



وحدة التحقيق الخاصة  
Special Investigation Unit

# Special Investigation Unit Statistics

2021

## SIU Head's Statement

A full decade has passed since the establishment of the Special Investigation Unit, the judicial body with which the national mechanisms concerned with the protection of human rights in the criminal justice system were completed. SIU has become a unique model to be emulated at the regional and international levels in the field of human rights protection, both in terms of its independent judicial nature within the Kingdom's judicial system, and its unique legal competencies. Further, in terms of what has been added to its internal structure of specialized divisions, and the special procedures that have been developed for it that enhance its mission. It guarantees integrity, transparency, and firmness in the face of all the legal and human rights abuses that has its hands on it. This is by rigorous application of the international principles of effective investigation and documentation of torture and other inhuman or degrading treatment, until it became the shield of human rights in the criminal justice system. Here it is today, with the transparency approach, and in compliance with it, SIU takes the initiative to publish its annual report that includes statistics on its work during 2021, in order to inform the public of its judicial, training and organizational procedures during the year.

In conclusion, I take this opportunity to extend my sincere thanks and appreciation to my fellow unit members and experts working in its specialized divisions, as well as the administrative support staff for their strenuous effort in achieving the Unit's mission. I also extend my thanks and gratitude to all national bodies cooperating with SIU, counterpart bodies, and the international organizations and institutions that supported us and provided us with its expertise in SIU specialization. On my behalf and on behalf of SIU members and affiliates, I should also like to extend the highest expressions of appreciation and gratitude to His Excellency the Attorney General, Dr Ali bin Fadhul Al-Buainain, for the remarkable support he has provided to the Unit which led to overcoming challenges and consolidating the framework system.

**Mohamed Alhazaa, Head of SIU**

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## An Overview of SIU

### Establishment and Specialization

SIU was established pursuant to Public Prosecution Decision No. (8) of 2012<sup>1</sup>. In accordance with Article 4 of the decision, its jurisdiction is limited to investigating and dealing with allegations of torture, abuse and cruel treatment, by determining criminal responsibility against the involved public officials, including those with leadership positions under the principle of leadership responsibility. Moreover, referral to the competent administrative authority if its investigations conclude that disciplinary responsibility has been established, for that authority to take its measures regarding imposing a disciplinary penalty.

SIU jurisdiction with regard to criminal cases in the crimes subject of its jurisdiction extends to challenging rulings by the methods established in the Code of Criminal Procedure, which are appeal before the appellate court and then the Cassation court. Reasons for its appeal are based on what may be marred by the judgment in the application of the law or a lack of reasoning or evidentiary.

According to the nature of SIU establishment, its formation, and its terms of reference decision, it is an independent judicial body within the jurisdiction of the Kingdom of Bahrain, and represents the main guarantee for the protection of human rights in the criminal justice system. Not only it is considered unique in the region, but also one of the few agencies in the world that investigates such allegations.

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<sup>1</sup> The decision was issued on February 27, 2012 and was published in the Official Gazette No. 3041 on March 1, 2012.

## SIU Organizational Structure

SIU is headed by a member of the Public Prosecution office with the rank of an advocate general, and is assisted by a number of judicial investigators. Furthermore, Independent internal and external advisors are appointed to provide advice in its investigations.

In addition to the Head's office, SIU organizational structure includes six specialized divisions; namely: Investigation, Forensic and Psychological Support, Information and Administrative Work, Judicial Police, Communication and Media, and Victim and Witness Affairs. The tasks of these divisions can be summarized as follows:



### Investigation Division

Being the main SIU division, it is operated by full-time investigators, including women, from members of the Public Prosecution, who carry out investigations and take all available legal measures to reach the truth behind complaints and determine criminal responsibility in them. Complaints are investigated even with no serious evidence. They also prepare cases for final disposal, whether by referring them to a criminal or disciplinary trial, or closing the case if no crime is proved or the claim is proven incorrect. Furthermore, they are concerned with following up the lawsuits initiated by the Unit before the courts, and challenging judgments if there is a legal or factual aspect to that, under the supervision and control of the head of the Unit.

### Forensic and Psychological Support Division

It consists of two forensic physicians, including a female physician, to examine female victims, as well as a psychiatrist. This division is concerned with the following:

- Conduct medical and psychological examinations of the victims.
- Prepare necessary technical reports that explain the traumatic and psychological effects, the cause and date of it, whether they are real or fabricated, and the extent to which they can occur according to the victim's statement, and to show the similarity aspects in each of them.
- Provide health and psychological treatment to the victims by meeting them constantly and following up on their treatment.

### Information and Administrative Work Division

Collects data on complaints and cases that the Unit specializes in, preparing case details including the victims and their families, to make the necessary statistics on the following:

- Type of cases and the parties to which the perpetrators are affiliated.
- Similarities and differences in the manner, time and place of their commission.
- Disposal of the cases whether it is completed, referred to criminal trial, or imposing a disciplinary penalty.
- Rulings rendered by the courts whether dismissals, convictions, or acquittals.
- Rulings challenged before courts of appeal or cassation, and the final rulings issued in it
- Prepare other statistical reports through the available applications to the Unit.

### Judicial Police Division

Emphasizing the principle of independence in relation to the work entrusted to SIU, a police officer with a number of police members with investigatory expertise and competency are delegated to work under the supervision, direction and control of SIU Head. They enquire and investigate all allegations brought before the Unit to reach the persons responsible, monitoring any facts that fall within the Unit's competence and reporting it. Also, they shall execute the Unit's decisions and the tasks they are assigned to carry out within the framework of the investigation, in addition to the implementation of judgments.

