

Chapter VI — Allegations of Human Rights Violations Against the Person

Section A – Deaths Arising Out of the Events

Part 1 – Deaths Arising out of the Events

a) Factual Background⁴⁵⁵

848. Between 14 February and 15 April 2011, there were 35 deaths that were linked to the unrest in Bahrain during that period.⁴⁵⁶ The circumstances that resulted in the deaths of these 35 individuals can be summarised as follows:

a. *Civilian deaths attributed to security forces*

A total of 13 civilians⁴⁵⁷ died during the relevant period and these deaths are attributable to Security Forces. Of these deaths, 10 are attributable to the Ministry of Interior (MoI),⁴⁵⁸ two are attributable to the Bahrain Defence Force (BDF),⁴⁵⁹ and there is one death which is attributable to security forces but which the Commission is unable to attribute to a specific GoB agency.⁴⁶⁰

b. *Deaths attributed to torture*

Five persons allegedly died as a result of torture.⁴⁶¹ Three of these deaths occurred while the deceased persons were in the custody of the MoI at Dry Dock Detention Centre.⁴⁶² One death occurred at the BDF Hospital after the deceased had been transferred from the custody of the National Security Agency (NSA).⁴⁶³ One death occurred four days after the individual was released from the custody of the MoI at Dry Dock Detention Centre.⁴⁶⁴

c. *Civilian deaths not attributable to a perpetrator*

Eight civilians died during the relevant period and these deaths are not attributable to a perpetrator.⁴⁶⁵

⁴⁵⁵ This Section has been prepared based on information received up to and including 18 November 2011.

⁴⁵⁶ Case Nos. 1 to 35. These case Nos. are references to the case-by-case analysis outlined in Part 2 to this Section and Annex A.

⁴⁵⁷ Case Nos. 1 to 13.

⁴⁵⁸ Case Nos. 1 to 7, Case No. 9, Case No. 11.

⁴⁵⁹ Case Nos. 8 and 12.

⁴⁶⁰ Case No. 10.

⁴⁶¹ Case Nos. 22 to 26.

⁴⁶² Case Nos. 22 to 24.

⁴⁶³ Case No. 25.

⁴⁶⁴ Case No. 26.

⁴⁶⁵ Case Nos. 14 to 21.

d. Deaths of expatriate workers

Four expatriate workers died during the relevant period.⁴⁶⁶ Two of these deaths are attributable to civilians.⁴⁶⁷ One death is attributable to the BDF.⁴⁶⁸ The Commission has been unable to attribute the death of one individual to a perpetrator.⁴⁶⁹

e. Deaths of police officers and BDF personnel

Four police officers⁴⁷⁰ and one BDF officer⁴⁷¹ died during the relevant period. The deaths of three police officers are attributable to demonstrators.⁴⁷² The death of one police officer is attributable to the BDF.⁴⁷³ The Commission has been unable to attribute the death of one BDF officer to a perpetrator.⁴⁷⁴

849. In addition to these 35 deaths which occurred within the relevant period, there were a further 11 deaths that are potentially linked to the events in February/March 2011.⁴⁷⁵ These 11 deaths are examined independently in Part 2 of this Section.

850. The Commission's investigators met with the families of deceased individuals and documented their statements. The investigators collated photographic and video evidence from the families, witnesses, the GoB and from publically available sources. In addition, information relevant to these deaths was received from political parties,⁴⁷⁶ NGOs⁴⁷⁷ and from the legal representatives of the families of the deceased. The Commission investigators also reviewed the information submitted by the MoI, Attorney General and the Military Attorney General.

b) Applicable law

(1) International Law

851. The following provisions of international legal instruments are relevant to the considerations contained within this chapter. Article 6(1) of the International Covenant on Civil and Political Rights (ICCPR)⁴⁷⁸ provides:

⁴⁶⁶ Case Nos. 27 to 30.

⁴⁶⁷ Case Nos. 27 and 30.

⁴⁶⁸ Case No. 29.

⁴⁶⁹ Case No. 30.

⁴⁷⁰ Case Nos. 31 to 34.

⁴⁷¹ Case No. 34.

⁴⁷² Case Nos. 31 to 33.

⁴⁷³ Case No. 35.

⁴⁷⁴ Case No. 35.

⁴⁷⁵ Case Nos. 36 to 46.

⁴⁷⁶ For example, Al Wefaq National Islamic Society.

⁴⁷⁷ For example, The Bahrain Center for Human Rights (BCHR), Bahrain Society of Human Rights (BSHR), Bahrain Human Rights Watch Society (BHRWS).

⁴⁷⁸ International Covenant on Civil and Political Rights 1966, entered into force 23 March 1976.

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.⁴⁷⁹

852. Article 7 of the ICCPR provides:

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

853. The Arab Charter on Human Rights (Arab Charter) is also relevant to a consideration of the deaths during the relevant period.⁴⁸⁰ Articles 5 and 8 of the Arab Charter mirror Articles 6 and 7 of the ICCPR set out above.

854. Other relevant international instruments include the Code of Conduct for Law Enforcement Officials,⁴⁸¹ the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,⁴⁸² the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions⁴⁸³ and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

(2) National Law

855. Relevant national laws include the Bahrain Penal Code, the Code of Criminal Procedure and the Public Security Forces Law. The deaths attributable to military forces are subject to the Bahrain Military Penal Code. Chapter III(E)(2) contains a detailed discussion of these laws.

856. The majority of deaths of protesters identified in paragraph 848 are attributable to the excessive use of force. An analysis of the applicable law governing excessive use of force in the context of demonstrations is contained in Chapter VI, Section B.

857. A number of the deaths that occurred in connection with the events of February/March 2011 may constitute homicidal offences under Bahrain criminal law. Article 333 of the Bahrain Penal Code provides for the punishment of anyone who wilfully kills another individual. Article 342

⁴⁷⁹ The obligation to protect life includes the obligation to investigate plausible allegations of unlawful deprivation of life, to carry out a prompt, effective and impartial investigation of arbitrary or unlawful deprivation of life and to bring to justice those who may be responsible for such deprivation. It also requires the relevant agencies to ensure that their personnel are sufficiently trained and their operations sufficiently planned such that they can ensure compliance with the prohibition on arbitrary deprivation of life. See ECHR *McCann and Others v United Kingdom* Series A, No 324, Application No. 18984/91(1995); Human Rights Committee *Amirov v Russian Federation* UN Doc. CCPR/C/95/D/1447/2006 2 April 2006.

⁴⁸⁰ Arab Charter on Human Rights 2004, adopted by the Council of the League of Arab States on 22 May 2004, UN Doc. CHR/NONE/2004/40/Rev.1, entered into force 15 March 2008.

⁴⁸¹ Adopted by GA res 34/169 (1979), 17 December 1979.

⁴⁸² Adopted by the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.

⁴⁸³ Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, E.S.C. res. 1989/65, Annex, 1989 UN ESCOR Supp. (No. 1) at 52, UN Doc. E/1989/89 (1989).

provides for the punishment of anyone who unintentionally causes the death of another person. Articles 22 and 23 set out the principle of causation.

858. Articles 17 to 20 of the Bahrain Penal Code provide for the right of self-defence and state:

Article 17

The right of self-defence commences when the following factors are present:

if the person is in imminent danger of a threat to his own person or property or if he reasonably believes in the imminence of such danger.

if there is no time to have recourse to the protection of the public authorities.

In the latter event, the imminent danger threatened against the person or property shall be deemed to have been so even in the case of the person or property of third parties.

Article 18

In the exercise of the right of self-defence, no person may inflict more harm than necessary for the purpose of defence.

Article 19

If any authorised officer exceeds the limit in the performance of his duties by causing a threat which entitles one to the right of self-defence, the said threat may not be repelled unless the said officer acted in bad faith or if it was reasonably apprehended that the said threat would endanger one.

Article 20

Murder in self-defence or in defence of property shall not be justified except in the following cases:

An act from which death or serious injury is feared.

An act of rape, assault or attack against personal freedom.

An act of setting fire, causing damage or theft.

An act of breaking into an inhabited house or appurtenances thereof.

859. Officers of the Public Security Forces, which are part of the MoI, are bound by the Public Security Forces Law, promulgated by Decree Law No. 3 of 1982, as amended by Decree Law No. 37 of 2002. The Public Security Forces Law provides for criminal and disciplinary action against security forces for violations committed in the execution of their law enforcement powers. This includes any disproportionate use of force.

860. Officers of the BDF are bound by the Military Penal Code, which was promulgated pursuant to Decree Law No. 34 of 2002.

c) Findings and Conclusions

861. The following findings and conclusions are based upon the case-by-case analysis contained within Part 2 of this Section.⁴⁸⁴

(1) Civilian deaths attributed to security forces

862. The Commission finds that 13 civilians⁴⁸⁵ died during the relevant period and these deaths have been attributed to Security Forces. Ten of these deaths are attributable to the MoI.⁴⁸⁶ Two are attributable to the BDF.⁴⁸⁷ There was one death which is attributable to security forces but which the Commission was unable to attribute to a specific government agency.⁴⁸⁸

863. The causes of death for the 13 individuals identified above include the following:

- a. Death from the use of a shotgun (seven);⁴⁸⁹
- b. Death from the use of another type of firearm (five);⁴⁹⁰
- c. Death from physical injuries, i.e. beatings (one).⁴⁹¹

864. The Commission finds that there were nine deaths which are attributable to the MoI and which resulted from the use of excessive and unnecessary lethal force.⁴⁹² There is one case which is attributable to the MoI but in which the available evidence is not sufficient to conclude that the death resulted from excessive use of force.⁴⁹³

865. The Commission has been provided with evidence of investigations in all nine cases.⁴⁹⁴ Three of these investigations have resulted in the criminal prosecution of the responsible police officers.⁴⁹⁵ Five investigations are pending and the Commission has not received any indications as to when conclusions may be achieved.⁴⁹⁶

⁴⁸⁴ This Section has been prepared based on information received up to and including 18 November 2011.

⁴⁸⁵ Case Nos. 1 to 13.

⁴⁸⁶ Case Nos. 1 to 7, 9 and 11.

⁴⁸⁷ Case Nos. 8 and 12.

⁴⁸⁸ Case No. 10.

⁴⁸⁹ Case Nos. 1 to 7.

⁴⁹⁰ Case Nos. 8 to 12.

⁴⁹¹ Case No. 13.

⁴⁹² Case Nos. 1 to 7, 11 and 13.

⁴⁹³ Case No. 9.

⁴⁹⁴ Case Nos. 1 to 7, 9 and 11.

⁴⁹⁵ Case Nos. 1, 5 and 6.

