

HCA Vanadzor Statement

Demanding to Release Arrested Bahraini National and Suspend his Potential Extradition

On January 2, 2016, the RA Police issued a statement that on January 1, 2016, at 11 pm, Bahraini national Fadhel R. was identified and apprehended from Zvartnots International Airport. Back on May 25, 2014, the Kingdom of Bahrain put the man on international wanted list over accusations under Articles 178, 179, 277/1, 409/1, 414/1(1,2 and 3) and Article 58 of the Bahraini Criminal Code /attempted murder, illegal circulation of explosives, damage to public and private property, mass riots and terrorism/. Fadhel R. was arrested and taken to the Detention Facilities of the RA Yerevan City Police Department. The incident was reported to the RA General Prosecutor's Office and the Interpol Office in Armenia to be further communicated to the concerned authority.

At the same time, on January 2, 2016, the General Director of Bahraini Anti-Corruption, Economic and Electronic Security stated that the Armenian authorities had arrested a wanted fugitive sentenced to 7 years' imprisonment in Bahrain for arson and bombing for terrorism purposes. The General Director of Bahraini Anti-Corruption, Economic and Electronic Security requested the Interpol to arrest the wanted person and stated that relevant steps were being taken to hand him over.

HCA Vanadzor is deeply concerned over the potential extradition of the 25-year-old Bahraini national by the RA authorities via Interpol.

It should be noted that the United Nations, which the Republic of Armenia and the Kingdom of Bahrain are members of, has addressed the high incidence of torture in the Kingdom of Bahrain against its nationals in a number of decisions issued by its agencies.

In particular, the UN Working Group on Arbitrary Detention stated in its decision 1/2014 that Tagi Al-Maidan's detention by Kingdom of Bahrain was arbitrary, and he was subjected to torture to extort confession. By its decision No 22/2014, the Working Group found that arbitrarily detained Jassim al-Hulaibi repeatedly suffered ill-treatment and torture.

Overall, in 2011, the UN Special Procedures voiced about facts of torture, violence and ill-treatment against 75 persons by the Bahraini authorities.

In March 2015, the Amnesty International stated that human rights activist Hossein Javadi was tortured by the Bahraini security forces to extract confession on terrorism charges.

In its report issued in November 2015, the Human Rights Watch documented 14 individual cases of torture in the Bahrain detention system.

Since October 2013, Americans for Democracy and Human Rights in Bahrain human rights organization has documented 150 individual cases with people reporting various acts of violence and torture, such as beating, whipping, suffocation, sleep, drink and food deprivation, sexual harassment, non-provision of medical care, electrocution, etc.

Hence, the extradition of the Bahraini national arrested in RA, may expose him to torture, cruel and degrading treatment by the Bahraini authorities, which the RA authorities would be directly responsible for. Being a member of the Council of Europe and having ratified the European Convention on Human Rights, the Republic of Armenia is obligated to immediately release the Bahraini national and suspend his potential extradition in compliance with the procedures of Article 1(1) of Protocol 7 to the European Convention on Human Rights. Also, according to Article 3(1 and 2) and Article 11 of the European Convention on Extradition, extradition shall not be granted if the person is criminally prosecuted for his/her political activities or he/she might suffer death penalty in the receiving country. And the Kingdom of Bahrain has not abolished death penalty.

In Paragraph 93 of its ruling on *TARAKHEL v Switzerland* (Application 29217/12), the European Court of Human Rights stated as follows: "The Court reiterates that according to its well-established case-law the expulsion of an asylum seeker by a Contracting State may give rise to an issue under Article 3, and hence engage the responsibility of that State under the Convention, where substantial grounds have been shown to believe that the person concerned faces a real risk of being subjected to torture or inhuman or degrading treatment or punishment in the receiving country. In such circumstances, Article 3 implies an obligation not to expel the individual to that country."

We believe that Fadhel R. may be arrested only in case of extreme urgency under Article 16 of the European Convention on Extradition.



Hence, based on the numerous concerns by the UN agencies and other international organizations over the human rights situation in the Kingdom of Bahrain and deriving from the logic behind the international commitments of the RA, we hereby demand immediate release of Bahraini national Fadhel R. and suspension of his extradition to the Kingdom of Bahrain.

January 5, 2016

Vanadzor