### Communication and Media Division

This division undertakes the necessary contacts with individuals and local and international civil society organizations concerned with human rights to identify any cases that fall within the Unit's competence. It follows up all media and monitors social networking platforms and international websites to monitor any incidents that relate to the Unit's work to take the necessary action. It also publishes the statements and announcements issued by SIU.

### Victim and Witness Affairs Division

The division was established within the internal structure of SIU in early 2021, within the framework of the effective implementation of the amendments made by the legislator to the Code of Criminal Procedure relating to the protection of victims and witnesses from potential risks. It deals with victims, their families and any of party involved who may provide information in the case to aware them of the legal procedures taken and the progress of the investigations. It also receives and studies requests for imposing protection measures stipulated in the Criminal Procedures Law, whether submitted to SIU by the said categories, or referred by SIU members when they find, through investigations, circumstances calling for the imposition of such measures. The division is entitled to take whatever measures are seen suitable in contribution to lift the physical and psychological damage caused.



## Work Strategy

Although SIU, in its judicial capacity, depends primarily on the complaints received or submitted to it by the concerned parties that include incidents that fall within its competence, but given the nature of its tasks related to a significant aspect of human rights, SIU also takes it upon itself to monitor incidents or allegations of torture, abuse or cruel treatment from: what is published and broadcasted in the audiovisual media, circulated on social networking platforms and the Internet, or what is it may come to its knowledge from any other source. SIU initiates contact with the concerned victims, witnesses, and anyone who has information, and proceeds with its necessary investigative procedures, with the assistance of its specialized divisions.

In criminal investigation, SIU relies on several basic legal references, as follows:

- The Penal Code, which regulates offences against persons, torture, sexual and physical assault, threats, humiliation and insults, and related offences included in the Penal Code or any other law.
- The Code of Criminal Procedure as for guarantees and procedures for interviewing and hearing witnesses, issuing judicial orders, conducting inspections, and dealing with seizures, as well as initiating lawsuits before the courts, challenging and executing rulings.
- Istanbul Protocol (Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).
- SIU Instructions, which are integrated guidelines, consist of six chapters and 66 Articles. It specifies the nature of the Unit, its objectives, authorities entrusted to it, competencies, formation, tasks of its sections and divisions, duties of its members and affiliates and characteristics that they should possess, means of collecting verbal, material and technical evidence, and what procedures must be followed in this regard. The instructions were drawn up by one of the UN eminent experts, and they were prepared in the light of the provisions of the law and the new legal principles, and based on the rules established in

Istanbul Protocol. It is also formed based on relevant international instruments, in particular the Convention against Torture and Other Cruel or Degrading Treatment or Punishment, declarations, rules, principles, guidelines, codes of conduct, such as Code of Conduct for Law Enforcement Officials, Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### **International Cooperation and Coordination with Relevant Authorities**

Since its inception, SIU has been working to strengthen joint cooperation with the relevant human rights and monitoring authorities in Bahrain, in order to support national efforts to eliminate all forms of torture and other cruel, inhuman or degrading treatment or punishment. Among the aspects of this cooperation are the Memorandum of Understanding signed in 2013 with the Ombudsman, and National Institution for Human Rights (NIHR) in 2015, regarding dealing with complaints related to allegations of torture and ill-treatment. It aimed mainly at the joint work in terms of facilitating procedures for reporting such complaints, instill confidence among those affected, and quickly exchange information, in order to reach effective and productive investigations, and to avoid any obstacles that may limit in any way the disclosure of the truth of those facts and those responsible for them.

On an international level, SIU has signed an agreement with the UN Development Program aimed at strengthening the Unit's capabilities to carry out its role in accordance with international standards. Based on the said agreement, several international experts in related fields have visited SIU and contributed to the development of its work. Moreover, SIU has been able, through the agreement, to view and benefit from the experiences of some counterpart devices in different countries, all with the aim of reaching the highest levels of efficiency.