⁴⁹⁶ Case Nos. 2 to 4, 9 and 11,

866. The Commission acknowledges that there were periods during which the police exercised restraint and no deaths or injuries occurred. At other times, there were a limited number of deaths or injuries, which, if viewed in the context of a chaotic and potentially violent crowd control situation, could arise from a reasonable use of force producing unintended consequences. In addition, there were instances where government forces were ordered to restrain forcefully the crowd or to remove the crowd from the GCC Roundabout, and in these situations excessive force was used, as evidenced by some of the deaths described in Part 2 of this Section.

867. The Commission was unable to establish whether the deaths that have been categorised as intentional killings were carried out by individual police officers, acting on their own initiative, or whether they were the result of a policy of lethal use of force against demonstrators.

868. The Commission is unable to reach conclusions in relation to the adequacy and effectiveness of the individual MoI investigations. However the Commission considers that the totality of the evidence, presented by the MoI, indicates a lack of impartiality, independence and integrity resulting in findings that are, in many cases, flawed and biased in its favour.

869. The Commission finds that the death of Mr Abdulredha Buhamaid may be attributable to the BDF and may have resulted from the use of excessive and unnecessary lethal force.⁴⁹⁷ The Military Attorney General purports to have conducted an effective investigation, which found that although the BDF did fire warning shots at the time, the calibre and trajectory of the lethal bullet meant that it could not have been fired by the BDF. The investigation concluded that the BDF personnel appear to have acted in accordance with the law.

870. The Commission finds that the death of Ms Bahiya Alaradi is attributable to the BDF and may have resulted from the use of excessive and unnecessary force.⁴⁹⁸ The Military Prosecution again purports to have conducted an effective investigation, which concluded that the death was the unintended consequence of a legitimate use of force.

871. The Commission concludes that in general the BDF did not use excessive force. The BDF did not have a policy of the arbitrary deprivation of life and, on the whole, it complied with the rules of engagement by using minimal force in dealing with civilians. The Commission concludes that the Military Attorney General's investigations were not effective, did not satisfy international standards and consequently they were not in compliance with international law. This conclusion was reached on the basis that the Military Prosecution investigators failed to interview civilian personnel outside of the BDF, for example civilian witnesses to the shootings.

872. The Commission finds that the death of Jaafar Abdulla Ali Mayoof is attributable to security forces but the Commission is unable to attribute it to a

⁴⁹⁷ Case No. 8.

⁴⁹⁸ Case No. 12.

specific government agency.⁴⁹⁹ The MoI has initiated an investigation into the circumstances surrounding Mr Mayoof's death. The investigation is pending and the Commission has not received any indication as to when it might conclude.⁵⁰⁰

(2) Deaths attributed to torture

873. The Commission finds that five persons died as a result of torture.⁵⁰¹ Three of these deaths occurred while the deceased persons were in the custody of the MoI at Dry Dock Detention Centre.⁵⁰² The MoI conducted investigations into the circumstances surrounding all three of these deaths. The Commission concludes that all three deaths are attributable to mistreatment while in custody.

874. The MoI investigation into the death of Hasan Jassim Mohamed Maki concluded that his death was caused by medical negligence.⁵⁰³ A prosecution was initiated against one doctor involved in Mr Maki's case. The Commission concludes that this death can be attributed to his mistreatment whilst in custody.

875. The MoI investigation into the death of Ali Isa Ibrahim Saqer has resulted in the prosecution of five individuals.⁵⁰⁴ On 25 May 2011, the MoI referred charges of manslaughter against two MoI personnel to a military court. A further three MoI personnel have been charged with failing to report this crime. The Commission concludes that this death is attributable to Mr Saqer's mistreatment while in custody.

876. The MoI investigation into the death of Zakariya Rashid Hassan Al Asheri has resulted in the prosecution of five individuals. The Commission concludes that Mr Al Asheri's death is attributable to his mistreatment while in custody.⁵⁰⁵

877. The death of Abdulkarim Ali Ahmed Fakhrawi occurred at the BDF Hospital after he had been transferred from the custody of the NSA.⁵⁰⁶ The NSA conducted an investigation into the physical abuse of Mr Fakhrawi but not into his death. The NSA investigation resulted in the prosecution of two individuals for physical abuse. The Commission considers that the NSA failed to conduct an effective investigation into Mr Fakhrawi's death, which would satisfy the relevant obligations under international law.

878. The death of Jaber Ebrahim Yousif Mohamed Alawiyat occurred four days after he was released from the custody at the MoI Dry Dock Detention

⁴⁹⁹ Case No. 10.

⁵⁰⁰ Case No. 10.

⁵⁰¹ Case Nos. 22 to 26.

⁵⁰² Case Nos. 22 to 24.

⁵⁰³ Case No. 22.

⁵⁰⁴ Case No. 23.

⁵⁰⁵ Case No. 24.

⁵⁰⁶ Case No. 25.

Centre.⁵⁰⁷ The MoI failed to conduct an investigation into the death of Mr Alawiyat, and consequently has not complied with international law.

(3) Civilian deaths not attributable to a perpetrator

879. The Commission finds that eight civilians died during the relevant period and it was not able to attribute these deaths to a perpetrator.⁵⁰⁸ In five cases the Commission was unable to determine the exact circumstances surrounding the death. The Commission finds that in three cases the deaths can be classified as intentional killings. The Commission is, however, unable to attribute responsibility for these deaths to specific persons. In two cases there have been no investigations into the circumstances surrounding the deaths and consequently has not complied with international law.⁵⁰⁹

880. As has already been stated, the Commission is of the view that the totality of the evidence, presented by the MoI, indicates that the investigations lacked impartiality, independence and integrity resulting in findings that were, in many cases, flawed and biased in its favour.

(4) Deaths of expatriate workers

881. The Commission finds that four expatriate workers died during the relevant period in connection with the events.⁵¹⁰ Two of these deaths are attributable to civilians and are categorised as intentional killings.⁵¹¹ The MoI has initiated two investigations into the circumstances surrounding these deaths. One of these investigations has resulted in 11 individuals being charged with the murder of Mr Abdul Malik Ghulam Rasool. The MoI conducted an investigation into the death of Mr Farid Maqbul and this concluded that Mr Maqbul's death was attributable to unknown perpetrators.

882. The death of Stephen Abraham is attributable to the BDF.⁵¹² The Military Attorney General's investigation found that the calibre and trajectory of the lethal bullet meant that it could not have been fired by the BDF. The investigation concluded that the BDF personnel appeared to have acted in accordance with the law. As has already been stated, the Commission concludes that the Military Prosecution investigations were not effective and consequently they have not complied with international law.

883. The Commission has been unable to attribute the deliberate killing of Mohamed Ikhlas Tozzumul Ali to specific persons or agencies.⁵¹³ The Commission considers that it is likely that Mr Ali was run over by a vehicle.

⁵⁰⁷ Case No. 26.

⁵⁰⁸ Case Nos. 14 to 21.

⁵⁰⁹ Case No. 18, Case No. 20.

⁵¹⁰ Cases Nos. 27 to 30.

⁵¹¹ Case No. 27 and 28.

⁵¹² Case No. 29.

⁵¹³ Case No 30.

The MoI has initiated an investigation into this death. The investigation has not resulted in the prosecution of any individual.

(5) Deaths of police officers and BDF personnel

884. Four police officers⁵¹⁴ and one BDF officer⁵¹⁵ died during the relevant period. The deaths of three police officers are attributable to demonstrators.⁵¹⁶

885. Police officer Ahmed Rashid Al Muraysi was run over by a vehicle at the GCC Roundabout on 15 March 2011.⁵¹⁷ Two individuals have been convicted of this murder. A trial took place before the National Safety Court. One individual received a life sentence while the other received the death sentence.

886. Police officers Kashif Ahmed Mandour⁵¹⁸ and Mohamed Farooq Abdul Samad⁵¹⁹ were run over by a vehicle near the GCC Roundabout on 16 March 2011. Seven individuals have been charged with these murders. Three of the accused have allegedly confessed to the crime.

887. The death of police officer Jawad Mohamed Ali Kadhem Shamlan is attributable to the BDF.⁵²⁰ The Military Attorney General's investigation found that the death resulted from the deflection of a bullet fired in legitimate circumstances. The investigation therefore concluded that the BDF personnel acted in accordance with the law. As has already been stated, the Commission concludes that, the Military Prosecution investigations were not effective and consequently that it was not in compliance with international law.

888. The Commission has been unable to attribute the death of Lieutenant Aziz Jumaa Ali Ayyad to specific persons or agencies.⁵²¹ The exact circumstances of Lieutenant Ayyad's death are unknown. Consequently the Commission is unable to attribute his death to a particular agency or group of persons. The BDF has not initiated an investigation into the circumstances surrounding this death and consequently there has not been compliance with international law.

889. The number of deaths described above raises many issues about a widespread practice of excessive use of force, failure to conduct effective investigations and failure of those in the higher levels of the command structure to prevent and repress the excessive use of force through effective command and control of their subordinates in the field

⁵¹⁴ Case Nos. 31 to 34.

⁵¹⁵ Case No. 35.

⁵¹⁶ Case Nos. 31 to 34.

⁵¹⁷ Case No. 31.

⁵¹⁸ Case No. 32.

⁵¹⁹ Case No. 33.

⁵²⁰ Case No. 34.

⁵²¹ Case No. 35.

d) Recommendations

890. In accordance with the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, the GoB should conduct effective investigations into all the deaths that have been attributed to the security forces. These investigations should be capable of leading to the prosecution of those implicated, both directly and at all levels of responsibility, if the conclusion is that there was a breach of the law.

891. The appropriate prosecutions should be initiated with a view to ensuring punishment consistent with the gravity of the offence

892. There should be a standing independent body to examine all complaints of torture, mistreatment, excessive use of force or other abuses at the hands of the authorities.

893. The families of the victims should be entitled to compensation that is commensurate with the gravity of their loss. In this connection, the Commission welcomes Royal Decree No. 30 of 2011 establishing the National Fund for the Reparation of Victims on 22 September 2011.

894. The GoB should implement an extensive program of public order training for the public security forces, the NSA and the BDF. This training should include training on the use of force and should be consistent with the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

895. In the light of the preference of article 6 of the ICCPR for the abolition of the death penalty and in light of the concerns identified by the Commission in regard to the fairness of trials conducted by the National Safety Court, the Commission recommends that the death sentence for murder arising out of the events of February/March 2011 be commuted.⁵²²

Part 2 – Case-by-Case Analysis

a) Deaths Attributed to Security Forces

(1) Deaths caused by the use of a shotgun

Case No. 1 - Ali Abdulhadi Saleh Jaafar Almeshaima

896. At 20:20 on 14 February 2011, Mr Ali Abdulhadi Saleh Jaafar Almeshaima was pronounced dead. The death certificate states that the cause of death was shotgun injuries to the back.

