



## GCC Cases Raised in the HRC 38 Special Procedures Joint Communications Report

### Bahrain:

Complaint	Mandate(s)	Communication Summary and Findings
14 Feb 2018 <b>Bahrain</b> UA <a href="#">BHR 2/2018</a>	<ul style="list-style-type: none"> <li>• arbitrary detention</li> <li>• extrajudicial, summary or arbitrary executions</li> <li>• Independence of judges and lawyer</li> <li>• torture</li> </ul>	<p>Alleged victims: 1</p> <p>Information received concerning the re-sentencing to death of <b>Mr. Maher Abbas Yousef al-Khabbaz</b>, a 28-year-old, following a collective trial that did not meet fair and due process guarantees, in particular the use of confession obtained under torture. The Court of Cassation confirmed the death sentence, without questioning the evidence, in its decision of 29 January 2018. The death sentence issued against Mr. al-Khabbaz is now pending ratification by the King, which can take place at any time, making his execution imminent.</p> <p>“We would like to express our <b>most serious concern</b> about the sentencing to death of <b>Mr. al-Khabbaz</b> following a collective trial that appears to have lacked the most important standards for fair trial and due process guarantees. We are particularly concerned that he was tortured and ill-treated during interrogation, and that his confession obtained under torture appears to have been used in court as the main source of evidence and thus as the main basis for his conviction, even after the Court of Cassation overturned the sentence and ordered a review by the High Court of Appeal.”</p> <p>“In view of the irreversibility of the punishment of the death penalty, <b>we respectfully urge your Excellency’s Government to halt the execution of Mr. Maher al-Khabbaz</b> and to ensure that, if credible evidence exists that he was involved in any criminal offence, he is re-tried according to standards that meet the most stringent criteria of fairness as required by international human rights law. We further recommend that the Government of Bahrain establish an official moratorium on the death penalty, and consider its complete abolition.”</p>
07 Feb 2018 <b>Bahrain</b> UA <a href="#">BHR 1/2018</a>	<ul style="list-style-type: none"> <li>• arbitrary detention</li> <li>• disappearances</li> <li>• executions</li> <li>• freedom of opinion and expression</li> <li>• independence of judges and lawyers</li> <li>• human rights while countering terrorism</li> <li>• torture</li> <li>• freedom of religion</li> </ul>	<p>Alleged victims: 3</p> <p>Information received concerning the <b>sentencing to death of Mohamed AbdulHasan Ahmed Kadhem AlMutaghawi, Fadhel Sayed Abbas Hassan Radhi and Sayed Alawi Husain Alawi Husain</b> along with three other individuals. Alleged breaches include enforced disappearance, torture to extract confessions and denial of access to legal representation until the late stages of the trial.</p> <p>“[W]e express <b>grave concern</b> that Mohamed Abdul Hasan Ahmed Kadhem AlMutaghawi, Fadhel Sayed Abbas Hassan Radhi and Sayed Alawi Husain Alawi Husain, and three other co-</p>

defendants, were **sentenced to death** for offences that do not seem to meet the threshold of “most serious crime” as required by international law for crimes carrying the capital punishment; that they were tried and sentenced in a collective trial involving 18 persons; that they were **tried by a military court** whereas they are civilians; and that their trial does not seem to have met fair trial and due process guarantees provided for by international human rights law.”

“[W]e respectfully urge your Excellency’s Government **to halt the executions of Messrs. Mohamed AbdulHasan AlMutaghawi, Fadhel Radhi and Sayed Alawi Husain as well as of the three other men sentenced to death** in the same trial, and to ensure that, if credible evidence exists that they were involved in serious offences, they be retried by a civilian tribunal providing fair trial and due process guarantees as required under international human rights law.”

19 Dec 2017  
**Bahrain**  
AL  
[BHR 13/2017](#)

- Freedom of opinion and expression
- human rights defenders
- discrimination against women

Alleged victims: 1

Information received concerning allegations of ongoing travel restrictions, in the form of a travel ban, imposed on human rights defender, **Ms. Nedal Al-Salman**.

“**Serious concern** is expressed at the ongoing travel ban imposed against **Ms. AlSalman**. The imposition of the travel ban seems to be closely related to her work as woman human rights defender and produces an unavoidable detrimental impact on her human rights activities, including those that require travelling abroad. Of additional **deep concern** is the fact that this ongoing travel ban may constitute an act of reprisal against Ms. Al-Salman for her efforts seeking to cooperate and share information with international organizations.”