## Section 1

### Complaints Received by SIU during 2021

## I. Number of Complaints Received during 2021



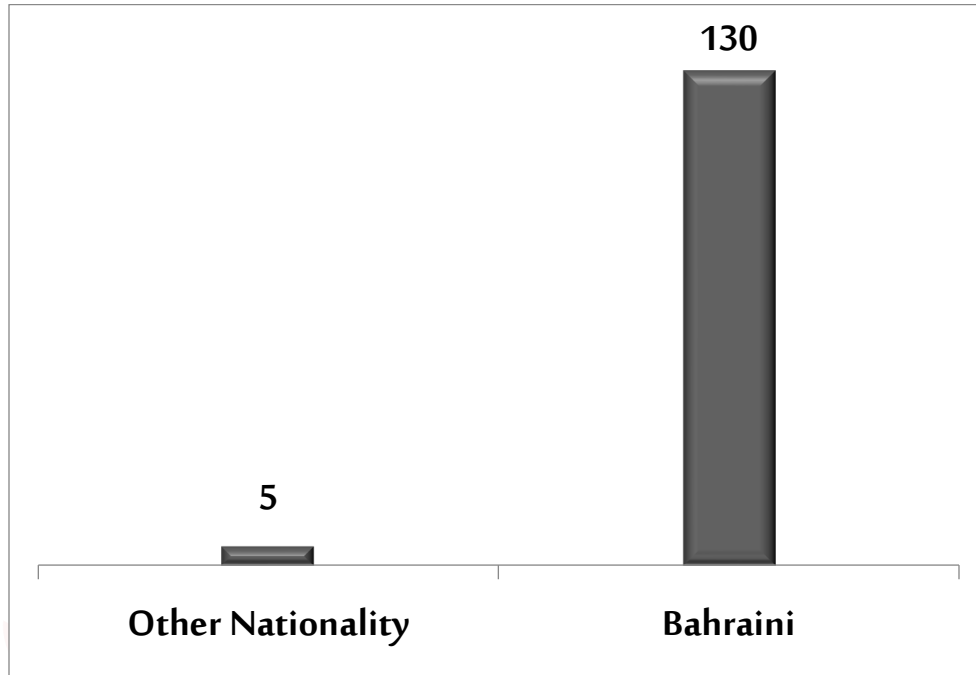
## II. Complaint Categories

III-Treatment

Torture

Use of Excessive Force

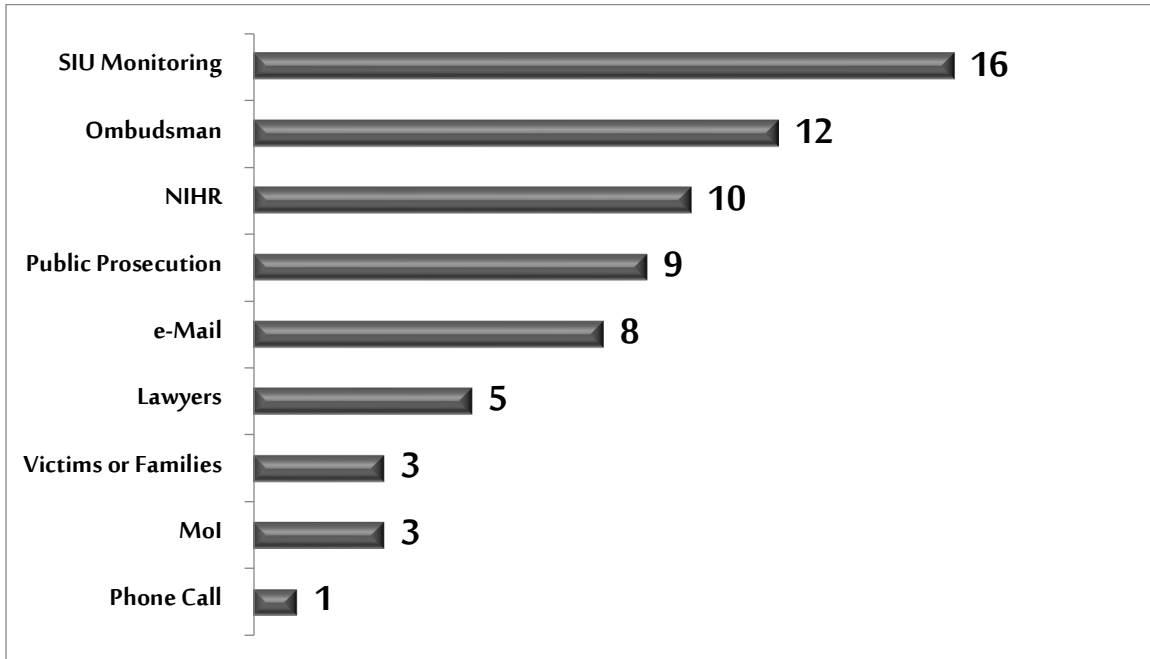
### III. Complainants' Nationality



### IV. Complainants' Gender and Age

Gender	Male: 130	Female: 5
Age	Complainant Nos.	
	Under 18	18
	18 and above	117
	Total	135

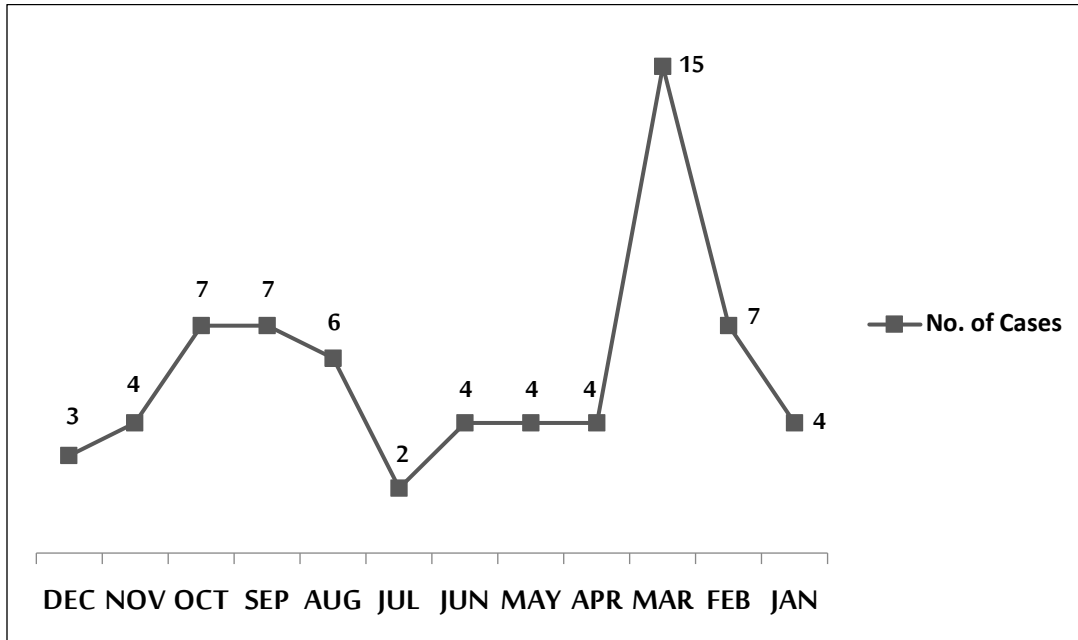
## V. Source of Complaints



Complaints Received from	No.
SIU Monitoring <sup>2</sup>	16
Ombudsman	12
National Institution for Human Rights	10
Public Prosecution	9
e-Mail	8
Lawyers	5
Victims or their Families	3
Ministry of Interior	3
Telephone Communication	1
<b>Total</b>	<b>67</b>