897. A forensic report determined the cause of death to be from a single shot, which was fired from behind at a distance of approximately two to five

⁵²² See Human Rights Committee, *General Comment No. 6: The Right to Life (article 6)*, 30 April 1982, para 6. Article 6 “refers generally to abolition in terms which strongly suggest... that abolition is desirable. The Committee concludes that all measures of abolition should be considered as progress in the enjoyment of the right to life.”

metres. The shotgun round penetrated the left side of the chest area damaging the left lung and the heart, which resulted in bleeding within the chest.

898. The Commission received information that Mr Almeshaima left his home in Daih at approximately 19:00. At that time the police had already dispersed all of the protests in the area. The deceased was seen walking with security officers who were pointing their guns at him. He turned around to leave and was shot in the back. He ran home, collapsing several times before he arrived. He died on the way to the hospital. It was alleged that the deceased's medical file, which was held at SMC, disappeared when the hospital was taken over by the military. Al Wefaq National Islamic Society (Al Wefaq) submitted a report to the Commission, which supported the account provided above.

899. The MoI conducted an investigation into this case. It found that six police officers were surrounded and attacked by approximately 500 demonstrators. The police officers used rubber bullets and tear gas in an attempt to disperse the crowd. The demonstrators were aggressive and they were throwing rocks towards the police officers. The police officers exhausted their supply of rubber bullets and tear gas. They then resorted to the use of shotguns. Police managed to disperse the crowds between 18:00 and 18:30, and then went on foot patrol. At 19:00, the time that the deceased allegedly sustained the fatal injuries, there were no clashes reported. None of the officers reported seeing any injured protesters or hearing any shots fired during the foot patrol period.

900. The death of Mr Almeshaima can be attributed to the use of excessive force by police officers. At the time of the shooting, there were no reports of any disturbances in the Daih area. Furthermore, the fact that Mr Almeshaima was shot in the back at close range indicates that there was no justification for the use of lethal force.

Case No. 2 - Fadhel Salman Ali Salman Ali Matrook

901. At 09:30 on 15 February 2011, Mr Fadhel Salman Ali Salman Ali Matrook was pronounced dead. The death certificate states that the cause of death was shotgun injuries to vital organs resulting in internal bleeding.

902. A forensic report determined the cause of death to be gunshot wounds to the back, chest and right armpit. The report was not able to determine whether all the bullets had originated from the same weapon. The injuries suggested that the shotgun was fired from a distance that was greater than one metre. The shotgun round caused severe damage to the deceased's vital organs and resulted in internal bleeding.

903. The Commission received information that Mr Matrook died during the funeral of Mr Almeshaima. He was shot in the chest and back, and died approximately ten minutes later. A relative of the deceased believes that the deceased was shot from a distance of less than two metres. Another relative informed the Commission that the police were firing tear gas at the funeral procession and that this caused the collapse of one person. The deceased went

to help this person and was shot in the back as he leaned down. The nearby people attempted to take him to SMC but he died almost instantly. Al Wefaq submitted a report to the Commission, which supported the account provided above.

904. The MoI conducted an investigation into this case. It found that during the funeral procession, one police vehicle broke down and was then isolated and attacked. The MoI estimated that the number of people within the procession was between 400 and 900. The MoI investigations concluded that the protesters attacked the police and tried to steal their weapons. The police officers responded by using rubber bullets and tear gas. The police officers exhausted their supply of rubber bullets and tear gas. They then fired warning shots with shotguns into the air. One police officer admitted that he fired a shot randomly in the direction of protesters at the approximate time that the deceased was shot.

905. The death of Mr Matrook can be attributed to the use of excessive force by police officers. One police officer has admitted that he fired a shotgun round in the direction of the demonstrators. The MoI has initiated an investigation into this case. The Commission has not received any information on the recent progress of this investigation.

Case 3 - Mahmood Maki Ahmed Ali Abutaki

906. At 03:30 on 17 February 2011, Mahmood Maki Ahmed Ali Abutaki was pronounced dead. The death certificate states that the cause of death was shotgun injuries to the chest, back and neck causing internal bleeding.

907. A forensic report confirmed the cause of death and stated that it was possible that there were two gunshots.

908. The Commission received information that the deceased died at 03:00 on 17 February 2011. He was sleeping inside a tent at the GCC Roundabout when security forces began firing sound bombs, tear gas and rubber bullets at the demonstrators. The deceased woke up and attempted to help those in the nearby tents to find a path to safety. While he was doing this, he was hit by a shotgun round fired by police officers. He was taken to SMC where he died. His body was examined by the coroner at the MoI, who concluded that his death was caused by a shotgun injury which resulted in internal bleeding. A relative of the deceased alleged that he had received telephone threats from unknown sources, warning him against speaking to the media about the deceased. Another relative stated that she spoke to the media about the death of the deceased and she was taken into custody for a six-hour interrogation at Al Hura police station. Al Wefaq submitted a report to the Commission, which supported the account provided above.

909. The MoI conducted an investigation into this case. It was concluded that police officers initially utilised batons and that they only resorted to using firearms in response to the use of sticks and swords by protesters. While most of the officers did not have shotguns, some stated that they had them but did not use them.

910. The death of Mr Abutaki can be attributed to the use of excessive force by police officers. The Commission has not seen any evidence to suggest that the demonstrators were armed with weapons. Furthermore, the fact that the deceased was shot in the back at close range indicates that there was no justification for the use of lethal force. The MoI initiated an investigation into this incident. The Commission has not received any information on the recent progress of this investigation.

Case No. 4 - Ali Mansoor Ahmed Ahmed Khudair

911. At 03:45 on 16 February 2011, Mr Ali Mansoor Ahmed Ahmed Khudair was pronounced dead. The death certificate states that the cause of death was shotgun injuries to the back and chest, which caused broken ribs and internal bleeding.

912. A forensic report confirmed the cause of death and concluded that the shots were fired from a distance of five to ten metres. The number of shots was not determined.

913. The Commission received information that at approximately 03:00 on 17 February 2011 the police force conducted an operation to clear the GCC Roundabout. The deceased was asleep at the time of the operation. He woke up and went to help women and children. As he was doing this, he was shot in the chest. He died at approximately 03:45 while being transported to SMC. Al Wafaq submitted a report to the Commission, which supported the account provided above.

914. The MoI conducted an investigation into this case. A member of the National Guard saw the deceased fall to the ground after he had been shot in the chest area. The investigations concluded that approximately 20 to 30 protesters attacked the police officers using weapons, including planks of wood, metal bars and a dagger, which was allegedly used to stab a soldier.

915. The death of Mr Khudair can be attributed to the use of excessive force by police officers. The Commission has not seen any evidence to suggest that the demonstrators were armed with weapons. Furthermore, the fact that the deceased was shot in the back at close range indicates that there was no justification for the use of lethal force. The MoI initiated an investigation into this incident. The Commission has not received any information on the recent progress of this investigation.

Case No. 5 - Isa Abdulhasan Ali Hussain

916. At 09:00 on 17 February 2011, Mr Isa Abdulhasan Ali Hussain was pronounced dead. The death certificate states that the cause of death was a shotgun injury to the head causing a fractured skull and laceration of the brain.

917. A forensic report confirmed the cause of death and concluded that the deceased was standing when he was shot and that the shot was fired from a very close distance, possibly as close as a few centimetres.

918. The Commission received information from a witness that at 07:30 on 17 February 2011, she was driving from SMC to her home and that the roads

around the GCC Roundabout were closed. She was on a side street when she saw youths coming out of an area behind parked cars. She stated that the youths were involved in a protest and that police officers were firing rubber bullets and tear gas at them. The witness stated that she was afraid of being hit by stray bullets and she ducked down in the car. She saw a youth and an older man in front of two police officers. The youth fell to the ground and the second policeman pointed his gun at the older man from a distance of less than a metre. She heard a loud shot and saw the man's head explode. Another witness reported that the police did not allow a nearby ambulance to assist him. The relatives of the deceased were not permitted to see him in the morgue, as the injury was too extensive. Al Wefaq submitted a report to the Commission, which supported the account provided above.

919. The MoI conducted an investigation into this case. MOI personnel alleged that the deceased and others attacked police personnel using metal rods, swords and other weapons. Two officers said they witnessed an attack on another officer, but it was unclear whether or not orders were given to shoot. On 6 July 2011, the MoI referred two police officers to the Military Court for prosecution for the wrongful killing of Mr Hussain. One of the defendants has failed to attend court on two occasions. The trial is still pending as at the date of the publication of this Report.

920. The death of Mr Hussain can be attributed to the use of excessive force by police officers. The fact that the deceased was unarmed and was shot at close range in the head indicates that there was no justification for the use of lethal force. Furthermore, the MoI initiated an investigation into this incident and concluded that the evidence amounted to a wrongful killing.

Case No. 6 - Ali Ahmed Abdulla Moumen

921. At 09:20 on 17 February 2011, Ali Ahmed Abdulla Moumen was pronounced dead. The death certificate states that the cause of death was a shotgun injury to the thighs resulting in damage to blood vessels.

922. A forensic report confirmed the cause of death and concluded that the deceased's injuries were caused by at least three shots fired from a distance of between one and five metres.

923. The MoI conducted an investigation into this case. The police officers alleged that they were attacked by demonstrators and that one of the police officers was grabbed. The police officers first fired tear gas and rubber bullets. A warning shot was then fired into the air. A second shot was fired towards the ground, which resulted in one protester being shot from a distance of about five metres. The commanding officer recalled giving the order to shoot and recognised that the deceased had been shot by one of his officers. The officers claimed that no order to shoot was given.

924. The death of Mr Moumen can be attributed to the use of excessive force by police officers. The fact that the deceased was unarmed and was shot at close range in the thigh indicates that there was no justification for the use of lethal force. Furthermore, the MoI initiated an investigation into this

incident and concluded that the evidence amounted to a wrongful killing and a police officer is being prosecuted for this offence.

Case No. 7 - Ahmed Farhan Ali Farhan

925. At 14:40 on 15 March 2011, Mr Ahmed Farhan Al Farhan was pronounced dead. The death certificate states that the cause of death was a shotgun injury to the head causing a fracture of the skull.

926. A forensic report confirmed the cause of death and concluded that the fatal shot was fired from a distance of less than four metres. There were also numerous shotgun pellet wounds along the right side of the back and the back of the right leg. The shots that caused these wounds were fired from a distance of approximately eight metres.

927. The Commission received information that on 15 March 2011 there was a peaceful protest in Sitra. Witnesses reported that the police officers started to attack the demonstrators. The deceased was hit by shotgun pellets in his right leg. He attempted to escape but was shot in the head from point blank range while he was lying on the ground.