1 Dec 2017  
**Bahrain**  
UA  
[BHR 12/2017](#)

- Arbitrary detention
- Extrajudicial, summary or arbitrary executions
- Health
- Religion

Alleged victim: 1

Information received concerning serious deterioration in health of **Ayatollah Sheikh Isa Qassim** and restrictions on his access to medical care to the point that his life is endangered, and his continuing house arrest.

“[W]e express **grave concern** at the deterioration in **Mr. Qassim’s** health and the limitations on his ability to access medical treatment to the point that his life is endangered. We urge your Excellency’s Government to take all necessary measures to guarantee his right not to be deprived arbitrarily of his liberty and therefore to release **Mr. Qassim** from de facto house arrest and allow him to access necessary medical treatment.”

## Saudi Arabia:

Complaint	Mandate(s)	Communication Summary and Findings
08 Feb 2018 <b>Saudi Arabia</b> UA <a href="#">SAU 1/2018</a>	<ul style="list-style-type: none"><li>• executions</li><li>• arbitrary detention</li><li>• freedom of opinion and expression</li><li>• health</li><li>• independence of judges</li><li>• freedom of religion</li><li>• human rights while countering terrorism</li><li>• torture</li></ul>	<p>Alleged victims: 15</p> <p>Information received concerning the <b>imminent execution of Mr. Abbas Haiji A. Al-Hassan and fourteen other individuals</b>, following trials that do not seem to meet fair trial and due process guarantees, including allegations of confessions obtained under torture, and for charges which do not meet the “most serious crimes” threshold.</p> <p>“[W]e express <b>grave concern</b> Mr. Abbas Haiji A. Al-Hassan and his fourteen co-defendants, were sentenced to death following trials that do not seem to have met fair trial and due process guarantees provided for by international human rights law. Our concerns include allegations that they were detained incommunicado, that they were interrogated and subjected to torture to obtain confessions, that the death sentences may be based on evidence obtained under these conditions, that not all evidence against them was shared with their defence lawyers, and that they were not afforded sufficient time to prepare their defence. We are also concerned that they were sentenced to death for offences that do not seem to meet the threshold of “most serious crime” as required by international law for crimes carrying capital punishment. We are further concerned that Mr. Al-Hasan’s chronic medical condition does not seem to have received adequate medical attention by the prison authorities and for the physical and mental integrity of his fourteen co-defendants.”</p> <p>“[W]e respectfully urge your Excellency’s Government to <b>halt the executions of Mr. Abbas Haiji A. Al-Hassan as well as of the fourteen other men</b> sentenced to death in the same trial, and to ensure that, if credible evidence exists that they were involved in serious offences, they be retired in proceedings which fulfil fair trial and due process guarantees as required under international human rights law.”</p>
22 Dec 2017 <b>Saudi Arabia</b> AL <a href="#">SAU 12/2017</a>	<ul style="list-style-type: none"><li>• arbitrary detention</li><li>• freedom of opinion and expression</li><li>• human rights defenders</li><li>• freedom of religion</li><li>• human rights while countering terrorism</li></ul>	<p>Alleged victims: 19</p> <p>Information received concerning the members of the Saudi Civil and Political Rights Association (ACPRA) and other prominent human rights defenders, religious figures, writers, journalists, academics and other civic activists, whose rights to freedom of expression and peaceful assembly appear to be severely restricted.</p> <p>“We are expressing <b>very serious concern</b> about what appears to be a pattern of widespread and systematic arbitrary arrests and detention of persons, including human rights defenders, for peacefully exercising their legitimate human rights to</p>

freedom of expression, belief, assembly and association based on counter-terrorism and other national or state security legislation. The non-violent criticism of state policies or institutions, including the judiciary, cannot be made a criminal offence in any society governed by the rule of law and abiding by human rights principles and obligations.”

“As a member of the Human Rights Council, **Saudi Arabia has a duty to have an exemplary conduct as it has pledged to commit itself**, when it presented its candidature for membership in the Council. We are calling on your Excellency’s Government to demonstrate its efforts to uphold the highest standards in the promotion and protection of human rights’.”