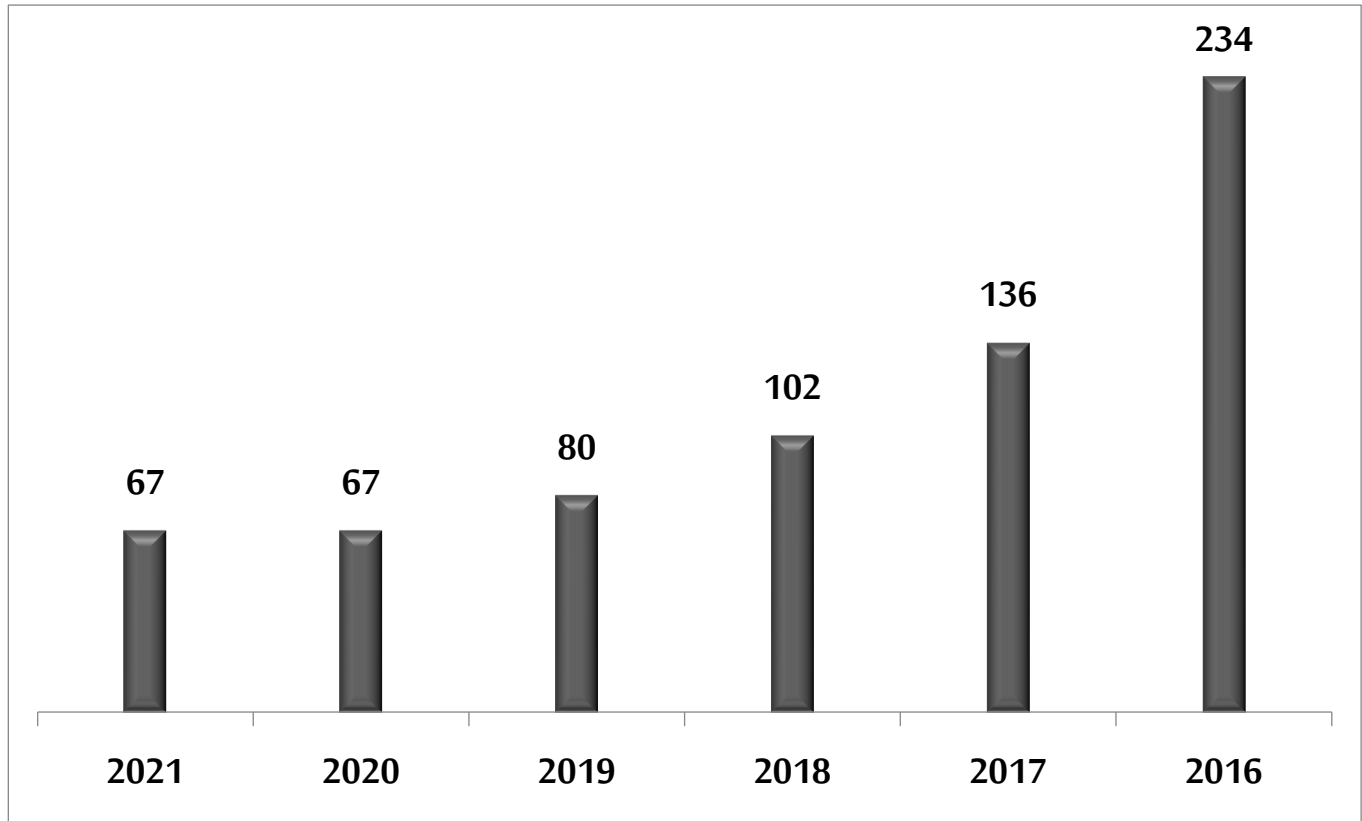
<sup>2</sup> The means of monitoring are social media platforms, reports of international organizations, reports of the rapporteurs of the Human Rights Council.

## VI. Complaints Received by Month



Month	No. of Cases
January	4
February	7
March	15
April	4
May	4
June	4
July	2
August	6
September	7
October	7
November	4
December	3
<b>Total</b>	<b>67</b>

