi's family have made numerous inquiries to the Public Prosecution Office (PPO) and the Ombudsman of the Minister of Interior. They enquired about Fadhel Radhi's fate and whereabouts and what charges he was being held for. On 2 January, Fadhel Radhi's sister was told by the PPO to go home and wait for a call from her brother. She was also informed that he would be brought before the PPO on 24 April. Fadhel Radhi did not call his family until 28 February. The family has never been informed whether he had actually been brought before the PPO on that date.

Without having access to a lawyer and with only negligible phone contact with his family, Fadhel Radhi continues to be at risk of torture and other ill-treatment. Amnesty International is concerned that Fadhel Radhi may have been forced to "confess" during his detention, which may be used as evidence during his trial before the military court.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Urging the Bahraini authorities to immediately disclose the fate and whereabouts of Fadhel Sayed Abbas Hasan Radhi as well as the legal basis for his detention and provide him with prompt and regular access to his family, lawyer and any medical attention and ensure that he is protected from torture and other ill-treatment;
- Urging the Bahraini authorities to charge Fadhel Sayed Abbas Hasan Radhi with a recognizable criminal offense, or release him;
- If he is charged with a recognizable criminal offense, urging them to transfer his case to a civilian court that complies with international fair trial standards, excluding evidence obtained under torture and not resorting to the death penalty.

Contact these two officials by 23 June, 2017:

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

Ambassador Shaikh Abdullah Bin Mohammed Bin Rashid Al Khalifa
 Embassy of the Kingdom of Bahrain
 3502 International Dr. NW, Washington DC 20008
 Phone: 1 202 342 1111 | Fax: 1 202 362 2192
 Email: ambsecretary@bahrainembassy.org
 Twitter: @bahdiplomatic
Salutation: Dear Ambassador

2) LET US KNOW YOU TOOK ACTION

[Click here](#) to let us know if you took action on this case! *This is Urgent Action 30.17*

Here's why it is so important to report your actions: we record the actions taken on each case—letters, emails, calls and tweets—and use that information in our advocacy.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

FORCIBLY DISAPPEARED BAHRAINI FACES MILITARY TRIAL

ADDITIONAL INFORMATION

On 29 September 2016, at around 3 am, Criminal Investigations Directorate (CID) officers arrested Fadhel Sayed Abbas Hasan Radhi, 24, at his family home in Hamad Town, south-west of the capital, Manama. The officers did not inform his family where he was being taken or the grounds for his arrest. The family did not hear from Fadhel Sayed until two weeks later, when he called them for the first time. During that short phone call, Fadhel Radhi told his family that he was being held at the CID and was feeling very tired and unwell. His family did not hear from him again until 10 December 2016 when he called and said he was still at the CID and did not know why he was being held. They received one further phone call from him on 28 February. The call was brief and his family had the impression that he could not speak freely as they heard another voice supplying answers to their questions.

On 3 April, the King of Bahrain ratified a constitutional amendment that allows the trial of civilians before military courts in cases deemed to be a threat to Bahrain's national security or its "independence, sovereignty or integrity" paving the way for grossly unfair trials. For further information see Amnesty International's Public statement: Disastrous move towards patently unfair military trials of civilians, 3 April 2017: <https://www.amnesty.org/en/latest/news/2017/04/bahrain-disastrous-move-towards-patently-unfair-military-trials-of-civilians/>

Amnesty International has documented a similar case to that of Fadhel Sayed Abbas Hasan Radhi. Al-Sayed Alawi Hussain al-Alawi, 43, has been detained without charge or access to his lawyer since his arrest in October 2016. His family have not heard from him since 14 December 2016, nor have they received any information about his whereabouts or well-being. Amnesty International is concerned that like Fadhel Sayed Abbas Hasan Radhi, al-Sayed Alawi Hussain al-Alawi is being subjected to enforced disappearance and is at risk of torture and other ill-treatment. For further information see Amnesty international's Urgent Action: Fate and whereabouts of Bahraini unknown, 27 January 2017: <https://www.amnesty.org/en/documents/mde11/5581/2017/en/>

Amnesty International has documented arbitrary arrests and detentions, and torture and other ill-treatment of detainees, particularly while held in the CID. Amnesty International collected numerous testimonies of detainees alleging that they were forced to sign "confessions", which were then used as evidence against them or to implicate others at trial. Documented methods include beatings, forcing detainees to remain standing for long periods, sleep deprivation and keeping detainees naked.

The right to have access to a lawyer is a fundamental safeguard against torture and other ill-treatment. It is also essential for a fair trial under international human rights standards. It is important to enable detainees to have access to a lawyer in order to enable them to challenge their detention at an early stage and serves as an important safeguard against torture and other ill-treatment, coerced "confessions", enforced disappearance and other human rights violations.

Under international law and standards, anyone who is arrested and detained has the right to inform, or have the authorities notify, someone in the outside world that they have been taken into custody and where they are held. In addition, they should be given all reasonable facilities to communicate with and receive visits from their family. The right for the detainees to communicate with the outside world and to receive visits is a key safeguard against torture and other ill-treatment and other human rights violations. It enables persons concerned about the wellbeing of detainees to see where they are held and their condition so as to be able to intervene on their behalf if there is reason for concern. It is also a key safeguard against enforced disappearances.

Name: Fadhel Sayed Abbas Hasan Radhi, Al-Sayed Alawi Hussain al-Alawi
Gender m/f: all male
Further information on UA: 30/17 Index: MDE 11/6224/2017 Issue Date: 11 May 2017