



28 August 2018

Hon. Mogens Lykketoft

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Dear Hon. Mogens Lykketoft,

We, the undersigned organizations in the Bahrain human rights community, write to express our grave concern over the health of 70 year old imprisoned Bahraini political activist, professor, and opposition leader Hassan Mushaima. Mushaima is currently serving a life sentence for his pro-democracy activism in Bahrain's notoriously abusive Jau Prison, where authorities are denying him unrestricted access to necessary treatment for a myriad of critical medical conditions. His health is rapidly deteriorating and without urgent action his life is at risk. We call on you to table parliamentary questions on Mushaima's case as well as ask you to reach out to your local Bahraini embassy and pressure them on the status of Hassan Mushaima's health and access to medical care. We also call on you to press your national foreign ministry to raise concerns on behalf of Mushaima and pressure the Bahraini government to release all arbitrarily detained political prisoners.

As founder and Secretary-General of the al-Haq opposition movement, Mushaima has long [faced government reprisal](#) for his peaceful activism to promote democracy in Bahrain. In March 2011, as security forces violently crushed Bahrain's mass Arab Spring protests, authorities arrested Mushaima from his home and arbitrarily detained him. Security forces tortured Mushaima and then hauled him before a military tribunal on charges stemming solely from his calls for democracy. After a patently unfair trial, in which the government forbade Mushaima from testifying and prohibited his lawyer from speaking, he was sentenced to life in Jau Prison.

There, Bahraini authorities have punished Mushaima by subjecting him to humiliating and inhumane treatment. Jau Prison is a horrific detention center overcrowded with thousands of political prisoners, rife with torture and physical abuse, and consistently plagued by disease and unsanitary living conditions. Prisoners at Jau are regularly denied access to water, quality food, and hygiene products, while guards arbitrarily confiscate personal items, interfere in visitation rights, and prevent inmates from freely practicing their religious beliefs. Conditions in the facility are so poor that they have garnered the concern of the United Nations (UN) Human Rights Committee, which condemned the prison conditions just last month.

As a result of these abusive conditions, Mushaima's health has sharply deteriorated. In addition to serious physical injuries inflicted during his torture, Mushaima suffers from severe chronic illnesses, including high blood pressure, diabetes, gout, a urinary tract infection, and lymphatic cancer. He must take at least 10 different pills a day to help with these conditions, and without them he risks death. Authorities are denying Mushaima unrestricted access to medicine, medical care, and treatment from specialists. Recently, the authorities have singled out political prisoners like Mushaima for further degrading restrictions on healthcare, forcing them to be strip-searched, chained, shackled, and marched to external facilities if they want to attend medical appointments, which contravenes international standards for fair treatment of prisoners as noted by [Human Rights Watch](#). The Bahraini government claims that Mushaima has been offered appropriate medical treatment, yet has refused to attend appointments. It must be understood that the Bahraini government has made Mushaima's access to proper medical care contingent upon him submitting to further violation of protected human rights. Any refusal to attend appointments is therefore based solely on the rejection of further inhumane and degrading treatment.

During Bahrain's UN review under the Committee against Torture (CAT) in 2017, the CAT expressed grave concern over obstacles imposed on access to treatment and indicated that Bahrain's denial of

medical care for prisoners was in violation of its treaty obligations. Likewise, just last month during Bahrain's first review under the International Covenant on Civil and Political Rights (ICCPR), the UN Human Rights Committee [found](#) that Bahrain is failing to uphold civil and political rights, specifically citing inhumane prison conditions and denial of medical care. The Committee called on the government to "release immediately and unconditionally anyone held solely for the peaceful exercise of their rights, including human rights defenders, activists, lawyers and trade unionists," like Hassan Mushaima. These concerns have been echoed by the European Parliament (EP), which in June 2018 adopted a resolution (RC8-0281) condemning restrictions on medical treatment and "poor prison conditions" faced by prisoners of conscience like Mushaima. The EP urged the Bahraini government "to refrain from all torture, cruel and degrading treatment of detainees, to investigate fully all allegations of violation of basic rights of prisoners and torture and to bring the perpetrators to justice," while also highlighting the impacts of prison conditions on the health of detainees.

The international human rights community has continually raised Mushaima's case and broader concerns over systematic prison abuse with the UN and the Bahraini government. Americans for Democracy & Human Rights in Bahrain (ADHRB), the Bahrain Institute for Rights and Democracy (BIRD), and the European Centre for Democracy & Human Rights (ECDHR) have [repeatedly addressed](#) the mistreatment of Mushaima and Bahrain's other high-profile political prisoners with the UN Special Procedures and UN Human Rights Council. Amnesty International designated Mushaima a prisoner of conscience and initiated an [Urgent Action](#) campaign to improve his conditions in early 2018, and Human Rights Watch has [consistently voiced concerns](#) over Mushaima's case since 2011. ADHRB has additionally submitted repeated requests for assistance to Bahrain's oversight mechanisms, namely the Ministry of Interior (MOI) Ombudsman and the National Institution for Human Rights (NIHR).

Despite clear international concern, the Bahraini government has entirely failed to rectify the situation. The MOI Ombudsman and the NIHR lack sufficient independence to fulfill their mandates and remain wholly incapable of addressing systematic prisoner abuse, with the [UN Committee against Torture](#), [UN Human Rights Committee](#), and [the EP](#) all expressing alarm over their partiality and inefficacy. Both the Ombudsman and the NIHR have effectively ignored ADHRB's requests for assistance on Mushaima's case, with the [NIHR outright denying](#) that he even had any health problems that required treatment earlier this year.

As a result of the government's continued inaction, Ali Mushaima, Hassan Mushaima's son, began an open-ended [hunger strike](#) on 1 August 2018 outside of the Bahraini Embassy in London to protest the mistreatment of his father. He has been on [hunger strike](#) for over three weeks and will remain on strike until Bahraini authorities provide his father with necessary medical attention and allow him to resume family visitation, which has been restricted for more than a year.

The Bahraini government's mistreatment of Hassan Mushaima violates international law and increasingly threatens his life. As a member of parliament, you are in a prime position to call attention to the case of Hassan Mushaima through tabled parliamentary questions. We also call on you to raise Mushaima's case to your local Bahraini embassy and press them on the status of Hassan Mushaima's health and access to medical care, as well as call on your foreign ministry to pressure the Bahraini government to release all arbitrarily detained political prisoners. As Mushaima's health continues to worsen, it is absolutely fundamental that the international community ensure Bahrain is held accountable to its human rights obligations.

Sincerely,

Americans for Democracy & Human Rights in Bahrain

Bahrain Institute for Rights and Democracy

European Centre for Democracy and Human Rights