

**Innocent father on  
Bahrain's death row  
'confessed' under torture**

**State-owned  
Belfast company complicit  
in abuse cover-up**

**Northern Irish  
government turning  
a blind eye**

# BELFAST TO BAHRAIN: THE TORTURE TRAIL

NI·CO

## 7. Human Rights:

(Please provide background of host country and any Human Rights issues)

**Serious Human Rights Concerns – None**

**Human Rights Record** – In early 2011, Bahrain looked like the first Gulf state to experience dramatic regime change at the hands of the Arab Spring. Crowds of thousands poured onto the streets, demanding reform and then the downfall of the ruling family. There were clashes with the security forces, deaths, funerals, human rights abuses. Following this a comprehensive investigation was carried out by an international commission headed by respected lawyers from outside Bahrain. But today, only partly due to the conflicts elsewhere in the Arab world, Bahrain is rarely in the news. It is largely peaceful.

Throughout recent years the government of Bahrain has continued to take incremental steps to



# Belfast to Bahrain: the torture trail

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Reprieve's investigation into the work of NI-CO, September 2016

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Reprieve is a small organisation of courageous and committed human rights defenders. Founded in 1999 by British human rights lawyer Clive Stafford Smith, we provide free legal and investigative support to some of the world's most vulnerable people: British, European and other nationals facing execution, and those victimised by states' abusive counter-terror policies – rendition, torture, extrajudicial imprisonment and extrajudicial killing.

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## Executive summary

- A state-owned Belfast business has trained forces in Bahrain that use torture to secure death sentences, Reprieve has found.
- Northern Ireland Co-operation Overseas Ltd, or NI-CO, has worked with Bahrain's police, prison guards and ombudsman's office for years.
- The company trains Bahrain's Interior Ministry Ombudsman, a watchdog which knowingly refused for more than two years to investigate complaints regarding the torture of Mohamed Ramadan—a father-of-three on death row who was tortured into making a false confession.
- After being caught out for ignoring these torture complaints, the Ombudsman said it would begin an investigation. Instead, it has bullied and intimidated Mr Ramadan's wife and flouted international minimum standards for torture inquiries at every turn.
- NI-CO is embedded in Bahrain's internal security apparatus: a victim could be abused by NI-CO trained police, tortured in prison by NI-CO trained guards, and then have their torture allegation investigated and dismissed by the NI-CO trained ombudsman.
- In 2015-16, the UK Foreign Office awarded NI-CO over £900,000 out of a £2 million aid package to promote purported human rights reform in the Gulf kingdom, which is a close British ally.
- The move came after Bahrain, a small island off the coast of Saudi Arabia, was rocked by pro-democracy protests against the ruling monarchy in 2011. The uprising was brutally repressed with mass arrests, systematic torture and death sentences.
- NI-CO has refused to meet with Reprieve. This investigation outlines Reprieve's concerns about NI-CO's work with Bahrain and in other countries, such as Egypt, where Irish student Ibrahim Halawa faces a potential death sentence after he was swept up in a mass arrest aged just 17.
- Ministers in Northern Ireland have urgent questions to answer about the company's activities and the lack of oversight Stormont exercises over NI-CO. The company has trained forces who are accused of torturing people to confess to charges that carry the death penalty, as well as supporting institutions that have failed to investigate the abuse.

## **Bahrain in revolt**

Following the Bahraini government's brutal response to pro-democracy protests in 2011, the government commissioned a report on human rights issues in the country—the Bahrain Independent Commission of Inquiry.

The Inquiry made a number of recommendations, which the Bahraini government now claims to have fully implemented. However, the human rights situation in Bahrain remains abysmal. Seven innocent men are on death row after 'confessing' under torture. Torture is systematic within police stations and prisons, and arbitrary detention is a fact of life. Demonstrations continue sporadically, and are invariably met with force by Bahrain's police and military.

In June 2016, the government suddenly stepped up its repression and dissolved Bahrain's largest political party. This was met with near universal condemnation, including from the US State Department and the UK Foreign & Commonwealth Office (FCO). Five years after the initial pro-democracy uprising, and the regime's admission that its crackdown should never be repeated, little has changed in Bahrain.

## **What is NI-CO?**

NI-CO is a state-owned company based in Belfast's city centre.<sup>1</sup> It offers a diverse array of consultancy services around the world, from health care to consumer protection, riot control training and prison reform.

NI-CO says it is "dedicated to the pursuit of building efficient, accountable and sustainable public sector institutions". The company's accounts show that it had an income of nearly £10 million in 2015, making it a "successful year".<sup>2</sup> NI-CO is owned by Invest Northern Ireland, Stormont's regional business development agency. Invest NI is part of the Department for the Economy, which is overseen by minister Simon Hamilton MLA.