928. The MoI conducted an investigation into this case. The police officers alleged that vehicles attempted to run them over and that shots were fired at these vehicles. None of the police officers confessed to having shot the deceased. One police officer claimed that the police were unarmed during this incident.

929. The death of Mr Farhan can be attributed to the use of excessive force by police officers. The fact that the deceased was unarmed and had already been shot in the right leg before being shot at close range in the head indicates that there was no justification for the use of lethal force. The MoI initiated an investigation into this incident. The Commission has not received any information on the recent progress of this investigation.

(2) Deaths caused by the use of a firearm

Case No. 08 - Abdul Redha Mohamed Hasan Buhamaid

930. At 13:20 on 21 February 2011, Mr Abdul Redha Mohamed Hasan Buhamaid was pronounced dead. The death certificate states that the cause of death was a gunshot injury to the head.

931. A forensic report confirmed the cause of death and concluded that the deceased suffered a severe head injury with destruction of the left carotid artery.

932. The Commission received information that on 18 February 2011, after the funeral of Mr Almeshaima, a group of mourners walked towards the GCC Roundabout. The military were present and as the mourners reached a distance of approximately 200 metres the BDF fired on the group with live bullets, without warning. One witness stated that three mourners fell to the ground, including the deceased. The witness stated that the deceased was hit in the head and that blood was rushing from his head. Several minutes after

the deceased collapsed, the witness heard the army issuing a warning to the protesters not to approach. Later that day, a relative of the deceased received a telephone call informing her that the deceased had been injured and had been taken to SMC. The relative attended SMC and saw the deceased being taken out of the ambulance. There was blood pouring from his head and he was unconscious. On 21 February 2011, Mr Abdul R. Buhamaid died.

933. The Military Prosecution conducted an investigation into the case and it was referred to the Public Prosecution office. The investigation concluded that there were between 1,000 and 1,500 demonstrators who were approaching a series of barricades manned by the MoI and BDF. It was alleged that behind the demonstrators was a line of ambulances. The BDF was armed with a .50 Browning gun and was located behind an MoI formation. The demonstrators and the barricades were separated by a 100 metre stretch of road. After a period of confrontations between the MoI forces and the demonstrators, whose number had fallen to a few hundred, the MoI forces retreated and left their positions. The demonstrators then began provoking BDF personnel by directing profanities at them. They also used blood bags from the ambulances to feign that they had been injured. When the demonstrators started to move beyond the MoI barricade and approach the BDF unit, the latter began to issue verbal warnings using a megaphone. This behaviour was repeated a number of times over a period of 15-20 minutes. When the demonstrators refused to retreat, warning shots were fired into the air. At this point, most demonstrators dispersed, but a number of them fell to the ground. Among them was the deceased. The ordnance expert was unable to determine the type or calibre of the weapon used, but insisted that the angle of the entry and exit wounds showed that the weapon was fired from a high elevation. This, according to the expert, excluded the possibility that the bullet could have come from the BDF. The BDF investigation concluded that BDF personnel had conducted themselves in accordance with the applicable laws and regulations and that there were no grounds to press charges.

934. The death of Mr Abdulredha Buhamaid may be attributed to the BDF and may have resulted from the use of excessive and unnecessary lethal force. The Military AG purports to have conducted an effective investigation, which found that the BDF did fire warning shots but that the calibre and trajectory of the lethal bullet meant that it could not have been fired by the BDF. The investigation concluded that the BDF personnel appeared to have acted in accordance with the law.

Case No. 09 - Jaafar Mohamed Abdali Salman

935. At 08:30 on 16 March 2011, Mr Jaafar Mohamed Abdali Salman was pronounced dead. The death certificate states that the cause of death was a gunshot injury to the chest, which caused injuries internal organs and internal bleeding.

936. A forensic report confirmed the cause of death and concluded that there were also shotgun wounds to the front of the right arm and one to the right side of the chest.

937. The Commission received information that Mr Salman left his home at approximately 06:00 on 16 March 2011. He was going to the GCC Roundabout to take photographs. He was near the Dana Mall when he was shot on the left side of his body. People in the vicinity took him to Jidhafs Hospital and then to the International Hospital. The family of the deceased learned about his death through media sources. Witnesses stated that they did not see the deceased being shot but that they saw him repeatedly trying to walk and falling down.

938. The MoI conducted an investigation into this case. The investigation concluded that the deceased was among the protesters at the GCC Roundabout and that he tried to attack police officers using a sword.

939. The Commission is able to establish that Mr Salman was shot by police officers. However, the available evidence it is not sufficient to conclude that the death resulted from an excessive use of force.

Case No. 10 - Jaafar Abdulla Ali Hasan Mayoof

940. At 18:06 on 16 March 2011, Jaafar Abdulla Ali Hasan Mayoof was pronounced dead. The death certificate states that the cause of death was a gunshot injury to the back and chest area, which caused multiple rib fractures and damage to vital organs.

941. A forensic report confirmed the cause of death and concluded that there may have been more than one bullet and that the gunshot to the deceased's back was fired from a distance of approximately one metre. The deceased was also shot with shotgun pellets in the thigh; this shot could have been fired from a distance greater than one metre.

942. The Commission received information that on 16 March 2011 the deceased was at the GCC Roundabout where he was shot with birdshot by security forces. The deceased allegedly escaped to an area between Sanabis and Daih, where he stopped to rest. The security forces then shot him in the back. He was transported to a number of hospitals before being taken to Ibn Nafees, where he died. The following day the deceased's family collected his body from SMC.

943. The MoI conducted an investigation into this case. The investigation is ongoing but found that there were no reports of clashes in Magabah on 16 March 2011.

944. The Commission is able to establish that Mr Mayoof was shot by security forces. However, the available evidence it is not sufficient to conclude that the death resulted from an excessive use of force.

Case No. 11 - Hani Abdulaziz Abdulla Jumaa

945. At 23:15 on 19 March 2011, Mr Hani Abdulaziz Abdulla Jumaa was pronounced dead. The death certificate states that the cause of death was gunshot injuries to the right leg, left leg and left arm.

946. A forensic report confirmed the cause of death and concluded that the wounds were caused by three or more shots at a distance of no more than one

metre. The deceased also had many bruises on his head, face, chest and shoulders, although these injuries were not causative of death.

947. The Commission received information that the deceased left his home at approximately 17:00 on 19 March 2011. The deceased was seen in Al Khamis running towards a building with approximately 15 riot police following him. The police shot the deceased in the hands and legs. He was severely beaten and was left lying in a pool of blood. His family received a telephone call informing them that the deceased had been taken to the International Hospital. At approximately 22:22 he was taken by ambulance to BDF Hospital where he died later that day.

948. The MoI conducted an investigation into this case. It was alleged that the deceased was the leader of the demonstrators. The police officers stated that the deceased entered a building that was under construction. One officer stated that he shot the deceased in one leg to stop him and when the deceased kept running the officer shot him in the other leg. Another officer stated that a warning shot was fired before the deceased was shot. The MoI questioned over 40 witnesses in relation to this death. The officer who shot the deceased was identified and subsequently suspended.

949. The death of Mr Jumaa can be attributed to the use of excessive force by police. The fact that the deceased was unarmed and was shot three times while running away indicates that there was no justification for the use of lethal force. The MoI investigation has identified the officer responsible for the death.

Case No. 12 - Bahiya Abdelrasool Alaradi

950. At 06:45 on 21 March 2011, Ms Bahiya Abdelrasool Alaradi was pronounced dead. The death certificate states that the cause of death was a gunshot injury to the head.

951. A forensic report confirmed the cause of death and concluded that the deceased was shot from behind from range of 50 to 75 metres. The forensic medical report was unable to determine the calibre of the projectile that caused the injury due to the deformation of the bullet.

952. The Commission received information that the deceased was shot while driving on Budayia Street. She was allegedly shot by a sniper situated on the top of a nearby building. The family believes that the sniper was a Saudi member of the GCC Forces and that the deceased was shot because she was a woman driving a vehicle.

953. The BDF conducted an investigation into this case. The investigation concluded that the deceased was hit with the shrapnel of a bullet that had been shot in a different direction. Two BDF vehicles were manning two checkpoints above and below the overpass in the Al Budeiya district. The BDF soldiers were armed with M16 assault rifles. The soldiers manning the checkpoint underneath the overpass saw an SUV vehicle approaching the checkpoint, and the soldiers used a megaphone to demand that the vehicle stop. When the vehicle did not stop they used the indicators on their vehicle

to signal the SUV. The vehicle failed to stop and the soldier manning the machine gun fired at the front and the wheels of the SUV. The vehicle then stopped and the BDF unit advanced and ordered the passengers to disembark. The passengers were Western citizens and were intoxicated. The soldiers noticed that another vehicle was facing the opposite direction on the other side of the road. The unit approached the vehicle and found an injured woman in the driver's seat bleeding from the head. She was transferred to a hospital and was pronounced dead. An ordnance report was conducted which concluded that the deceased was killed by parts of a .50 calibre bullet. The report concluded that it is not possible that the deceased was the target of the shooting because the calibre of the gun used by the BDF unit would have caused far more extensive damage due to the velocity and calibre of the bullet. In addition, the material uncovered from the deceased's head during the autopsy was of damaged parts of the bullet. Those parts confirm that the bullet had hit a hard surface at high speed, splintered upon impact and subsequently entered the head of the deceased. The BDF investigation concluded that the BDF personnel acted in accordance with the applicable laws and regulations and that there was no indication of a criminal offence.

954. The death of Ms Alaradi is attributable to BDF. However, the available evidence is not sufficient to conclude that the death resulted from an excessive use of force. The Commission has found no evidence to support the family's belief that the deceased was shot by a sniper.

(3) Death Caused by Physical Injury

Case No. 13 - Isa Radhi Abdali Ahmed Alradhi

955. At 18:00 on 16 March 2011, Mr Isa Radhi Abdali Ahmed Alradhi was pronounced dead. The death certificate states that the cause of death was a fractured skull and internal bleeding in the brain caused by head trauma. The death certificate also states that respiratory and circulatory failure contributed to the death.

956. A forensic report confirmed the cause of death and concluded that bruises and wounds consistent with impact were evident on the face, head, legs, left arm, chest, stomach, torso and back of the deceased.

957. The Commission received information that on 15 March 2011 a large operation by plainclothes police and military personnel was launched in Sitra. The operation began between 10:00 and 11:00, and lasted until after the evening prayers. There were clashes between residents of the area and security forces throughout the day. At some point during these operations, the deceased disappeared. On 17 March, the deceased's family began to actively look for him. They visited Sitra police station and Isa Town police station and submitted a complaint about his disappearance. A relative of the deceased received a telephone call from the police on 19 March asking him to identify the body of the deceased at the hospital. Another witness stated that on 15 March he saw the deceased being beaten by 15 police officers for approximately 20 minutes.

