

URGENT ACTION

TWO MEN GIVEN THE DEATH PENALTY IN BAHRAIN

On 31 January, the Fourth High Criminal Court in Bahrain sentenced Ali Mohamed Hakeem al-Arab and Ahmad al-Malali to death, convicting them on charges including “forming and joining a “terrorist” group”. According to information received by Amnesty International, Ali Mohamed Hakeem al-Arab was tortured upon transfer to Jaw prison.

On 31 January 2018, the Fourth High Criminal Court in Manama, Bahrain’s capital, issued its verdict convicting 60 defendants, including 12 in absentia. Two men, **Ali Mohamed Hakeem al-Arab** (Ali al-Arab) and **Ahmad al-Malali**, were sentenced to death, 56 others to prison terms varying between 5 years and life imprisonment, and two men were acquitted. The court also revoked the citizenships of 47 defendants. They were convicted on charges including “forming and joining a “terrorist” group”, “training on the use of weapons and explosives”, “murder and attempted murder of police officers”, and “assisting the escape and hiding of other defendants in the case”. The trial of the 60 defendants began on 22 August 2017. Ali al-Arab’s “confessions”, which he says were obtained under torture, were admitted in court. Their appeal began on 8 March 2018.

According to Amnesty International’s information, following the court’s verdict, Ali al-Arab was transferred to Jaw prison to serve his sentence and placed in solitary confinement for the first week. According to this information, Ali al-Arab may have been tortured daily, between midnight and dawn, for a week, until mid-February. His first family visit took place on 4 March. Ali al-Arab is currently held in a cell measuring one meter by two and a half meters, which he shares with two other inmates.

Please write immediately in English, Arabic or your own language:

- Urging the authorities to quash Ali Mohamed Hakeem al-Arab and Ahmad al-Malali’s conviction and death sentences and to declare a moratorium on all executions, as a first step towards abolition of the death penalty;
- Urging the authorities to order a full re-trial of Ali Mohamed Hakeem al-Arab and Ahmad al-Malali, the proceedings of which must comply with international standards for a fair trial and where no evidence obtained under torture is used, without resort to the death penalty; and to carry out an independent and impartial investigation into their allegations of torture, and bring those responsible to justice;
- Acknowledging the Bahraini government’s responsibility to tackle crime and bring to justice those responsible, but insisting that this should always be done in accordance with international law and Bahrain’s international human rights obligations.

PLEASE SEND APPEALS BEFORE 25 APRIL 2018 TO:

King

Shaikh Hamad bin 'Issa Al Khalifa
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace, al-Manama, Bahrain
Fax: +973 1766 4587

Salutation: Your Majesty

Minister of Interior

Shaikh Rashid bin 'Abdullah Al Khalifa
Ministry of Interior
P.O. Box 13, al-Manama, Bahrain
Fax: +973 1723 2661
Twitter: @moi_Bahrain

Salutation: Your Excellency

And copies to:

Minister of Justice and Islamic Affairs
Shaikh Khalid bin Ali Al Khalifa
Ministry of Justice and Islamic Affairs
P. O. Box 450, al-Manama, Bahrain
Fax: +973 1753 1284
Twitter: @Khaled_Bin_Ali

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 69/17. Further information:

www.amnesty.org/en/documents/mde11/5982/2017/en/

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ADDITIONAL INFORMATION

Ali al-Arab was arrested on 9 February 2017 with his cousin, [Ahmed Mohammad Saleh al-Arab](#), a Bahraini nursing student, who had escaped from Jaw prison with several other prisoners a few days earlier, on 1 January 2017. The escape led to the killing of a policeman. Ahmed Mohammad Saleh al-Arab had been serving numerous prison sentences, which were handed down after unfair trials, including for convictions based on forced "confessions". The Ministry of Interior issued a statement on 9 February 2017, identifying Ali al-Arab as "the main suspect" in the killing of a police officer on 29 January 2017, after being "found to be in possession of two Kalashnikov rifles and three firearms", and for his "involvement in supporting the Jaw Prison escapees", referring to the 1 January 2017 escape of several prisoners - including his cousin, Ahmed Mohammad Saleh al-Arab.

Ali al-Arab was first kept at the Criminal Investigations Directorate (CID) where he alleges he was tortured, including having his toenails pulled off, given electric-shocks, beaten and forced to sign a "confession" while blindfolded. On 7 March 2017, Ali al-Arab was transferred to Dry Dock prison where he was severely beaten on both legs and consequently had difficulty standing. He was transferred to Jaw prison on 31 January 2018, the day he was convicted and sentenced.

On 6 July 2017, the Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment sent a letter to the Bahraini authorities expressing grave concern at the alleged torture and other cruel, inhuman and degrading treatment of Ali Mohamed Hakeem Al-Arab at the Criminal Investigation Directorate and the Dry Dock prison in Bahrain. Torture and other ill-treatment, including prolonged solitary confinement and incommunicado detention and beatings, are absolutely prohibited under international law.

Bahrain is a state party to the International Covenant on Civil and Political Rights, which recognizes the right to life and the right to a fair trial, which includes the right not to be compelled to testify against themselves or to confess guilt. The UN Human Rights Committee has stated that "the imposition of a sentence of death upon conclusion of a trial in which the provisions of the [International] Covenant [on Civil and Political Rights] have not been respected constitutes a violation of article 6 of the Covenant" [right to life]. In its 2012 report, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has underlined that "it is arbitrary to impose the death penalty where the proceedings do not adhere to the highest standards of fair trial."

Amnesty International opposes the death penalty in all cases without exception regardless of the nature or circumstances of the crime; guilt, innocence or other characteristics of the individual; or the method used by the state to carry out the execution. As of today, 106 countries have abolished the death penalty for all crimes and more than two-thirds of the world's countries are abolitionist in law or practice.

Name: Ali Mohamed Hakeem al-Arab and Ahmad al-Malali

Gender m/f: m

Further information on UA: 69/17 Index: MDE 11/8041/2018 Issue Date: 15 March 2018