Although firmly grounded in Northern Ireland, NI-CO is deeply involved with Bahrain's notorious Interior Ministry. Over the last few years, the company has worked with Bahrain's Ombudsman's Office, Special Investigations Unit (SIU), prisons, police and youth justice system. In 2015, NI-CO received over £900,000 (almost 10% of its total income) from the FCO for this work with Bahrain.<sup>3</sup>

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<sup>1</sup> NI-CO website <http://www.nico.org.uk/> NI-CO's board of directors includes Colin Sullivan who is a civil servant at Northern Ireland's Department of Finance.

<sup>2</sup> Company's House, <https://beta.companieshouse.gov.uk/company/NI026211/filing-history/MzE0MDE4NTgzNWFKaXF6a2N4/document?format=pdf&download=0>

<sup>3</sup> UK Foreign Office response to freedom of information request by Bahrain Institute for Rights and Development, 24 August 2016. The exact figure was £904,149.79 for FY2015/16

## NI-CO supports torture watchdog that failed Bahrain death row inmate

Mohammed Ramadan was tortured into 'confessing' to an attack on police officers in the wake of anti-government protests in 2014 and could be executed at any moment, having exhausted all legal appeals.

Mohammed was arrested after demonstrations took place in Bahrain to mark the third anniversary of the 'Arab Spring' protests in the country. The protests coincided with a bomb attack in the village of al Dair, which injured two police officers, one of whom subsequently died. Despite a total lack of evidence pointing to his involvement in the crime, Mohammed was subjected to extensive torture until he was made to sign a 'confession' to being involved in the attack. No evidence aside from forced confessions and the testimony of police officers was produced in court to link him to the attack.



Mohammed Ramadan's son visiting him on death row in Bahrain (Credit: @zainabmohamed55)

Before his detention, Mohammed worked as a police officer in Bahrain's airport. He is married with three young children. His wife, Zainab, is campaigning for his release and runs a twitter account about her ordeal, where she posts moving videos of her children talking about their father, and photos of them visiting him in prison.

NI-CO supports Bahrain's torture watchdog, the Ombudsman's Office, which is responsible for investigating allegations of police brutality or abuse in custody. Zainab submitted a complaint to the Ombudsman describing his mistreatment in custody and his lack of medical treatment, and at least one NGO acting on Mohammed's behalf submitted a complaint describing his torture in great detail. Both of these complaints were submitted more than two years ago.

Following his arrest, Mohammed was beaten brutally for days on end and tortured into falsely confessing to involvement in the bombing. He was beaten with fists, boots, and belts, left handcuffed for extended periods of time, and made to listen to the sounds of other prisoners being tortured. His captors even brought him to a pro-government march where protesters chanted for the execution of Bahrain's political opposition. Thereafter, Mohammed was sentenced to death in a trial that relied almost solely on the coerced confessions of him and a co-defendant. He has now exhausted all legal appeals and faces imminent execution.

The quality of the Ombudsman's work in this case has thus been a matter of life and death. There is a strong chance that an independent investigation would have found that Mohammed was tortured and thus that he did not receive a fair trial. Last year, five UN human rights experts, including the Special Rapporteur on Torture, expressed serious concerns that Mohammed had confessed under duress. As such, had the Ombudsman upheld Mohammed's torture complaint, it could pave the way for his death sentence to be overturned.

Shockingly, despite receiving detailed complaints about Mohammed's torture, the Ombudsman

failed to initiate a single investigation into his torture for nearly two years.<sup>4</sup> It also repeatedly lied to the UK Foreign Office by claiming it never received any torture complaints.<sup>5</sup>

The Ombudsman eventually admitted to the FCO that it did actually receive a torture complaint in Mohammed's case over *two years ago* but claimed it had failed to read the complaint in its email inbox, and so never launched that investigation.

By the summer of 2016, the Ombudsman had finally opened an investigation following intense pressure from human rights groups. However, after engaging with this inquiry, Reprieve and partner organisations have found that the investigation has continually breached international law governing torture inquiries. For example, the Ombudsman refused to allow Mohammed the presence of his lawyer when interviewing him and has repeatedly ignored offers of independent medical expertise. Then, instead of interviewing Mohammed's wife and allowing her the chance to contribute meaningfully to the investigation, the Ombudsman proceeded to interrogate her for several hours over why she submitted a complaint, and asked why she was working with foreign NGOs. It has also refused to share any details of its investigation with the victims. All of this violates basic international law on torture investigations.