958. The MoI conducted an investigation into this case. Three reports filed at the Sitra police station on 16 March 2011 state that the deceased sustained a minor head injury when he was arrested but that he was otherwise in good health. He was taken to the hospital where he was pronounced dead. A fourth report, dated 12 April 2011, states that the deceased was brought to the hospital at around 23:00 with head, nose and mouth injuries.

959. The death of Mr Alradhi can be attributed to the use of excessive force by police. The fact that the deceased sustained multiple injuries consistent with impacts or beatings indicates that there was no justification for the use of lethal force. The MoI initiated an investigation into this incident. The Commission has not received any information on the recent progress of this investigation.

b) Deaths Not Attributable to Specific Perpetrators

Case No. 14 - Ahmed Abdulla Hasan Ali Hasan

960. At 09:00 on 16 March 2011, Mr Ahmed Abdulla Hasan Ali Hasan was pronounced dead. The death certificate states that the cause of death was a shotgun injury to the back, which caused damage to internal organs and bleeding.

961. A forensic report confirmed the cause of death and concluded that the injuries were consistent with a shotgun fired from one or more guns directly at the deceased's back from an estimated distance of one metre.

962. The MoI conducted an investigation into this case. A report from Hamad Town southern police station dated 5 March 2011 states that a fight took place at Roundabout 7 in Hamad Town and that the deceased was one of four passengers in a car that was attacked by civilians.

963. The death of Mr Hasan can be attributed to the use of excessive force by unknown persons. The fact that the deceased was shot three times in the back indicates that there was no justification for the use of lethal force. The Commission is unable to attribute this death to a particular agency or group of civilians.

Case No. 15 - Majeed Ahmed Mohamed Ali Abdulaal

964. At 20:30 on 30 June 2011, Mr Majeed Ahmed Mohamed Ali Abdulaal was pronounced dead. The death certificate states that the cause of death was a shotgun injury to the right side of the head.

965. The BDF Hospital medical report indicated that the deceased was admitted to SMC at approximately 21:00 on 14 March 2011 with a gunshot wound to the right side of the head. He was transferred to BDF Hospital on 7 April. The deceased underwent an operation on 29 June 2011 and died the following morning.

966. The Commission received information that on 14 March 2011 the deceased left his home at 20:30 and headed to the bakery, which is

approximately 300 metres from his home. A few minutes after he left his home, the family heard the sound of five shots. They called the deceased's name and he did not respond. One hour later, the family contacted SMC and they were informed that the deceased had been injured and had shotgun pellets in his head. The family of the deceased was unable to visit him the following day as a result of the military presence at SMC. On 2 July 2011, the family contacted Riffa police station and was informed of the deceased's death at BDF Hospital and requested to collect the body of the deceased from SMC.

967. The MoI conducted an investigation into this case. On 29 June 2011, the MoI visited the deceased in BDF Hospital. The deceased had just undergone an operation and was unable to talk or explain what had happened to him.

968. The exact circumstances of this death are unknown. Consequently, the Commission is unable to determine that there was an excessive use of force or to attribute this death to a particular agency or group of civilians.

Case No. 16 - Sayed Ahmed Saeed Shams⁵²³

969. On 30 March 2011, Mr Sayed Ahmed Saeed Shams was pronounced dead. No autopsy was conducted and no formal cause of death has been recorded.

970. The Commission received information that on 30 March 2011 the deceased died after being hit with a tear gas canister fired by riot police in Saar. The relatives of the deceased alleged that the deceased and his family were visiting the house of a relative in Saar. At approximately 17:00 they witnessed three police personnel, two of them masked, shooting sound bombs and shotguns at civilians. The deceased was allegedly hit in the head by a tear gas canister. He fell to the ground, at which point the police approached him and physically assaulted him. The deceased's father took him to the American Mission Hospital in Saar. The deceased died before he reached the hospital. The doctor diagnosed the cause of death as a broken neck.

971. The MoI has failed to conduct an effective investigation into the circumstances surrounding this death. The available evidence is not sufficient to establish the responsible persons or whether the death resulted from an excessive use of force.

Case No. 17 - Isa Mohamed Ali Abdulla

972. On 25 March 2011, Mr Isa Mohamed Ali Abdulla was pronounced dead. No autopsy was conducted and no formal cause of death has been recorded.

973. The MoI has failed to conduct any investigation into circumstances surrounding this death. The available evidence is not sufficient to establish the responsible persons or whether the death resulted from an excessive use of force.

⁵²³ One statement provided to the Commission.

Case No. 18 - Khadija Merza Abbas Yusuf Abdulhai

974. At 20:15 on 5 April 2011, Ms Khadija Merza Abbas Yusuf Abdulhai was pronounced dead. The death certificate states that the cause of death was bilateral modular diseases and acute pneumonitis cause by severe septic shock.

975. The Commission received information that on 15 March 2011 Ms Abdulhai inhaled large quantities of tear gas after it was released in the open yard of her home. Her family took her to SMC but was advised to bring her back the following day. The family was unable to access the appropriate hospital facilities until 20 March 2011, at which point the deceased was hospitalised and treated for a five-day period. The deceased's condition progressively worsened. Her heart stopped on 5 April 2011 and she was taken to the Intensive Care Unit where she died later that day.

976. The exact circumstances of this death are unknown. Consequently, the Commission is unable to determine whether there was an excessive use of force or to attribute this death to a particular agency.

Case No. 19 - Alsayed Hameed Mahfoudh Ibrahim Mahfoudh

977. On 6 April 2011, Mr Alsayed Hameed Mahfoudh Ibrahim Mahfoudh was pronounced dead. The death certificate states that the cause of death was respiratory and circulatory failure.

978. A forensic report confirmed the cause of death and concluded that the body of the deceased was found on Budeiya Road behind Al Aziziya Complex.

979. The Commission received information that the deceased left his home at approximately 20:30 on 6 April 2011. After several hours, a relative called the deceased on his mobile phone to ask about his whereabouts, but the deceased did not answer. The relative then left the house to search for the deceased. The deceased's relative stated that the next morning, the family went to Budeiya police station. The relative stated that they saw the car of the deceased inside the police station and that one of the family members attempted to approach the vehicle but was stopped by police. They continued to look for the deceased and at about 20:30 they found his body close to Al Aziziya complex on Budeiya Road. The car of the deceased had been moved from inside the police station to the parking lot of a nearby coffee shop. Relatives of the deceased stated that the body was found inside a large black plastic bag and that the police refused to examine the body for some time. The body had evidence of physical assault and they believe that the cause of his death was suffocation.

980. The Commission considers that the death of Mr Mahfoudh was an unlawful killing. The fact that the deceased was found inside a plastic bag and the evidence of suffocation are indicative of an unlawful killing. The Commission is unable to attribute this death to a particular agency or group of civilians.

Case No. 20 - Jaafar Hasan Yusuf

981. On 18 September 2011, Mr Jaafar Hasan Yusuf was pronounced dead. No autopsy was conducted and no formal cause of death has been recorded.

982. The Commission received information that, on two occasions in March 2011, security forces came into the deceased's home searching for his brother. Witnesses stated that the deceased was physically attacked on both occasions, causing severe bruising to his body. He was then admitted to SMC for approximately three days. Thereafter, he went to receive treatment in Jordan where he was diagnosed with Hepatitis and a bowel perforation. He subsequently returned to SMC. The deceased's health began to deteriorate and he was admitted to the Intensive Care Unit of SMC on 8 August, where he remained until 18 September 2011 when he died.

983. The exact circumstances of this death are unknown, and consequently the Commission is unable to determine whether there was an excessive use of force or to attribute this death to a particular agency or group of civilians.

Case No. 21 - Abdulrasool Hasan Ali Mohamed Hujair

984. On 20 March 2011, Abdulrasool Hasan Ali Mohamed Hujair was pronounced dead. The death certificate states that the cause of death was traumatic injuries to the chest, stomach, back and limbs, which led to bleeding and shock.

985. The Commission received information that at approximately 19:00 on 19 March 2011 the deceased was expected to return home after the Maghreb prayer. His relatives heard shots being fired and knew that most roads were closed. They stated that when the deceased did not return home after two hours, they called his mobile phone three times. His relatives attended the nearby police station to lodge a missing person complaint, but were told that they could not do so until he had been missing for 24 hours. The following day, another relative called the family and told them that the body of the deceased was at the SMC morgue. They were told that the body had been found in Awali, a sparsely populated area north of Riffa. The relatives stated that there were marks all over the deceased's body and a fracture of his skull.

986. The death of Mr Hujair can be attributed to the use of excessive force by unknown persons. The fact that the deceased sustained multiple traumatic injuries indicates that there was no justification for the use of lethal force. The Commission is unable to attribute this death to a particular agency or group of civilians.

c) *Deaths Caused by Torture*

Case No. 22 - Hasan Jassim Mohamed Maki⁵²⁴

987. At approximately 10:30 on 3 April, Mr Hasan Jassim Mohamed Maki was pronounced dead. The death certificate states that the cause of death was heart failure and cessation of breathing due to sickle cell anaemia.

988. A forensic report confirmed the cause of death and concluded that on 3 April 2011 the deceased was detained at Dry Dock Detention Centre and collapsed twice within one and a half hours. A doctor was called on the first occasion and provided medical assistance. The doctor was then called a second time, and on arrival he discovered that the deceased had died. The forensic medical report notes that the deceased had cylindrical bruises and a head wound, which had become infected.

989. The Commission received information that the deceased was arrested at his home on 28 March 2011. He was taken to the CID after one day and then to Juw Prison. On 3 April 2011, relatives saw that his name was posted online as deceased. They went to the morgue and were only allowed to see his face. SMC did not provide a medical report. Médecins Sans Frontières (MSF) and Amnesty International examined the body and confirmed to the family that the deceased had been attacked with sharp objects. A witness who had been detained with the deceased in the same cell overheard him being told by prison personnel that since he had sickle cell anaemia, they would shower him and turn on the air conditioning in his cell and that he would not be allowed any medical treatment.

990. The MoI conducted an investigation into this case. The prison doctor stated that he had information that a detainee was suffering from sickle cell anaemia and needed medication. He asked the detainee if he was feeling any pain and the detainee replied in the negative. He was in a normal state and asked to have his infected head wound treated. The doctor gave him medicine and treated his wound. The doctor subsequently received a telephone call informing him that the deceased needed immediate attendance, but when the doctor arrived he saw the deceased being carried away. The doctor stated that he did not notice any injuries and that the medicine that he had prescribed could not have had any side effects. A fellow detainee claimed that the deceased called for the police telling them that he suffered from sickle cell anaemia and that he was feeling tired, so the police came and took him to the clinic and later returned him. An hour later, the deceased called for the police again and said he was feeling tired again. Another detainee stated that the deceased was calling saying that he suffered from sickle cell anaemia and that he was experiencing back pain and difficulty breathing. According to that detainee, the police officer came and took the deceased to the doctor. An internal investigation is in progress to determine whether medical negligence was involved in this death.⁵²⁵

⁵²⁴ One statement provided to the Commission.