## VII. Comparison of Total Complaints Received by SIU during 2021 against Previous Years



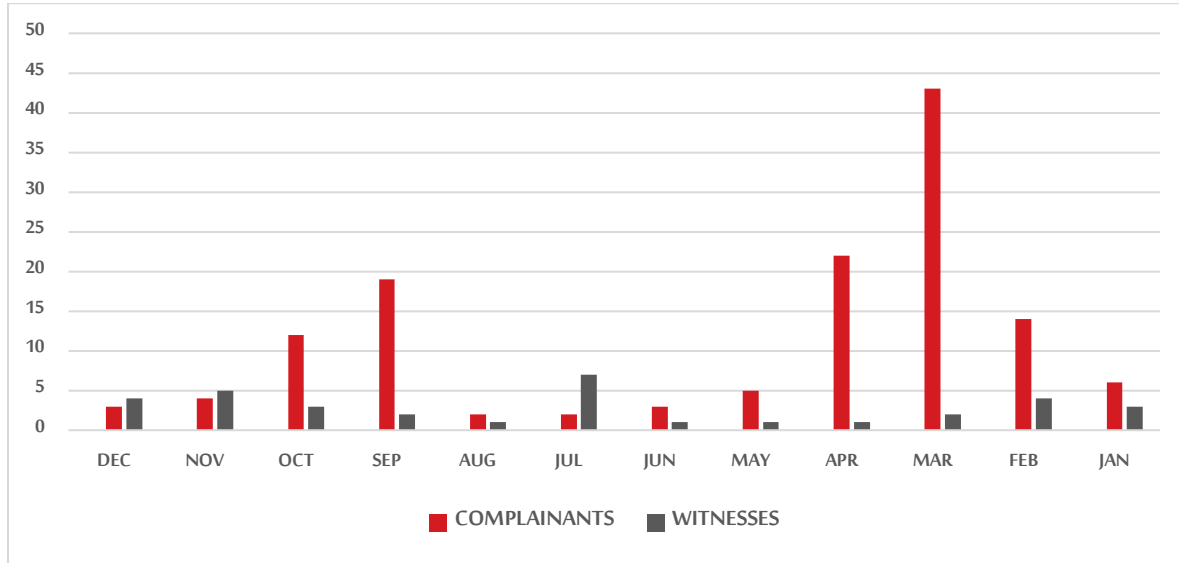
It is noted that complaint numbers have decreased by 71% compared to 2016, and numbers were stable in the past two years.