NI-CO must take some responsibility for the Ombudsman's behavior. NI-CO's contract with the Ombudsman has been renewed several times. A pair of NI-CO "experts" visited Bahrain over the course of two and half years to support the Ombudsman "put in place an independent complaint system and staff training."<sup>6</sup>

Even though the Ombudsman's failures could see an innocent man executed, internal NI-CO board papers reveal that the company is proud of the Ombudsman's work and wanted to use it as a PR opportunity. Minutes show that: "NI-CO has been providing technical assistance to Mr Nawaf's Ombudsman's office since September 2013. [Redacted] suggested using this in marketing opportunities and that a short article should be put on the NI-CO website. This was agreed."

#### **RECORD NUMBER 17-21: NI-CO BOARD PAPERS - MARCH 2015**

**NI-CO Board Meeting, Landmark House, 5 Cromac Quay Belfast, 2.30pm, 15 December**

##### **Minutes**

GMCC gave an overview of the 2014 Chaillot Prize being awarded to HE Mr Nawaf Al-Maawdah. NI-CO has been providing technical assistance to Mr Nawaf's Ombudsman's Office since Sept-13. [Redacted] suggested using this in marketing opportunities and that a short article should be put on the NI-CO website. This was agreed.

##### **NI-CO New Business Secured to 31 March 2015**

Costs Centre	Title of Project	Total Value 000s
399	Bahrain - Prison Reform	[Redacted]
398	Bahrain - Youth Justice	[Redacted]

##### **NI-CO - Secured Order Book at 30 November 2014**

Project	Project	Start Date	Finish Date	Currency	Value to NI-CO	GBP Secured Turnover	Awarding Body
386	Bahrain Ombudsman Office	[Redacted]	[Redacted]	GBP	[Redacted]	[Redacted]	FCO
395	Bahrain Community Policing	[Redacted]	[Redacted]	GBP	[Redacted]	[Redacted]	FCO
398	Bahrain Youth Justice	[Redacted]	[Redacted]	GBP	[Redacted]	[Redacted]	FCO
399	Bahrain Prison Reform	[Redacted]	[Redacted]	GBP	[Redacted]	[Redacted]	FCO

<sup>4</sup> <https://www.theguardian.com/world/2016/jul/16/bahrain-torture-foreign-office-criticised>

<sup>5</sup> [https://www.buzzfeed.com/alanwhite/foreign-office-accused-of-covering-up-bahrain-torture-allega?utm\\_term=.ldYjlqPwrD#.qt5Agg7DdX](https://www.buzzfeed.com/alanwhite/foreign-office-accused-of-covering-up-bahrain-torture-allega?utm_term=.ldYjlqPwrD#.qt5Agg7DdX)

<sup>6</sup> NI-CO response to a freedom of information request by Reprieve, 6 September 2016

On top of the Ombudsman's failures in the case of Mohammed Ramadan, there is a wider issue in that the Ombudsman is inherently not independent. Its enabling legislation vests Bahrain's Interior Minister, whose ministry the Ombudsman is meant to investigate, with great power to appoint and dismiss the Ombudsman and his staff. Moreover, the Ombudsman's budget is a line item within the larger budget of the Ministry of Interior. As such, the Ombudsman's office is fundamentally not independent from the body it is investigating. This weakens its ability to hold the Ministry of Interior to account. NI-CO's ongoing support for such a flawed watchdog risks helping the regime whitewash its human rights record, as it allows Bahrain to claim that its UK-backed ombudsman has found little evidence of torture.

Mohammed Ramadan's case has not stopped NI-CO from taking on more work in Bahrain. NI-CO's latest project there is with the Public Prosecutor's Special Investigations Unit (SIU), another institution that was created in the aftermath of the 2011 protests.

NI-CO started a contract to work with the SIU in at least March 2015, if not earlier. The SIU is tasked with criminal investigations and prosecutions of officials who the Ombudsman believes were involved in the torture or abuse of detainees. This latest contract means that NI-CO is now even more entrenched in every level of the Interior Ministry.

