



Ms. Federica Mogherini  
High Representative for the Union Foreign Affairs and Security Policy and  
Vice President of the European Commission  
European Commission  
Rue de la Loi / Wetstraat 200  
B-1049 Brussels

Brussels, 20 March 2018

**CONCERN: Request EU's attendance to hearing of UK-based activist's family and reconsideration of its relations with Bahrain's Ombudsman**

Dear High Representative Mogherini,

As a Member of the European Parliament, I am writing to express my serious concerns for the judicial harassment of family members of prominent Bahraini activist, Sayed Ahmed Alwadaei, who are being subjected to a [collective punishment](#) in reprisal for his human rights activities in London.

The EU has long being committed to [supporting human rights defenders](#), and I am pleased to see that the case of Sayed Ahmed's relatives is "[well-known](#)" and closely monitored by the High Representative. However, I deplore EU's failure to publicly call for their release. I further press the EU and its Member States represented in Manama to reconsider their [relationship](#) with "relevant Bahraini institutions, notably the Bahrain Ombudsman office", a human rights oversight body that has [repeatedly failed](#) to uphold [international standards](#) of torture investigation, thereby raising doubts as to its independent nature.

**Duaa Alwadaei: Sentence expected on 21 March**

The latest victim of the reprisal launched by the Bahraini authorities in response to Sayed Ahmed's work as a human rights defender is his wife, Duaa Alwadaei, who was summoned to appear before a Bahraini Criminal Court last December. Although she has not received any formal notification of the charges against her, it appears that she has been [accused of assaulting a female police officer](#) at Bahrain International Airport in October 2016.

The incident to which Duaa's charges relate occurred on 26 October 2016, following Sayed Ahmed's participation in a [protest](#) against the King of Bahrain's meeting with Prime Minister Theresa May in London. Duaa was [detained](#) at Bahrain International Airport for several hours together with her infant son, interrogated, physically mistreated, [threatened](#) with criminal charges, and warned that her family would be imprisoned if Sayed Ahmed's human rights activities continued. Duaa is expecting a **final verdict in absentia on 21 March 2018**. If convicted, she could face potential imprisonment. Given the continuous judicial harassment the rest of her family is suffering from, I fear that she will face similar repercussions.

**Sayed Nizar Alwadaei, Hajer Mansoor Hassan, Mahmood Marzooq Mansoor: the flawed trials**

On 30 October 2017, the grossly unfair trials of Sayed Ahmed's brother-in-law **Sayed Nizar Alwadaei**, mother-in-law **Hajer Mansoor Hassan**, and cousin **Mahmood Marzooq Mansoor** [concluded](#) with their

unlawful conviction to three years in prison, for allegedly planting a fake bomb, and with Mahmood receiving a further month in prison and a BD100 fine. On 20 December 2017 their sentences were [upheld](#) by the appeal court, despite the prosecution's [lack of forensic evidence](#) linking them to the alleged crimes. All three were reportedly tortured during interrogations and coerced into sign false confessions. According to [Human Rights Watch](#), “[t]he judicial process was marred by due process violations and allegations of ill treatment and coerced confessions”, thereby reflecting once again the [politicised nature](#) of Bahrain’s judiciary, which greatly concerns us.

In February 2018, Sayed Nizar’s sentence to three years in prison in a separate case was also [upheld](#), following his [conviction in absentia](#) in November 2017. As a result, he is currently serving **6 years in prison** on the basis of two different sentences. The next appeal hearing will be held on **22 March 2018**.

Sayed Nizar is also on trial on a **third case** based on similar charges, and is **expecting a final verdict on 26 March**. The Public Prosecution, however, has committed a significant error in its description of Sayed Nizar’s latest charges in his prosecution documents. They erroneously reported that on 01 June 2017 Sayed Nizar was a ‘**fugitive**’, and therefore was not interrogated by the Public Prosecution to confirm the alleged crime. In actual fact, Sayed Nizar had been in the custody of the Bahraini Ministry of Interior since 2 March 2017, when he was [first arrested](#). This raises serious concerns as to the seriousness of the investigation, and suggest it is a mere excuse to launch another trial to condemn him.

### **The complicity of the Mol ombudsman**

Since August 2017, the Bahraini Ministry of Interior (Mol) Ombudsman has failed to conduct an investigation into accounts of ill-treatment and torture put forth by Sayed Nizar, Hajer and Mahmood. On 20 November 2017, the Ombudsman revealed to Sayed Ahmed Alwadaei that “*there was **clear evidence of a criminal act***” committed against Sayed Nizar in March 2017. The Ombudsman, however, failed to disclose its findings to the family, which represents another clear miscarriage of justice. Notably, the moment Sayed Ahmed highlighted the issue, the Ombudsman retracted the aforementioned statement, by saying “*it was **incorrectly interpreted***” by their own staff.

In 2014, the Ombudsman [won](#) the Chailot Prize for the Promotion of Human Rights in the GCC region, attributed annually by the EU Delegation in Riyadh. However, [evidence](#) shows the Ombudsman has been complicit in the unlawful executions carried out in Bahrain in January last year. They failed to investigate appalling torture abuses perpetrated by the Bahraini authorities against political prisoners, therefore allowing their trials to rely solely on coerced confessions. All this confirms the [concerns](#) expressed in May 2017 by the United Nations [Committee Against Torture](#) when it noted the “*continued numerous and consistent allegations of widespread torture and ill-treatment of persons deprived of liberty*” and condemned “*the climate of impunity that seems to prevail*” and the “*widespread acceptance by judges of coerced confessions*” in criminal cases. The Committee further stressed that complaint mechanisms in places of detention in Bahrain, including the **Ombudsman**, “*are not independent, that their mandates are unclear and overlap, and that they are not effective given that complaints ultimately pass through the Ministry of the Interior. It is also concerned that their activities have had little or no effect, and that the authorities provided negligible information regarding the outcome of their activities*”. The case of Sayed Ahmed’s family is the latest episode of the Ombudsman failure, which must be addressed with EU utmost priority. EU cannot continue its blind engagement with institutions that fail to uphold international human rights standards.

In light of the above, I request the European Union and its Member States to attend the **hearings of Duaa Alwadaei on 21 March**, and **Sayed Nizar Alwadaei on 22 March** in Bahrain. I also request that you, publicly and privately:

- Condemn the unlawful detention and torture of Sayed Nizar Alwadaei, Hajer Mansoor Hassan and Mahmood Marzooq Mansoor, call for their immediate and unconditional release and request a full investigation and prosecution in relation to the reported cases of torture and ill-treatment against them;
- Urge the Government of Bahrain to drop all charges against Duaa Alwadaei;
- Reconsider you engagement with Bahrain's Ministry of Interior Ombudsman and its repeated failures in investigating torture allegations and human rights abuses.

As highlighted by [UN experts](#) and non-governmental organisations such as [Amnesty International](#) and [Human Rights Watch](#), the charges brought against Sayed Ahmed's family have been administered to "*intimidate and impair [his] human rights activities*". Yet the judicial harassment they suffer represents an extreme attack against those very universal rights, liberties and democratic values the EU is built upon and committed to uphold.

I look forward to hearing from you on these issues and stand ready to provide any further information you may require.

Many thanks,

Julie Ward MEP