## Section 2

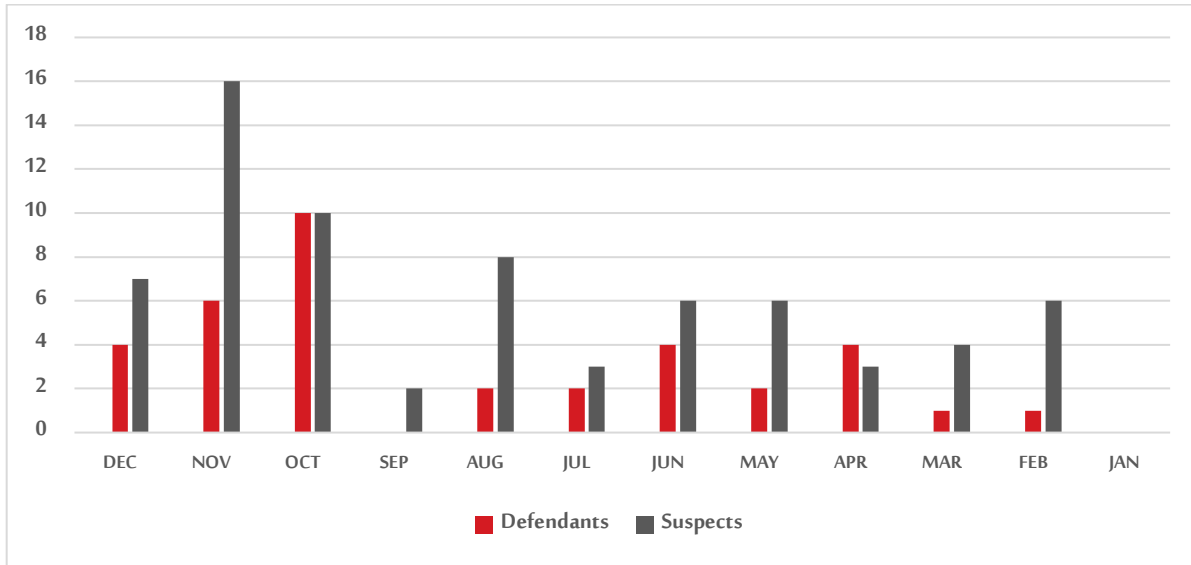
### SIU Work during 2021

## I. Number of Interviewed Complainants and Witnesses



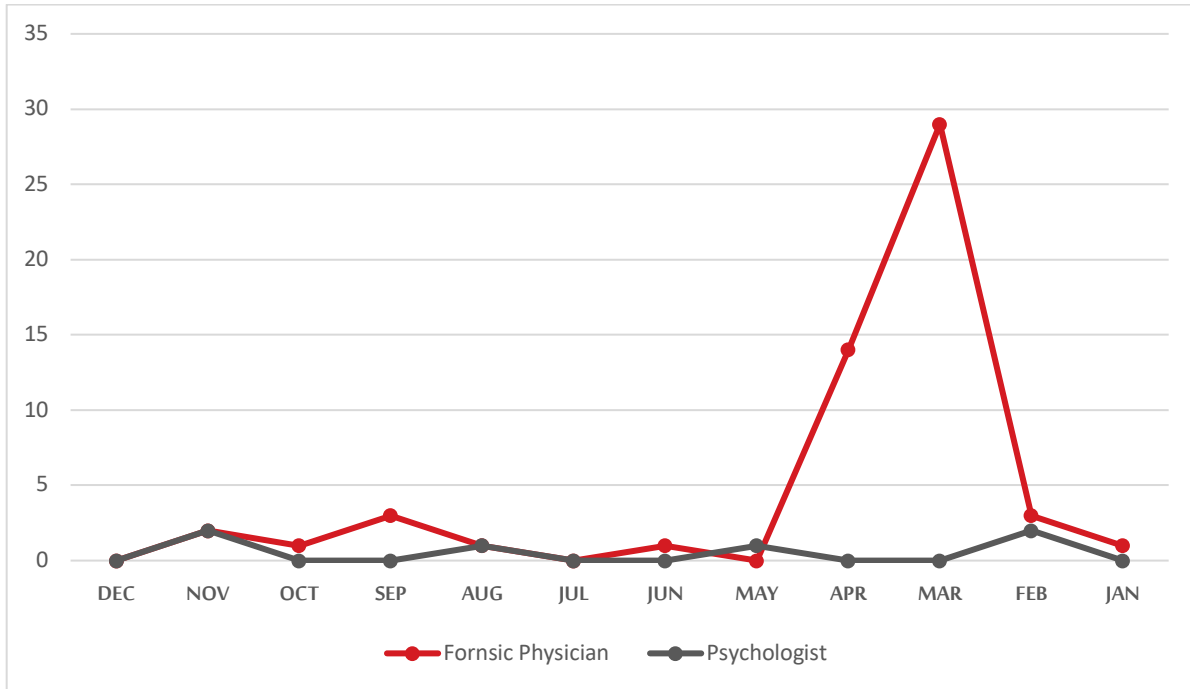
Month	Complainants	Witnesses
January	6	3
February	14	4
March	43	2
April	22	1
May	5	1
June	3	1
July	2	7
August	2	1
September	19	2
October	12	3
November	4	5
December	3	4
<b>Total</b>	<b>135</b>	<b>34</b>

## II. Number of Interviewed Defendants and Suspects



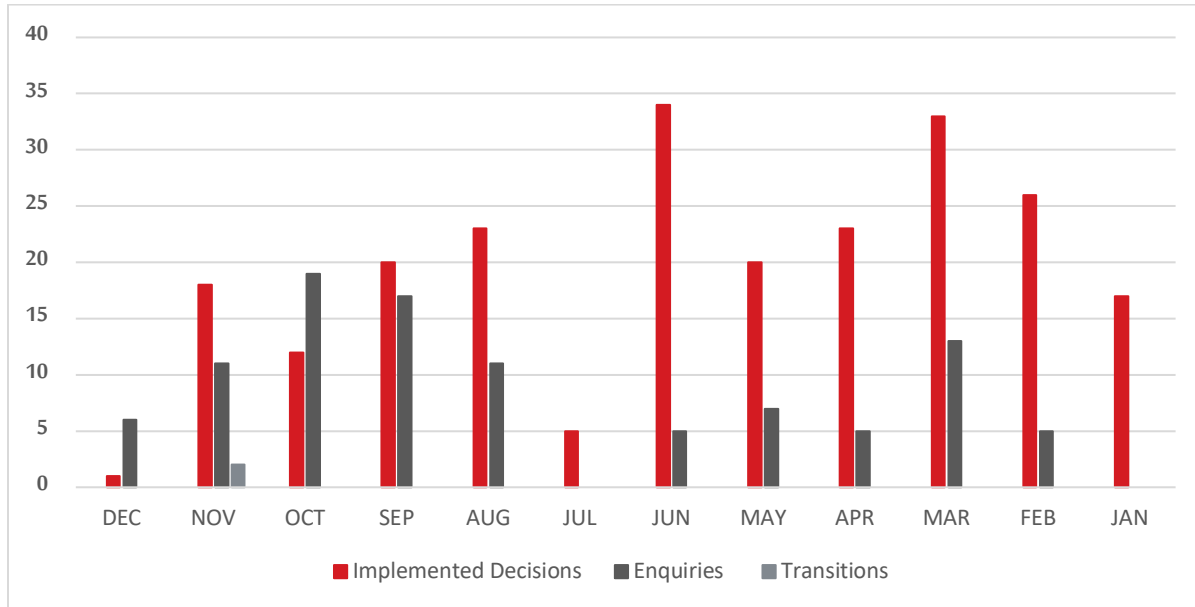
Month	Defendants	Suspects
January	0	0
February	1	6
March	1	4
April	4	3
May	2	6
June	4	6
July	2	3
August	2	8
September	0	2
October	10	10
November	6	16
December	4	7
<b>Total</b>	<b>36</b>	<b>71</b>

### III. Complainants Examined by Forensic and Psychological Support Division



Month	Forensic Physician	Psychologist
January	1	0
February	3	2
March	29	0
April	14	0
May	0	1
June	1	0
July	0	0
August	1	1
September	3	0
October	1	0
November	2	2
December	0	0
<b>Total</b>	<b>55</b>	<b>6</b>