According to Human Rights Watch, the Ombudsman referred 138 cases to the SIU from July 2013 to June 2016. However the SIU has only successfully prosecuted one torture case, which the Ombudsman's second annual report characterized as "a vicious assault" on a detainee "in an attempt to force him to confess to drug dealing."<sup>7</sup> The SIU also investigated the death of a prisoner at Jau Prison in 2014. The deceased, who had received contraband, was tortured and assaulted by two prison staff and then left in solitary confinement where he died from his injuries. Three other officers at Jau Prison witnessed the torture and did not challenge their colleagues. Charges were brought but the harshest sentence imposed was only five years.<sup>8</sup>

NI-CO's project with the SIU involves setting up a "Victims & Witness Care Unit" (VWCU). This appears to be modeled on Northern Ireland's own VWCU, which is part of the Public Prosecution Service. In Northern Ireland, this unit is meant to keep victims informed of how their cases are progressing. Two senior Bahraini SIU managers visited Northern Ireland in January 2016 to meet officials and discuss how the model worked.<sup>9</sup>

Liaising with victims and witnesses of police abuse, in the case of Bahrain, is clearly a very sensitive role and, given the Ombudsman's conduct, Reprieve is deeply concerned that NI-CO's involvement with the SIU poses similar risks.

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<sup>7</sup> <https://www.hrw.org/news/2016/06/13/bahrain-lagging-efforts-end-torture>

<sup>8</sup> Bahrain's Prisoners and Detainee Rights Commission, *Report on the unannounced Visit to the Jau Rehabilitation & Reformation Center (JRRC)*, 15- 22 November 2015, page 12 [http://www.pdrc.bh/mcms-store/pdf/75846ed3-8c59-4daf-a7b6-c4111f45a6b9\\_Jau-English-Final.pdf](http://www.pdrc.bh/mcms-store/pdf/75846ed3-8c59-4daf-a7b6-c4111f45a6b9_Jau-English-Final.pdf)

<sup>9</sup> NI-CO response to Reprieve Freedom of Information request, 6 September 2016.

## NI-CO staff worked at Bahrain's death row

NI-CO's work with Bahrain does not stop at supporting the Ombudsman's office and the SIU. Reprieve has found that NI-CO staff worked inside Bahrain's most notorious jails, including Jau Prison, where Mohammed Ramadan and other death row inmates are held.<sup>10</sup> This means that NI-CO has trained both prison guards *and* the guardians who are meant to investigate the guards (institutions such as the Ombudsman and SIU). This raises serious concerns about potential conflicts of interest.

NI-CO's contract with Bahrain's prisons started around March 2015. That same month, some prisoners at Jau staged a major protest in response to extremely poor conditions inside the prison. This demonstration was followed by a campaign of reprisals characterised by systematic torture.<sup>11</sup>

Since 2015, 13 NI-CO trainers have worked with Bahraini prison staff, providing training "in relation to the management and operational aspects" of prisons.<sup>12</sup> NI-CO has worked at Jau, Hidd, Dry Dock and Isa Town Woman's prison from early 2015 to February 2016.

An official report on Jau prison ('JRRC') suggests that 400 guards had passed through NI-CO's training program:

"In 2014, under support being provided by the government of the United Kingdom, MOI [Ministry of Interior] obtained the assistance of Northern Ireland Co-operation Overseas (NICO) to implement a prison guard training program including protocols for receiving new prisoners, implementing and maintaining a prisoner complaint system, special training in the handling of vulnerable prisoners and 'Train the Trainer' courses. Guards are now given special training in areas such as how to handle prisoners who may be a danger to themselves or to others. The prisoner guard program, which began in March 2015 at the Royal Police Academy, has trained approximately 400 JRRC personnel and classes are ongoing. The Ministry has also requested additional NICO training covering the use of force."<sup>13</sup>

However, the company refused to provide further details in response to an FOI request, relying on international relations and commercial confidentiality exemptions. This lack of transparency is concerning because these prisons have been the sites of systematic torture.<sup>14</sup> Infamously, Isa Town women's prison, where treatment is said to be especially poor, has held some detainees imprisoned for the offence of tearing up a picture of Bahrain's King.<sup>15</sup>

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<sup>10</sup> NI-CO's work at Jau was confirmed via Freedom of Information request response from NI-CO on 18 July 2016.

<sup>11</sup> <http://birdbh.org/2015/06/inside-jau-report-finds-rampant-torture-and-abuse-inside-bahrains-political-prison/>

<sup>12</sup> NI-CO internal review of Reprieve Freedom of Information request, 6 September 2016

<sup>13</sup> Prisoners and Detainees Rights Commission, *Report on the unannounced Visit to the Jau Rehabilitation & Reformation Center (JRRC)*, page 50 [http://www.pdrc.bh/mcms-store/pdf/75846ed3-8c59-4daf-a7b6-c4111f45a6b9\\_Jau-English-Final.pdf](http://www.pdrc.bh/mcms-store/pdf/75846ed3-8c59-4daf-a7b6-c4111f45a6b9_Jau-English-Final.pdf)

<sup>14</sup> <http://www.adhrb.org/2016/06/9905/>

<sup>15</sup> <https://www.frontlinedefenders.org/en/case/case-history-zainab-al-khawaja>



## **Bahraini jail guards visited Maghaberry**

Although the work of NI-CO staff in Bahrain's prisons is shrouded in secrecy, we know much more about visits made by senior Bahraini jail guards to Northern Ireland's worst jail.