⁵²⁵ MoI file 2011/831; PP file 2011/237.

991. The death of Mr Maki is attributed to torture at Dry Dock Detention Centre. Mr Maki was in the custody of the MoI at the time of his death.

Case No. 23 - Ali Isa Ibrahim Saqer⁵²⁶

992. At 11:15 on 9 April 2011, Mr Ali Isa Ibrahim Saqer was pronounced dead. The death certificate states that the cause of death was hypovolemic shock resulting from several traumas.

993. A forensic report confirmed the cause of death and concluded that the deceased had dark red bruises across the body but mostly around the back of the hands and right eye. His wrists had red flaking marks because of handcuffing and these marks were of recent origin.

994. The Commission received information that the deceased was subjected to torture. A witness alleged that the deceased handed himself to the police on 5 April 2011 after the police had raided his house several times searching for him. After the deceased's death, Bahrain TV broadcasted a confession that he had made.

995. The MoI conducted an investigation into this case. On 25 May 2011, the MoI referred charges against five personnel to the military court. Two of the accused are charged with manslaughter, while the other three are charged with failing to report a crime. All five are charged with engaging in action contrary to military dignity.

996. The death of Mr Ali is attributed to torture at the Dry Dock Detention Centre. Mr Ali was in the custody of the MoI at the time of his death.

Case No. 24 - Zakariya Rashid Hassan Al Asheri⁵²⁷

997. At 09:00 on 9 April 2011, Zakariya Rashid Hassan Al Asheri was pronounced dead. The death certificate states that the cause of death was severe heart failure and cessation of breathing following complications from sickle cell anaemia.

998. A forensic report confirmed the cause of death and concluded that the deceased had large bruises on his back and thighs and smaller bruises on his face and hands.

999. The Commission received information that the deceased was arrested on 2 April 2011 by security forces who entered his family home by breaking down the door. The deceased was allegedly tortured at the CID. On 9 April 2011, he was transferred to Dry Dock Detention Centre. He was subjected to torture between 6 and 9 April 2011, and died from torture in Room Number 1. Relatives learned about his death from the MoI website on 9 April. After this, relatives attempted to contact the police station close to their village but received no answer. They then contacted the MoI who told them that the deceased had passed away in his sleep as a result of sickle cell anaemia. The deceased's relatives stated that the deceased had never suffered from that disease. The Commission also received a statement from a witness who was

⁵²⁶ One statement provided to the Commission.

⁵²⁷ One statement provided to the Commission.

detained in the same cell as the deceased. The witness stated that all the detainees in the same cell were blindfolded and handcuffed, and forced to lie on their stomachs. On one of the mornings, the deceased began to experience hallucinations or confusion, whereby he began banging on the door shouting his name. The prison guards shouted at him to be quiet and when he did not comply, they entered his cell. The witness heard the deceased being beaten and he heard him scream after each beating. The witness then heard a shuffling noise after which the deceased's shouts became muffled. The witness then heard a Pakistani say in Urdu, "He is dead." After about one minute, the detainees were all moved to a different cell where they remained for the rest of the day. They were not allowed to leave their new cell. The witness reported that the following day, the detainees' blindfolds and handcuffs were removed and their general treatment improved.

1000. The death of Mr Asheri is attributed to torture at the Dry Dock Detention Centre. Mr Asheri was in the custody of the MoI at the time of his death.

Case No. 25 - Abdulkarim Ali Ahmed Fakhrawi

1001. At 13:10 on 11 April 2011, Abdulkarim Ali Ahmed Fakhrawi was pronounced dead. The death certificate states that the cause of death was injuries sustained while in the custody of the NSA.

1002. The Commission received information that the deceased was a businessman and founder of Bahrain's first educational bookstore. The bookstore had expanded into a publishing house and acted as the main supplier of books to the University of Bahrain. The deceased was also one of the main founders of Al Wasat newspaper and he owned the construction company that built the Iraqi Embassy in Bahrain. On the evening of 2 April 2011, the deceased was visiting a relative in Karbabad. At approximately 23:30, police surrounded his relative's home. The deceased presented himself at the police station the following morning in order to resolve the matter. Later that day, relatives went to Sanabis police station and inquired about the deceased. The officers informed them that there was nobody with such a name in detention. On 4 April, relatives went to the Public Prosecution and asked about the deceased. An officer informed them that he could not provide any information regarding the deceased's arrest. On 12 April at 14:30, the deceased's secretary received a call from an unknown person who instructed the family to go to the Emergency Section of SMC. A relative met with a policewoman who informed the relative that the deceased had arrived at the police station in poor health. The relative was told that the deceased had died as a result of kidney failure. The following day, two other relatives went to collect the deceased's body, which showed clear marks of torture. The family was threatened that if they took photographs of the body they would "end up like him".

1003. Commission investigators also received a number of verbal and written statements from persons alleging that they had witnessed the deceased being tortured in detention. In these statements, the witnesses claimed that they had heard him screaming, "*Allahu Akbar*" (God is great) after every blow

he received, and that all of a sudden he stopped. The witnesses stated that after the deceased stopped screaming, they heard one person say to another, "You killed him."

1004. The NSA conducted an investigation into this death. The investigation found that the deceased attacked two police officers at the NSA. The first statement to this effect was provided by an NSA officer who stated that at 15:00 on 7 April 2011, he heard loud fighting near the toilets of one of the cell blocks. He rushed to the scene from his office and witnessed a brawl between the detainee and two officers. The NSA officer stated that he intervened to break up the fight and was able to control the two parties. He observed that the deceased had sustained injuries during the brawl, evidenced by blood on the floor of the toilet area. Another officer was subsequently questioned and initially denied that any attack took place. This officer later changed his statement, saying that he and the first officer were attacked by the detainee and sustained injuries as shown in the medical report. The first officer also initially denied that he was attacked, but then changed his statement to say that he had a heated verbal exchange with the deceased and was insulted by him, and that the deceased subsequently attacked him with the lid of the toilet seat. He stated that the deceased sustained injuries including broken teeth and injuries to the face. The NSA investigation states that following the incident, the deceased complained of stomach pains. The deceased was initially admitted to the NSA Hospital where preliminary examinations were performed. The medical records were verified by an NSA doctor, who stated that the detainee suffered both kidney failure and heart failure. The kidney failure resulted from muscle tears and blood poisoning following the injuries that the deceased had sustained in prison. However, the kidney problem could have been resolved had the deceased received correct medical attention, including kidney dialysis. The investigation adds that the cases of the two police officers will be transferred to the military court.

1005. The Commission concludes that the death of Mr Fakhrawi is attributed to torture while in the custody of the NSA.

Case No. 26 - Jaber Ebrahim Yousif Mohamed Alawiyat⁵²⁸

1006. At 9:30am on 12 June 2011, Mr Jaber Ebrahim Yousif Mohamed Alawiyat was pronounced dead. The death certificate states that the cause of death was injuries sustained while in the custody of the MoI.

1007. According to statements provided to the Commission, on 29 April 2011, the deceased was beaten by approximately six police officers while in his home. On 30 April, at approximately 10:30, he was arrested on his way to a bakery. At approximately 01:30 the next morning, an individual from the Khamis police station called asking for a relative to bring the deceased's Central Population Registration (CPR) card. However, his family was not permitted to see him. For three days, they tried calling the police station to check on him but were informed that he was not there. Other prisoners who were detained with him stated that the deceased was tortured. Four to five

⁵²⁸ One statement provided to the Commission.

days after his arrest, his family called the CID in Adliya who informed them that he was not there. After 15 days, an individual from the CID called his family to ask them to send the deceased's clothing. After 20 days, his family was finally allowed to visit him. They saw that he had bruises on his face, head and left hand (which he was unable to move). On 9 June, he was released from custody and dropped off at the front door of SMC. The deceased called his relatives who later collected him. He did not let anyone take photographs of him because he was afraid of the consequences. He complained about pains in his stomach for two to three days and then he died on 12 June 2011.

1008. The death of Mr Alawiyat is attributed to the MoI. The evidence received by the Commission confirms that Mr Jaber was in MoI custody before his death.

d) *Deaths of Expatriate Workers*

(1) Expatriate workers killed by Mobs

Case No. 27 - Abdul Malik Ghulam Rasool

1009. On 13 March 2011, Abdul Malik Ghulam Rasool, a Pakistani national, was pronounced dead. The death certificate states that the cause of death was a severe chest contusion leading to cardiac laceration, caused by cardiac tamponade, which resulted in acute heart failure.

1010. A forensic report confirmed the cause of death and concluded that the deceased sustained cuts and bruises to his shoulder, hand, left knee, left leg, right eye, back and head.

1011. The MoI conducted an investigation into this case. The investigation found that a gang carrying metal bars and knives attacked a group of Pakistanis living in a building in Naeem. One group surrounded the entrance to the building, while a second group broke down the door, entered the building and assaulted the residents. The residents who managed to escape the building were met by the group waiting at the entrance to the building. This group beat the deceased to death.

1012. Eleven persons have confessed to their involvement in this attack. These eleven persons have been charged along with four others with criminal offences, including murder, relating to this attack.

1013. The death of Mr Rasool can be classified as an intentional killing. An investigation was conducted by the MoI, which resulted in the prosecution of fifteen individuals for crimes, including murder, relating to this attack.

Case No. 28 - Fareed Maqbul

1014. On 19 March 2011, Fareed Maqbul, a Bangladeshi national, was pronounced dead. The death certificate states that the cause of death was multiple trauma injuries to the head and face.

1015. A forensic report confirmed the cause of death and concluded that the deceased received several fractures to the skull and face, which caused bleeding to the brain. In addition, the deceased suffered broken bones, the loss of some teeth, and a number of scrapes and bruises on the arms, the shoulder, the back and the knees.

1016. The MoI conducted an investigation into this case. One witness stated that the deceased was walking alone in Manama when he was attacked by a group of individuals carrying wooden planks and sharp objects. The witness stated that while trying to escape, the deceased was struck by a vehicle. No one has been charged with a crime relating to this death.

1017. The death of Mr Maqbul can be classified as an intentional killing. An investigation was conducted by the MoI, which failed to identify the person responsible for this death.

(2) Expatriate workers killed by security forces

Case No. 29 - Stephen Abraham⁵²⁹

1018. On 16 March 2011, Mr Stephen Abraham, an Indian national, was pronounced dead. The death certificate states that the cause of death was a gunshot injury to the right side of the chest.