#### IV. Judicial Police Work

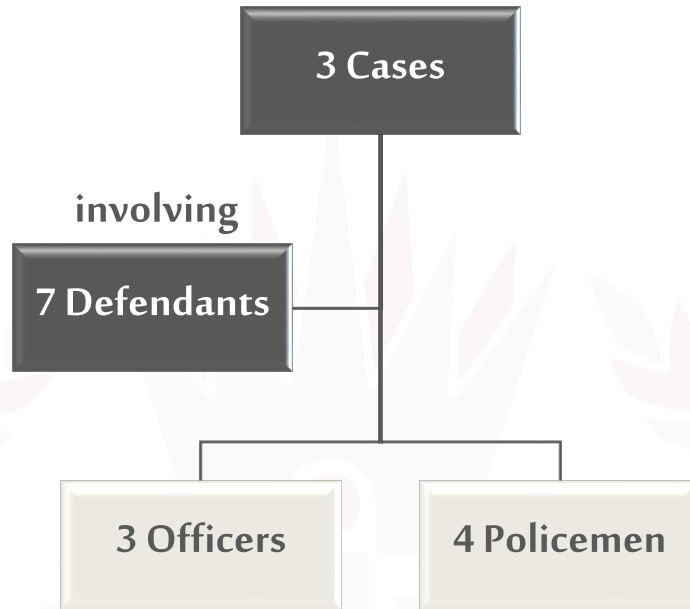


Month	Implemented Decisions	Enquiries	Transitions
January	17	0	0
February	26	5	0
March	33	12	0
April	23	5	0
May	20	7	0
June	34	5	0
July	5	0	0
August	23	11	0
September	20	17	0
October	12	19	0
November	18	11	2
December	1	6	0
<b>Total</b>	<b>232</b>	<b>99</b>	<b>2</b>

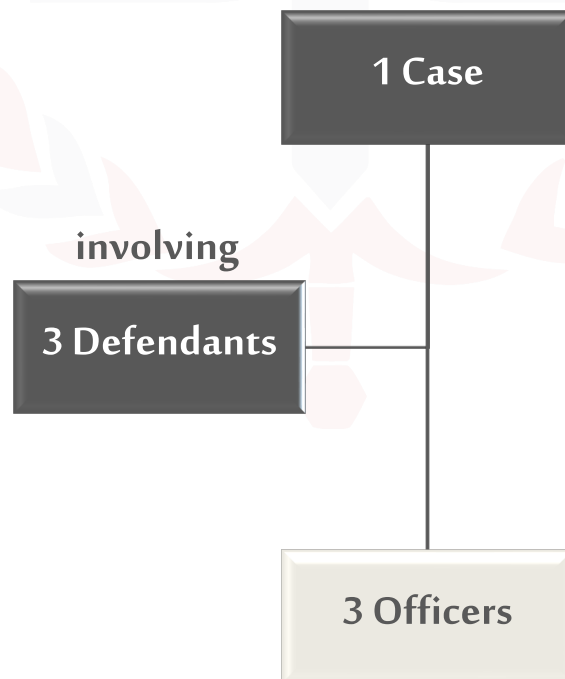
### **Section 3**

## **Complaint Referred to Competent Courts during 2021**

**I. Referrals to Criminal Courts**



**II. Referrals to Military Courts Department of Mol to Impose Disciplinary Penalty**



### III. Rulings Held by Criminal Courts

No.	Charge	No. of Defendants	Court and Date of Ruling	The Ruling
1	Assault	3	Minor Criminal 15/04/2021	In the presence of the first and second defendants, 1-month imprisonment with a bail of BD 500 for suspension of action, and a fine of BD 100 against the third defendants.
			Appellate 29/07/2021	The appeal was accepted in form and rejected in substance, while upholding the appealed ruling.
2	Assault	1	Minor Criminal 08/07/2021	The defendant was sentenced, in absentia, for 6-month imprisonment and a bail of BD 500 for suspension of action.
			Appellate 02/08/2021	The appeal was accepted in form and in substance by amending the appealed ruling and only fining the appellant of BD 50 and ordered for suspension of action for a period of three years.



#### IV. Disciplinary Measures Issued by Military Courts Department

SIU received from the Military Courts Department of the Ministry of Interior disciplinary measures issued in five different cases against nine members of the Public Security Forces. SIU had previously decided their referral to the Military Courts Department to impose appropriate disciplinary measures against them. Disciplinary measures varied as follows:



**Dismissals**



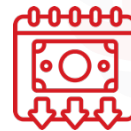
**Verbal**

**Warning**



**Written**

**Warning**



**Salary**

**Deduction**



**Reprimand**

**100%**  
**Conviction Percentage**

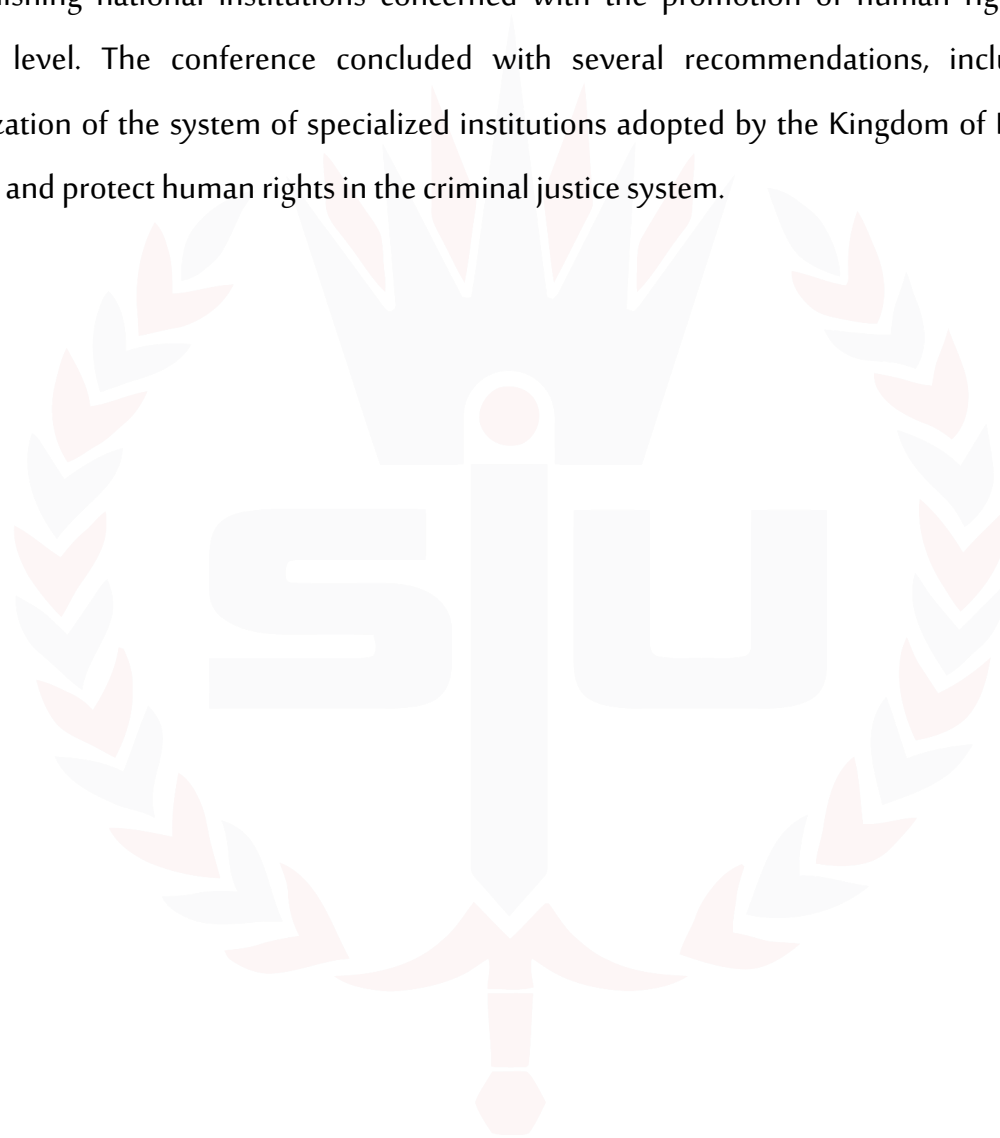
## Section 4

# Training and Capacity Development

In view of the importance of training in upgrading the criminal justice system, SIU has been keen from the beginning on developing the capacities of investigators and providing them with the necessary expertise by reviewing the successful experiences of counterpart agencies in many countries. In addition, participating in scientific and practical seminars and meeting with international experts in the fields of human rights and investigation in similar allegations. This has been done through activating SIU's partnerships with national and international bodies, which resulted in holding 20 training and educational programs and events during the previous years. One of the most notable events was the international conference organized by SIU in cooperation with UN Development Program under the title (The Effective Role of National Bodies and Mechanisms in the Protection and Promotion of Human Rights), which is the first of its kind in the field of human rights protection in the criminal justice system. Participants included judges, members of the Public Prosecution Office, international experts in law and human rights from the United Kingdom, Italy, and Spain, heads and representatives of institutions and concerned authorities in Bahrain, and members of the judicial authorities in the GCC countries. The conference reviewed the legislative and institutional efforts of the Kingdom of Bahrain in protecting human rights, the role of monitoring institutions in enhancing protection and the impact of this on the criminal justice system, as well as international experiences in this field.

The participants in the conference praised the efforts of the Kingdom of Bahrain in protecting human rights, which are expressed in its Constitution and reflected in its legislation in accordance with international covenants, as well as the results achieved by its institutions in this regard. The participants in the conference unanimously agreed to generalize the experience of Bahraini national human rights mechanisms in the criminal justice system, and to enhance integration between national human rights bodies in the criminal justice system through constant communication between them, and the exchange of experiences in the field of investigation and documentation of crimes of torture or ill-treatment. The UN Resident Coordinator also stressed that Bahrain was a pioneer in implementing international conventions, and this has been

represented in its establishment of independent bodies, including SIU, which is a unique experience regionally and internationally. The Resident Representative of the UN Development Program also praised the efforts of the Kingdom of Bahrain in the field of human rights protection and the development of SIU. In addition, he called for the dissemination of Bahrain's experience in establishing national institutions concerned with the promotion of human rights at the regional level. The conference concluded with several recommendations, including the generalization of the system of specialized institutions adopted by the Kingdom of Bahrain to promote and protect human rights in the criminal justice system.



During 2021, SIU held five training programs, as follows:

**March 1:** A virtual lecture on SIU establishment and jurisdictions and the international standards followed in its work in cooperation with the Legislation and Legal Opinion Commission.



**March 9-10:** A virtual workshop on the principles of independent investigation, presented by experts from the Independent Office for Police Conduct in the UK, a joint organization between SIU and the Ombudsman, in cooperation with the British Embassy in the Kingdom of Bahrain, and the UN Development Program.



**August 31:** A virtual lecture on SIU establishment and jurisdictions and the international standards followed in its work for members of the Shura Council.



**October 7:** A virtual lecture on SIU establishment and jurisdictions and the international standards followed in its work for members of the Council of Representatives.

**November 28:** An interactive workshop on independent investigation mechanisms, a joint organization between SIU and the Ombudsman, was held over a week, starting from November 28, at Judicial and Legal Studies Institute, in cooperation with the British Embassy in Bahrain and the UN Development Program, attended by members from the organizing parties and from the Internal Audit and Investigations Department at the Ministry of Interior.