In May 2015 and January 2016, NI-CO showed Bahraini prison chiefs around Maghaberry, the high-security establishment.<sup>16</sup> The visits were coordinated with Northern Ireland's Department of Justice, which disclosed scores of emails about the tours, shining a rare light on NI-CO's work.

Control and restraint training, incident management and drug detection were all on NI-CO's agenda for the 2016 visit. The itinerary also referred to security arrangements for "separated prisoners" - prison service jargon for paramilitary inmates.

An earlier message from NI-CO to the justice department said, "The prisons project in Bahrain continues to gather speed and our working relationships are beginning to flourish." Northern Ireland prison officers were "very cordial, empathetic and open in all their discussions" with their guests from Bahrain, who included three prison directors and operational staff led by a Major.

"The feedback from our Bahraini colleagues was very positive and the group stated that your team made them feel very welcome," NI-CO told Maghaberry's governor after a three day visit to the jail in January 2016. "They have certainly gained a lot of information and ideas that they can take back to their own country to put into practice."

Another email from NI-CO said, "One of the proposals we have discussed with the UK Embassy [in Bahrain] was the real success of the study visits to Northern Ireland. It was felt that the situation here in NI mirrors closely with that in Bahrain."

It is not clear what parallel they were trying to draw. However, Bahrain has a long shared history with the UK. For nearly three decades after its independence in 1971, Bahrain's secret police were run by a former British colonial officer, Ian Henderson. Henderson helped keep the monarchy on the throne in the face of massive popular unrest. He oversaw a regime of torture which earned him the nickname "the butcher of Bahrain."<sup>17</sup> Many of the abuses that Bahrain's security forces perpetrate today and that NI-CO is ostensibly trying to eliminate can be traced back to Henderson's tenure.<sup>18</sup>

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<sup>16</sup> <http://www.irishnews.com/news/2016/05/23/news/bahrain-prison-officials-made-visits-to-crisis-hit-maghaberry-jail-528697/> In 2015, the chief inspector of prisons in England and Wales described Maghaberry as the "most dangerous prison" he had ever visited, and said that Charles Dickens could write about Maghaberry "without batting an eyelid".

<sup>17</sup> BBC, Adam Curtis, 11 May 2012, "If you take my advice - I'd repress them" <http://www.bbc.co.uk/blogs/adamcurtis/entries/a317e502-5bb9-39b4-9f7e-94f91e6365c4> See second half of article for material on Henderson

<sup>18</sup> Henderson was a contemporary of Frank Kitson in Kenya and used many of the same controversial counter-insurgency techniques – see Telegraph obituary <http://www.telegraph.co.uk/news/obituaries/10011292/Ian-Henderson.html>

## **‘Community policing’ and youth justice in Bahrain**

NI-CO has trained Bahrain’s police, whilst claiming that there are ‘no serious human rights concerns’. Documents show that a community policing project started around April 2014. NI-CO also secured a ‘Command and Control’ project with Bahrain’s Ministry of Interior in 2015 to “share Northern Ireland’s experiences with command and control”, although NI-CO claims that work never started because “the FCO decided to prioritise other areas”.<sup>19</sup>

Some communities in Bahrain hold almost nightly protests which frequently end with police firing tear gas. Many of the protestors in Bahrain are teenagers, and they are swept up by the police on a regular basis. Children as young as 13 have been arrested and tortured following protests.<sup>20</sup> NI-CO is also involved with Bahrain’s youth justice system.

In response to a freedom of information request, NI-CO said that one police expert made a short term visit to Bahrain in February 2015 and met with representatives of the Interior Ministry and Bahrain’s neighborhood policing unit to discuss “their day-to-day work with communities across the country”. A delegation of 12 Bahraini police officers visited Northern Ireland in March 2015 to discuss community policing. “The delegates were hosted by current and recently retired public officials to discuss and learn how Irish community leaders, activists and politicians who have transformed Northern Ireland’s community relations, particularly in divided areas throughout parts of Belfast.”<sup>21</sup>



In August 2015, Bahrain's Minister of Social Development Faeqa bint Saeed Al Saleh paid a study visit to Northern Ireland’s Woodlands Juvenile Justice Centre. She was accompanied by former Youth Justice Agency Chief Executive Paula Jack, who was NI-CO project leader for this initiative. The delegation also met with the then Justice Minister, David Ford, at Stormont.<sup>22</sup> (The Department of Justice said recently that another visit for Bahraini officials to juvenile justice centres in Northern Ireland was planned for June 2016.)