1019. A forensic report confirmed the cause of death and concluded that the deceased died from one gunshot wound. The bullet was fired from an unspecified distance. The deceased was shot while in a standing position.

1020. The MoI conducted an investigation into this case. The investigation found that the deceased was discovered with a gunshot wound in the right side of his chest. The investigators also found a 3cm hole in the window of the kitchen of the factory room where the deceased was shot. The investigation concluded that the BDF were responsible for this death. The BDF unit implicated in this incident is the same unit implicated in the case of Ms Bahia A. Alaradi.

1021. BDF investigations show that the deceased was shot in the lower chest region by a .50 Browning Gun bullet, which is identical to the weapon used by the BDF unit stationed near the restaurant where the deceased worked. The BDF personnel stated that none of them fired at the deceased. During their deployment to the area, there were only two incidents in which they resorted to the use of force: once to disperse a group of protesters and another at an approaching SUV (leading to the death of Ms Alaradi). An ordnance expert noted that the velocity of the weapon and the angle of the entry wound indicates that the bullet was shot from above the deceased. It

⁵²⁹ No statements provided to the Commission.

was therefore impossible for the bullet to have come from the BDF unit given the position of the BDF unit relative to the deceased. This type of bullet can be fired from three types of rifles used by snipers. On the basis of this information, the Military Prosecution concluded that BDF personnel conducted themselves in accordance with the applicable laws and regulations, and there were no grounds to press charges. The BDF referred the case to the (civilian) Public Prosecution to continue its investigations.

1022. The death of Stephen Abraham is attributable to the BDF. The Military AG purports to have conducted an effective investigation. The investigation found that the calibre and trajectory of the lethal bullet meant that it could not have been fired by the BDF. The investigation concluded that the BDF personnel appeared to have acted in accordance with the law.

(3) unattributed deaths

Case No. 30 - Mohammad Ikhlas Tozzumul Ali

1023. On 15 March 2011, Mohammad Ikhlas Tozzumul Ali, a Bangladeshi national, was pronounced dead. The death certificate states that the cause of death was trauma to the body, which resulted in internal bleeding.

1024. A forensic report confirmed the cause of death and concluded that the deceased died due to physical injuries sustained while he was in Sitra. The deceased suffered skull fractures in the waist, left thigh, left leg and a finger. He also suffered cuts to the right side of the face, forehead, nose, abdomen, thigh, right elbow and right hand.

1025. The Commission received evidence that the deceased was protecting a group of women and children being attacked by security forces when he was shot in the head.

1026. The MoI conducted an investigation into this case. The investigation reported that two witnesses stated that the deceased was run over by a car driven by protesters.⁵³⁰ The witnesses also stated that three other persons were injured in the same incident but have since returned to Bangladesh. In a separate set of statements received by the Commission, witnesses to the event stated that the deceased and the other injured persons were hit by vehicles, which did not bear licence plates. The vehicles were driven by unknown persons, one of whom was masked and was associated with government forces. According to witness, a number of unmarked police vehicles were seen in Sitra during that time, and were actively engaged in confronting the demonstrators, including with the use of shotguns.

1027. The death of Mr Ali can be classified as an intentional killing. An MoI investigation has not resulted in the prosecution of any individuals.

⁵³⁰ MoI file 2011/472; PP file 182.

e) *Deaths of Police Officers and BDF Personnel*

**(1) Police officers and BDF personnel killed
by demonstrators**

Case No. 31 - Ahmed Rashid Al Muraysi

1028. On 15 March 2011, Ahmed Rashid Al Muraysi was pronounced dead. The death certificate states that the cause of death was the breaking of the spinal cord and torso, together with extensive loss of blood.

1029. The forensic medical report describes scrapes and bruises to the deceased's forehead, right side of his head, nose, cheekbone and right ear, as well as loss of hair and scalp. However, no skull fractures were reported. The deceased's neck was broken and he suffered bruises and scrapes to the back of his neck. He also had bruises and scrapes on his right arm and hand, on the left side of his chest and across the left side of his back. Both of the deceased's legs were broken.

1030. The Commission received information indicating that the deceased sustained injuries when he was struck by a car driven by protesters in Sitra. A relative of the deceased stated that she received a telephone call at 13:45 on 15 March 2011 from a friend who had heard of the deceased's death. The relative immediately went to BDF Hospital where that information was confirmed.

1031. The MoI conducted an investigation into this case. Two individuals, Ali Atteya Mahdi Shamlool and Ali Yusuf Al Taweel, were subsequently charged with murder. The two accused were convicted and sentenced to life imprisonment and death, respectively.⁵³¹

1032. The death of Mr Al Muraysi can be classified as an intentional killing. An MoI investigation led to the prosecution and conviction of two individuals for murder.

Case No. 32 - Kashif Ahmed Mandhour

1033. On 16 March 2011, Kashif Ahmed Mandhour was pronounced dead. The death certificate states that the cause of death was head and chest trauma, damage to internal organs and internal bleeding, as well as a fracture to the left leg.

1034. The Commission received information that the deceased was searching cars at the GCC Roundabout, along with 15 other police officers, when he and a colleague were struck by a car. The father of the deceased went to BDF Hospital and spoke with a doctor, who informed him that his son was dead.

⁵³¹ See MoI file 66/2011 and PP file 2011/169. Commission investigators visited these two individuals in Al Qurain Prison. Both individuals claimed that they had been tortured and were forced to sign confessions while blindfolded. They showed the investigators marks alleged to be the result of treatment received while in detention.

1035. The MoI conducted a joint investigation into this case and that of Police Officer Samad, who was killed in the same incident.⁵³² It found that seven individuals were involved in this attack.⁵³³ Seven people have been charged with pre-meditated murder. Three of these individuals confessed that they were in the car that ran over the deceased. One claimed to have stolen the weapons of the officer after he had been run over. Another claimed to have stated his intention of killing police officers, while another claimed to have wanted to kill a police officer out of retribution for the death of a relative at the hands of police.

1036. The death of Police Officer Mandhour can be classified as an intentional killing. An MoI investigation led to the prosecution of seven individuals for murder.

Case No. 33 - Mohamed Farooq Abdul Samad

1037. At 08:35 on 16 March 2011, Mohamed Farooq Abdul Samad was pronounced dead. The death certificate states that the cause of death was a severe head injury and hypovolemic shock.

1038. The Public Prosecution forensic medical report states that Mohammed Farooq Abdulsamad Al Balooshi died of a head injury causing severe damage to the brain and other injuries across his body. The deceased also had several scrapes and bruises all over his body. X-rays showed that his lower jaw, waist and right femur were fractured.

1039. The Commission received information that the deceased was searching cars at the GCC Roundabout, along with 15 other police officers, when he and a colleague were struck by a car. A relative stated that she received a telephone call from the MoI informing her that the deceased had died on the way to hospital.

1040. The MoI conducted a joint investigation into this case and that of Police Officer Mandhour, who was killed in the same incident. This led to the prosecution of seven individuals for murder, as noted above.⁵³⁴

1041. The death of Police Officer Samad can be classified as an intentional killing. An MoI investigation led to the prosecution and conviction of seven individuals for murder.

(2) Killed by the security forces

Case No. 34 - Jawad Ali Kadhém Shamlan⁵³⁵

1042. On 16 March 2011, Jawad Ali Kadhém Shamlan was pronounced dead. The death certificate states that the cause of death was a gunshot wound to his abdomen, which resulted in severe damage to his internal organs and internal bleeding.

⁵³² See Case No. 33, below.

⁵³³ PP file 2011/173.

⁵³⁴ See Case No. 32, above.

⁵³⁵ One statement provided to the Commission.

1043. The Public Prosecution's forensic medical report states that the deceased's left thigh and abdomen injuries indicate that the gunshot was fired from one gun from a frontal direction.

1044. The Commission received information that the deceased left his family's home, as usual, to go to Khamis police station where he worked as a police officer. A State of National Safety had been declared and the deceased had received direct orders from his superior to come into work. While the deceased usually contacted his family several times a day from work, he failed to do so on that particular day. The deceased's family tried to contact him several times on his mobile telephone without receiving a response. They were worried so they called Khamis police station and were informed that he had not reported for duty. Another relative, who had previously worked at the same police station, placed a second call to the station's "counter" to enquire about the accused. He was informed that the station did not know of the deceased's whereabouts. The family placed several other calls, first to an officer at the same station and then to the head of the police station. The family was then informed that the accused was on a special mission and could not answer his telephone. After further questions, the family was informed that the accused had entered into a brawl with the army and that they were keeping him and his car until the next morning. That same evening, a relative of the deceased called Khamis police station and was informed that she could file a missing persons report the next day. That evening, she and another relative went to Hamad Town police station (at Roundabout 17) in order to enquire about the deceased. They were instructed to file a complaint at Manama police station, but after some debate they were allowed to file it at the same police station as the security situation rendered it risky for the family to drive into Manama at that hour. The family members returned to their home and telephoned the deceased's phone. The person who answered stated that they had killed the deceased and then made sexual threats towards the deceased's female relative. She screamed and hung up the telephone but the person on the other line called back and continued to harass her. The family continued receiving calls from the same phone; in one instance, the person at the other end of the line claimed to be the deceased, but the family insisted that they would have recognised the voice of the deceased. Later that evening, a colleague and friend of the deceased called the family and informed them that he had heard rumours of the deceased's death. He helped the family by looking for the deceased at SMC and at BDF Hospital. On 20 March 2011, the family received news from a relative who had visited the SMC morgue who confirmed he had seen the body of the deceased at the morgue. The next day, at 11:00, the deceased's body was returned to the family. The family has not received the deceased's car or his two mobile phones and has no further information about his death. They stated that Khamis police station and the MoI have not cooperated in helping them gather details related to the circumstances of his death.

1045. The Military Prosecution interrogated six military personnel, two medics and police personnel. The investigation concluded that the deceased was at a barricade manned by a BDF unit. The purpose of the barricade was

to stop entry to and exit from Al Sihla district due to the situation on the ground. Two vehicles approached the barricade and were ordered to turn back. One vehicle complied, and the other gained speed and rammed into the barricade. The car then began to drive towards the unit, which prompted the personnel manning the BDF vehicle to fire a warning shot, followed by shot at the front and tires of the approaching vehicle. This stopped the car and injured the driver. The BDF personnel opened the car and found that the driver had been severely injured with a .50 Browning bullet, which had entered his body above the knee and exited from his lower abdomen. The ordnances report established that the bullet had been fired at the body of the vehicle and not at the victim, and that it had been deflected off the body of the vehicle and the tyres to enter into the victim's body. The BDF also questioned the paramedics who had been dispatched to the scene, and they corroborated the story of the BDF personnel. The BDF-JAG concluded that BDF personnel had conducted themselves in accordance with the applicable laws and regulations, and that there were no grounds to press charges.

