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10 April 2014

Rt Hon Baroness Warsi PC
Senior Minister of State
Foreign and Commonwealth Office
King Charles Street
London SW1 2AH

Dear Baroness Warsi

Torture in Bahrain: the case of Mr Jaafar Al Hasabi

The Redress Trust (REDRESS) is an international human rights organisation with a mandate to seek justice and reparation for torture survivors.

We have worked on matters relating to torture and other prohibited ill-treatment in Bahrain for numerous years, including the case of Mr Jaafar Al Hasabi who was tortured in the early 1990s and again in 2010. He has come to see us after learning of your written answer to Parliament on 27 March 2014:¹

Asked by **Baroness Tonge**

To ask Her Majesty's Government what discussions they have held with the government of Bahrain concerning allegations of the use of torture to extract confessions.[HL6090]

Baroness Warsi: The British Government consistently and unreservedly condemns torture and cruel, inhuman or degrading treatment or punishment, and it is a priority for us to combat it wherever and whenever it occurs. *The UK has not received any specific evidence of the use of torture to extract confessions* but it continues to work with the Bahraini authorities to share best practice on torture prevention measures and address allegations of torture and mistreatment. [Emphasis added]

Mr Al Hasabi is shocked, angered and saddened by what you said, and requests that you correct and retract your reply to Parliament. He is a British citizen whose torture in 2010 was widely reported at the time;² he

¹Hansard, 27 March 2014: Column WA130, available at http://www.publications.parliament.uk/pa/ld201314/ldhansrd/text/140327w0001.htm#wa_st_6.

²For example BBC, 'Torture of British Shia activist in Bahrain', 8 September 2010, available at <http://www.bbc.com/news/world-middle-east-11227914>.

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was also the subject of a written answer to Parliament as long ago as 1 March 2011, as follows:¹

Asked by **Lord Avebury**

To ask Her Majesty's Government whether the Foreign Secretary has raised with the Government of Bahrain the case of the British citizen, Jaffar Al Hasabi, who was arrested and tortured upon his arrival at Bahrain airport on 16 August 2010 after attending a meeting in 1 The Abbey Garden, London, on human rights and the rule of law in Bahrain. [HL6977]

Lord Howell of Guildford: During a visit to Bahrain on 10 February 2011 my right honourable friend the Foreign Secretary met the Bahraini Foreign Minister, Sheikh Khalid bin Ahmed Al Khalifa, and raised Jaffar Al Hasabi's complaint that he had been abused in detention facilities. The Foreign Minister undertook to investigate this matter. We are closely monitoring the situation and will follow this up with the Minister.

There can be no reasonable doubt that Mr Al Hasabi was tortured. We attach a medical-legal report dated 30 April 2013 which summarises the findings (at paragraphs 92-97) that his scars, injuries and symptoms are consistent with torture. Further, he was visited in detention by a British consular official after the torture and told him what had happened; it was also revealed in open court that he (and others) had been tortured.² The case is referred to in detail in our Report on torture in Bahrain,³ a copy of which we sent you under cover of a letter dated 2 May 2013. We attach a copy of the said letter and another copy of the Report.

We are working with a lawyer in Bahrain who has launched a case there on Mr Al Hasabi's behalf. We attach a translated copy of the document the lawyer filed in Bahrain on 11 November 2013. Bearing in mind that you have also said HMG "continues to work with the Bahraini authorities to ... address allegations of torture and mistreatment", Mr Al Hasabi now urgently requests that HMG asks the Bahraini authorities to ensure that his case is properly and expeditiously processed. Please confirm that HMG will do this.

We have highlighted the torture of Mr Al Hasabi because firstly, it is a particularly well-known and well-documented case; secondly, the medical-legal report showing signs consistent with torture is clear; thirdly, he is a British national. However, there is other credible and indeed overwhelming evidence of the use of torture to obtain confessions (and for other purposes) as documented, for example, in the 2011 Bahraini Independent Commission Inquiry (BICI) report.⁴ After noting that "[c]linical examinations were conducted of 59 detainees who made allegations of torture and mistreatment"⁵ the BICI found as follows.⁶

In many of these cases, the purpose of mistreatment was to obtain statements or confessions incriminating the detainee in question. In other cases, the purpose was to obtain statements from the detainee with a view to using the statements against other individuals. Mistreatment was also used for the purposes of retribution and punishment.

¹ Hansard, 1 March 2011: Column WA292, available at <http://www.publications.parliament.uk/pa/ld201011/dhansrd/text/110301w0001.htm>.

² Amnesty International, *Bahrain activists make new torture allegations*, 16 November 2010, available at <http://www.amnesty.org/en/news-and-updates/bahrain-activists-make-new-torture-allegations-2010-11-16>.

³ REDRESS, *Bahrain: Fundamental Reform or Torture Without End*, April 2013, at page 15, available at <http://www.redress.org/downloads/publications/Fundamentalreform.pdf>.

⁴ *Report of the Bahrain Independent Commission of Inquiry*, 10 December 2011 (Final Revision), available at <http://www.bici.org.bh/BICIreportEN.pdf>.

⁵ *Ibid.*, page 291, paragraph 1212.

⁶ *Ibid.*, page 296, paragraph 1230.

Further, there is no shortage of compelling reports that torture has continued to be used in 2012, 2013 and 2014.⁷ Our own survey of credible reports in the public domain puts the number at more than 100 since the Bahrain Government accepted the BICI findings at the end of 2011. It is likely the actual figure is far higher.

Taking all of the above into account we fully understand Mr Al Hasabi's reaction to the answer you gave Parliament on 27 March. Indeed, we are as perplexed as he is as to how you can justify what you said, which is clearly in conflict with so much evidence of torture in Bahrain, for the purposes of obtaining confessions or otherwise. We reiterate that he therefore seeks a correction and retraction.

Mr Al Hasabi would also like to meet you to tell you personally of his feelings, and we would like to accompany him. We therefore look forward to hearing from you urgently.

Carla Ferstman
Director

Cc: Baroness Tonge, House of Lords
Lord Avebury, House of Lords
Dr Mathew Offord MP, House of Commons
Mr Rob Fenn, Head of FCO Human Rights and Democracy Department
Mr Al Hasabi

⁷ For example, Human Rights Watch, *World Report 2014 – Bahrain*, 21 January 2014, available at <http://www.hrw.org/world-report/2014/country-chapters/bahrain>.