In September 2015, NI-CO finished a ‘train the trainers course’ with Bahrain’s Royal Academy of Police, meaning that police instructors in Bahrain have now gone through a NI-CO scheme. Also that month, NI-CO made a request for a Police Service of Northern Ireland officer to visit Bahrain to support youth justice reform in detention. The proposal form said that:

“Following a comprehensive review of the Youth Justice system in 2014/15 by NI-CO, this project is designed to develop and strengthen capacity within Bahrain Youth Justice System to improve processes and procedures from arrest through to detention, taking

<sup>19</sup> NI-CO response to Reprieve freedom of information request 6 September 2016

<sup>20</sup> <https://www.amnesty.org.uk/press-releases/bahrain-children-young-13-being-detained-and-tortured-routine-basis-new-briefing>

<sup>21</sup> NI-CO internal review of Reprieve freedom of information request, 6 September 2016

<sup>22</sup> <https://www.justice-ni.gov.uk/news/bahraini-minister-social-development-visits-woodlands-juvenile-justice-centre>

into account prevention and rehabilitation.”<sup>23</sup>

The PSNI officer was meant to focus in particular on “street crime and public order offences” involving young people. Sending PSNI officers abroad requires permission from the Northern Ireland Policing Board. NI-CO made an application, which claimed there were no serious human rights concerns, and described Bahrain as “largely peaceful”.

(Please provide background of host country and any Human Rights issues)
<b>Serious Human Rights Concerns – None</b>

The Board felt otherwise, and deferred making a decision until NI-CO provided further details. Instead NI-CO withdrew the proposal. However, NI-CO could still decide to send its own staff to Bahrain to provide advice on policing, cutting the Board out of the loop, as it has done in the past.

Police training is a major component of NI-CO’s work with other countries, including states with appalling human rights records. For example, NI-CO provided riot control training to Oman, Qatar and Burma, all countries where freedom of assembly is heavily curtailed if not banned outright.

In March 2015, NI-CO was “delighted” to welcome Oman’s police chief to Northern Ireland. The delegation had a tour of the PSNI’s Ballykinlar training village to “review a demonstration of the tactical firearms units, close protection scenarios and public order demonstrations”.<sup>24</sup> Oman is an absolute monarchy, and its Sultan is the longest serving ruler in the Middle East. He has been on the throne since 1970, and outlaws protests. NI-CO has also provided senior command and public order training to Qatar’s Interior Ministry, another Gulf monarchy with a poor human rights record, particularly on its treatment of migrant workers.



PSNI with Omani police (Photo from NI-CO website)

NI-CO’s project with the PSNI in Burma was condemned by Amnesty International, when Burmese police attacked monks at a protest.<sup>25</sup> Burmese officers also visited Derry as part of an

<sup>23</sup> Section 8 Police (NI) Act 2000 referral form, “25 September 2015 – 9 October 2015, Bahrain”, disclosed by Northern Ireland Policing Board under FOI

<sup>24</sup> <http://www.nico.org.uk/ni-co-welcomes-his-excellency-inspector-general-hassan-al-shereqi-to-belfast/>

<sup>25</sup> <http://www.belfastlive.co.uk/news/amnesty-international-calls-psni-suspend-8814807>



exchange.<sup>26</sup> However the former PSNI officer working in Burma told Channel 4 News “We need to do more. To leave them on their own would not serve any purpose whatsoever.”<sup>27</sup> NI-CO posted video footage on their website of the training in Burma, which included scenes of riot control drills.<sup>28</sup>

## Youth Justice in Egypt

NI-CO’s role elsewhere in the world also warrants closer attention, particularly in Egypt where Irish citizen Ibrahim Halawa (pictured) was arrested as a juvenile and faces a potential death sentence.



Since March 2015, the company has been involved in a €9 million EU project with Egypt’s Ministry of Justice called Support to the Modernization of the Administration of Justice (SMAJ), including for juveniles, which is scheduled to run until 2019.<sup>29</sup> NI-CO is part of a consortium led by a French-state justice body JCI, along with partners from Spain and Italy. NI-CO’s website said:

“Objectives of the project will include enhancing the capacity of the Egyptian Ministry of Justice and court professionals to provide a high quality, effective and efficient service and modernisation of the procedural aspects of court systems.”