(3) Unattributed Deaths

Case No. 35 - Aziz Jumaa Ali Ayyad

1046. On 17 March 2011 Lieutenant Aziz Jumaa Ali Ayyad was pronounced dead. The death certificate states that the cause of death was a heart attack.

1047. The Commission received information that a relative of the deceased telephoned him at approximately 01:30 on 16 March 2011 and again at around 03:00. A colleague of the deceased answered the telephone and informed the relative that the deceased was busy and that everything was fine and he would call her once he had finished work. At approximately 23:30 on 24 March, an unknown person called the deceased's house and informed the family that the deceased had passed away. On 25 March 2011, the family collected the body of the deceased and noted that there were signs of electric shocks on the body. Although there were marks on his hands, chest and stomach (including a piercing), BDF Hospital indicated that he had died due to a heart attack.

1048. The exact circumstances of the death are unknown, and consequently the Commission is unable to determine whether there was an excessive use of force or to attribute this death to a particular agency or group of civilians.

f) Deaths that took place outside the Commission's temporal mandate

1049. There were 11 deaths that took place outside the Commission's temporal mandate. The Commission has nevertheless considered these deaths.

Case No. 36 - Zainab Ali Ahmed⁵³⁶

⁵³⁶ One statement provided to the Commission.

1050. At 17:30 on 2 June 2011, Zainab Ali Ahmed was pronounced dead. The death certificate states that the cause of death was a sharp decline in circulation and respiration. The certificate also states that the deceased suffered from asthma.

1051. The Commission received information that at approximately 16:30 on 2 June 2011, police began firing tear gas and sound bombs in Sanabis. The deceased was standing outside telling her relative to enter the house when tear gas was fired extensively in the surrounding area. A relative stated that the deceased inhaled the tear gas and fell over. An ambulance was called and arrived after 25 minutes. Another relative stated that he accompanied the deceased in the ambulance, but they experienced delays at checkpoints where he was questioned and insulted. The relative stated that the ambulance driver was also questioned and that this occurred at two checkpoints, delaying their arrival at SMC. The ambulance driver was providing treatment to help Ms Ahmed breathe, but at each checkpoint the ambulance was stopped and the paramedic was questioned. The relative was also harassed at the front door of SMC, and the deceased was pronounced dead shortly after.

Case No. 37 - Salman Isa Abuidrees⁵³⁷

1052. At 01:32 on 3 June 2011, Salman Isa Abuidrees was pronounced dead. The death certificate states that the cause of death was a heart attack caused by heightened blood pressure. The certificate also states that the deceased suffered from diabetes.

1053. The Commission received information that the deceased and another person were driving to his sister's house in Salmaniya when police stopped them in Gufool on 13 March 2011. He was driving his Caprice (1998 model), on the mirror of which was a photo of Hassan Nasrallah. When the police stopped them, they dragged the deceased out of the car and were enraged when they saw the photo. They threw him on the floor and beat him before taking him to an unknown location. Later, the deceased's relative received a call from a nurse at Al Naim Hospital who knew the family and informed them that the deceased was in hospital. Another relative spoke to the deceased, who told him that police had destroyed his car and stolen his wallet, which contained BD 500. The deceased was then transferred to SMC. The following day, a relative came to see him and noticed that his injuries had not been treated. The deceased's relative tried to have the deceased discharged from hospital but was not permitted to do so. After a period of time [it is not clear how long], the deceased's family was informed that he was undergoing surgery to treat his wounds. Following the surgery, he was transferred to intensive care. The deceased's relative heard of his death via email and then visited the SMC morgue on 3 June 2011 and was told that he had passed away. The deceased's relative stated that he was in poor health before being attacked by the police.

Case No. 38 - Alsayed Adnan Alsayed Hasan Almusawi

⁵³⁷ One statement provided to the Commission.

1054. On 23 June 2011, Alsayed Adnan Alsayed Hasan was pronounced dead.

1055. The Commission received information indicating that the deceased's death may have been caused by suffocation following tear gas inhalation in Duraz.

Case No. 39 - Zainab Hasan Ahmed Jumaa

1056. At 18:30 on 15 July 2011, Zainab Hasan Ahmed Jumaa was pronounced dead. The death certificate does not identify a cause of death. Medical documents cite cardio-pulmonary arrest as the cause of death.

1057. A forensic report did not indicate any external injuries or signs of tear gas inhalation.

1058. The Commission received information that at around 17:45 on 15 July 2011, there were confrontations in Sitra between security forces and protesters near the deceased's home. Three tear gas canisters were thrown outside the house. The deceased was in her room and the tear gas entered through the air conditioning vents. She could not move because she had a physical disability, namely paraplegia, so a relative carried her out of the room. The relative called SMC for an ambulance and was told that there were only three ambulances and that he should call back in 20 minutes. He called back four times but was told that there were still no ambulances available. At around 19:30, a person from SMC called and said that there was an ambulance on the way. The ambulance arrived at about 19:50, at which point the medical staff informed the family that the deceased had passed away.

Case No. 40 - Isa Ahmed Altaweel⁵³⁸

1059. On 31 July 2011, Isa Ahmed Altaweel was pronounced dead.

1060. The Commission received information indicating that his death may have been caused by suffocation from tear gas inhalation after riot police fired tear gas in Sitra.

Case No. 41 - Sayed Jawad Ahmed Hashim Marhoon⁵³⁹

1061. At 18:45 on 14 September 2011, Sayed Jawad Ahmed Hashim Marhoon was pronounced dead. The death certificate states that the cause of death was acute chest syndrome as a consequence of sickle cell anaemia. The certificate also states that the deceased suffered from pneumonia.

1062. The Commission received information that at 21:45 on 10 September 2011, protests were taking place around the deceased's house. Tear gas entered the house and then the room of the deceased. His relatives stated that the deceased began suffocating and experiencing head and chest pains. They took him to the second floor and he started shouting that he wanted to breathe. On 13 September 2011, his family called an ambulance after he was unable to breathe and was experiencing pains, and he died in the hospital the next day.

⁵³⁸ No statements provided to the Commission.

⁵³⁹ Two statements provided to the Commission.

Relatives of the deceased stated that he did not suffer from sickle cell anaemia.

Case No. 42 - Jaafar Lutf Allah⁵⁴⁰

1063. On 30 September 2011, Jaafar Lutf Allah was pronounced dead.

1064. The Bahrain Centre for Human Rights provided information to the Commission indicating that the deceased may have died from suffocation after inhaling tear gas fired by riot police in Abu Saiba. According to the Bahrain Centre for Human Rights, the deceased had a physical disability, namely paraplegia.

Case No. 43 - Ahmed Jaber Al Qattan⁵⁴¹

1065. On 6 October 2011, Mr Ahmed Jaber Al Qattan was pronounced dead. The death certificate states that the cause of death was shotgun injuries to the chest area, which resulted in shotgun pellets entering his heart and lungs.

1066. The MoI has stated that there were no police in the area during the time of the incident and that the projectiles used are not of a type used by riot police.

Case No. 44 - Ali Jawad Alsheikh⁵⁴²

1067. On the morning of 31 August 2011, Mr Ali Jawad Alsheikh was pronounced dead. The death certificate states that the cause of death was a fractured spine, internal bleeding and shock.

1068. The forensic report of the Commission found that the deceased's injuries were consistent with the deceased being struck by an unexploded tear gas canister fired at short range. The report concluded that the injuries were more consistent with a strike from a canister than from beatings.

1069. The MoI conducted an autopsy on the basis of which they compiled a forensic report.⁵⁴³ According to the MoI report, the deceased died as a result of a serious blow to the back of the neck (blunt trauma), which resulted in a blood clot forming in the brain. The report indicates that the markings on the deceased's neck are not consistent with being hit by a tear gas canister or rubber bullet; the markings were too large and suggest that he was hit with a larger object. The MoI report also states that there was no evidence of tear gas inhalation.

1070. The Commission received information that the deceased went to prayers at around 08:30 on the Eid holiday. He then went to Street No. 1, where he began protesting with a number of other persons. Witnesses stated that they saw a police officer standing out of the top window of the jeep,

⁵⁴⁰ No statements provided to the Commission.

⁵⁴¹ No statements provided to the Commission. Commission investigators visited SMC and were present during the forensic examination.

⁵⁴² Seven statements provided to the Commission.

⁵⁴³ Commission investigators and forensic experts were present during the autopsy and compiled an independent report. On file with the Commission.

holding a tear gas gun, about 100 metres away. The protesters were then chased and ran in different directions. One individual was hit with a tear gas canister. Witnesses stated that they heard three shots and they believe that one of these shots hit the deceased. Another witness who was in a nearby cemetery stated that he saw a boy being chased by a police jeep with a police officer standing out of the top window of the vehicle. The witness then lost sight of the vehicle and heard shots being fired. The deceased was taken to Sitra hospital but was refused treatment and subsequently died.

1071. The MoI stated that there were no police in the area at the time of the shooting and therefore that the MoI was treating the shooting as a criminal investigation. The MoI offered a reward of 10,000 BD for any information relating to the death of the deceased. No progress has been made in the case.

Case No. 45 - Mohamed Abdulhusain Farhan⁵⁴⁴

1072. On 30 April 2011, Mohamed Abdulhusain Farhan was pronounced dead. The deceased was six years old.

1073. The Bahrain Center for Human Rights (BCHR) presented information to the Commission indicating that the deceased died from suffocation after inhaling tear gas fired by riot police outside his home in Sitra.

Case No. 46 - Aziza Hasan Khamis⁵⁴⁵

1074. On 16 April 2011, Aziza Hasan Khamis was pronounced dead. The death certificate states that the cause of death was cardiac arrest and the cessation of breathing.

1075. The Commission received information that on 16 April 2011 security forces entered the home of the deceased's family by breaking down the door. They also surrounded the premises. They were looking for the son of the deceased's neighbour, who five minutes had jumped over the neighbour's fence onto the property of the deceased's family in an attempt to escape arrest. The security forces found the neighbour's son hiding under a bed and began kicking him and beating him with batons. They also held the deceased's brother by his neck until he began to choke. The deceased witnessed this physical abuse and heard security forces verbally insulting her family, and this caused her extreme stress. She began to turn yellow and died shortly thereafter. A medical report dated 4 November 2010 states that the deceased suffered from Type 1 Diabetes and required insulin. This condition rendered her extremely vulnerable to psychological stress.

Section B – Use of Force by Government Actors

1. Factual Background

1076. This purpose of this section is to present a general overview of the policies and practices of the GoB agencies and to examine whether force was

⁵⁴⁴ No statements provided to the Commission.

⁵⁴⁵ One statement provided to the Commission.