The SMAJ project has involved a workshop with 98 judges from Egypt’s Court of Cassation, the highest court in Egypt.<sup>30</sup>

All death penalty cases have to be appealed to this court, and they make a final decision on the sentence and this marks the end of legal proceedings. The SMAJ project is also looking at “reducing case backlog”.

Egypt, like Bahrain, has drawn heavy international censure for its widespread human rights abuses and suspension of the democratic process. Statistics compiled by Reprieve have revealed that since President Sisi took power in mid-2013, Egyptian courts have handed down nearly 2,000 death sentences. Many of these death sentences have emanated from mass arrests and subsequent mass trials, in which courts try hundreds of defendants at once and sentence them to death *en masse*.

Swept up in one of these mass arrests was 17 year old Irish student Ibrahim Halawa, who was on holiday with his family. After attending a pro-democracy rally in 2013, Ibrahim was arrested along with hundreds of others and charged with offenses he had no connection with, but for

<sup>26</sup> [www.derrynow.com/news/senior-burmese-police-on-fact-finding-visit-to-derry/9031](http://www.derrynow.com/news/senior-burmese-police-on-fact-finding-visit-to-derry/9031)

<sup>27</sup> <http://www.channel4.com/news/burmese-cops-take-lessons-from-uk-on-community-policing>

<sup>28</sup> <http://www.nico.org.uk/community-policing-myanmar-eu-training-continues/>

<sup>29</sup> JCI website, accessed 14 September 2016 <http://www.gip-jci-justice.fr/en/projects/maghrebmachrek/near-east/> SMAJ website under construction <http://smaj.eu/>

<sup>30</sup> European Union delegation to Egypt press release, *European Union supports the Modernization of the Administration of Justice (SMAJ) in Egypt*, 7 May 2016 [http://www.eeas.europa.eu/archives/delegations/egypt/press\\_corner/all\\_news/news/2016/20160507\\_en.pdf](http://www.eeas.europa.eu/archives/delegations/egypt/press_corner/all_news/news/2016/20160507_en.pdf)

which he could receive a death sentence. Ibrahim has now been detained for over three years. His mass trial, in which he is being tried alongside 493 co-defendants, has dragged on for more than two years, enduring fourteen separate postponements, with no end in sight. Ibrahim has been tortured and brutalized repeatedly in prison. Reprieve is assisting Ibrahim and his family.

Given Ibrahim's appalling treatment as a juvenile, it is notable that NI-CO's project in Egypt focuses on "improving procedures in the juvenile justice system in line with international commitments and standards." Their press release said that: "Drawing on best practice, the project will help train the judiciary regarding specific issues and the social and psychological needs encountered by children in conflict with the law."<sup>31</sup>

Whilst Egypt's justice system desperately needs reform, questions have to be asked about whether NI-CO's work will have any meaningful impact, or if it just generates money for the company.

In April 2016, NI-CO published a tender document inviting companies to supply 'miscellaneous equipment' to the Amireya Court in Cairo, which has been used for at least one recent mass trial of protestors.<sup>32</sup> Tenders like this clearly warrant further investigation.

### **Holding NI-CO to account**

Reprieve is seriously concerned that NI-CO's projects may have ignored government human rights guidelines. Its status as a company puts its activities in a grey area where government bodies can claim they are not responsible.

Officially, when the UK government takes part in security or justice work abroad that may contribute to human rights abuses, it is required to complete a risk assessment form called an Overseas Justice and Security Assistance form, or 'OSJA'.

The OSJA is intended as the first, last and only line of defence protecting taxpayers from complicity in human rights abuses overseas. Initially conceived after the Arab revolutions of 2011, which saw embarrassing revelations emerge about UK police (including the PSNI) training security forces in Libya and Bahrain<sup>33</sup>, the OSJA was intended to stop policymakers contributing towards torture or the death penalty.

Despite having initially positioned the policy as a public accountability mechanism, the Foreign Office has fought to keep OSJA assessments secret. For example, the FCO claims it has conducted 17 OSJAs for technical assistance projects with Bahrain, however it refused to specify which projects these were for and refused to release the copies of any assessments. As a result, we cannot be certain if NI-CO's projects have gone through the OSJA process, or how rigorous that process was.

Although NI-CO is implementing the FCO's projects in Bahrain, the company claims that "NI-CO was not involved in the OSJA process".<sup>34</sup> The Northern Ireland Prison Service (NIPS) say they

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<sup>31</sup> <http://www.nico.org.uk/egypt-modernisation-of-justice/>

<sup>32</sup> Copy of tender on file at Reprieve. Media report on an Amireya Court mass trial available here: <http://www.egyptindependent.com/news/brotherhood-protesters-sentenced-prison-amiriya-violence>

<sup>33</sup> <https://www.amnesty.org.uk/press-releases/lessons-must-be-learned-psni-training-libyan-police>

<sup>34</sup> NI-CO internal review of Reprieve's freedom of information request, 6<sup>th</sup> September 2016

are not responsible either, telling Reprieve that it did not know how many OSJA forms had been completed before foreign visitors arrived, because “NI-CO organises and liaises with the interested party, NIPS then facilitates the visit”.

Invest NI is NI-CO’s parent entity, and as such should have some responsibility for its subsidiary’s activities. However, when InvestNI disclosed all the information it held about NI-CO’s work with the FCO and Bahrain, there was no reference to OSJAs, suggesting that even if any have been done, Invest NI had not seen them. This raises concerns that the agency could be negligent in its oversight of NI-CO’s work with Bahrain.

When specifically asked if Invest NI had a copy of any OSJAs for NI-CO’s prisons and policing projects, it said “Invest NI would not have sight of the level of project-specific detail you requested, nor would it be required to have it.”<sup>35</sup> It said this despite acknowledging that NI-CO is a “wholly own subsidiary of Invest NI for policy and administrative purposes.”

Invest NI clearly does have some knowledge of NI-CO’s projects. It disclosed a summary of a liaison meeting between Invest NI and NI-CO on 15 April 2014, which said:

“The meeting opened by an overview of NI-CO’s recent activity including potential projects being negotiated in Middle East in states like Oman and Bahrain. Group discussion [Invest NI and NI-CO] on opportunities for collaborative working on current and future projects.”

Invest NI has also disclosed information which shows the agency is regularly briefed on NI-CO’s contracts with the Bahrain Ombudsman, investigations unit, prisons, police and youth justice system, although the level of information held by Invest NI did not extend beyond project name, dates, funder, and contract value (which was redacted).

Therefore, there are serious questions to be asked of Invest NI and the Minister for the Economy (and Justice Minister) about oversight of NI-CO security projects in high risk environments like Bahrain. Do ministers have a ‘don’t ask, don’t tell’ attitude?

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<sup>35</sup> InvestNI response to Reprieve’s Freedom of Information request, 6 July 2016



## Conclusion and recommendations

Reprieve's investigation shows that NI-CO's work with Bahrain deserves urgent scrutiny. Mohammed Ramadan's life may depend on it. Bahrain's use of torture and the death penalty for protestors is highly alarming. From police to prison guards and watchdogs, NI-CO is enmeshed in Bahrain's security apparatus at a time when the country's rulers are embarking on another crackdown. The company's work in other countries with the death penalty, such as Egypt, and its apparent lack of ministerial oversight also warrant closer attention.

Reprieve recommends that **NI-CO** take the following actions in respect of the above:

- Ceases all work in Bahrain's security and justice sectors until the government ratifies the Optional Protocol to the Convention Against Torture and allows the UN special rapporteur on torture to visit Bahrain.
- Provides full disclosure about its liaisons with Bahrain and Egypt – and with any other countries which impose the death penalty or other serious human rights abuses - since 2011, including releasing OSJA assessments and contracts.
- Invites independent, international experts in the field of human rights to evaluate the Ombudsman's investigation into the torture of Mohammed Ramadan and assess whether it complied with international minimum standards. The results of that assessment should then be made public. If the Ombudsman's investigation is found to have not met international standards NI-CO should stop working with the Ombudsman and press the Bahraini authorities to establish a truly independent body to assess torture complaints.

Reprieve also recommends that the:

- **Northern Ireland Executive** adopts a proactive oversight role of NI-CO's international security projects, with particular scrutiny from the **Minister of the Economy and Invest Northern Ireland** to obtain full risk assessments of NI-CO's contract proposals and to make these publicly available.
- **Committee for the Economy** at Stormont launches an inquiry into NI-CO's work with Bahrain and Egypt.
- **Northern Ireland Policing Board** seeks additional powers under Section 8 of the Police (Northern Ireland) Act 2000 so that it has to consider NI-CO proposals for international security and justice projects, in the same way the Board has to consider PSNI proposals for overseas secondments.
- **UK Foreign and Commonwealth Office** provides any assistance that the Northern Ireland Executive requires in order to gain a full picture of NI-CO's work with Bahrain.
- **European Union** provides urgent clarification on how the Support to the Modernization of the Administration of Justice project with Egypt will impact on death penalty prosecutions.