



Office of His Majesty the King
Shaikh Hamad bin Isa Al Khalifa
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Rifa'a Palace
Bahrain

Bern, 16 June 2019

Call to commute the death sentences of Ali Al-Arab and Ahmed Al-Malali

Your Majesty,

We, the Socialdemocratic Group in Swiss Parliament, urge you to commute the death sentences of Ali Al-Arab and Ahmed Al-Malali, who have exhausted all legal remedies available to them after the Court of Cassation rejected their appeal on 6 May 2019. Our MP's oppose the death penalty in all cases, regardless of who is accused, the crime, their guilt or innocence, or the method of execution. The cases of Mr. Ali Al-Arab and Mr. Ahmed Al-Malali raise additional concerns, however, given the allegations that their confessions were obtained under torture and their right to a fair trial was violated.

According to the information available to us, security forces arrested Al-Arab, 25, and Al-Malali, 24, separately, without a warrant, on 9 February 2017. Al-Arab's family told Human Rights Watch and the Bahrain Institute for Rights and Democracy that during his interrogation, members of the Criminal Investigations Directorate (CID) beat him, used electric shocks on him, and pulled out his toenails, after which they forced him to sign a "confession" while blindfolded.

During Al-Malali's arrest, he was struck by at least two bullets, but UN human rights experts noted that the bullets were not removed until 23 days later. Al-Malali was held incommunicado for around two months at the CID and, according to the experts, was allegedly tortured into signing a "confession" without reading it beforehand.

Despite allegations that Al-Arab and Al-Malali were coerced into confessing, the court relied on these confessions to convict them. On 31 January 2018, both men were sentenced to death in a mass trial with 58 other defendants. To convict them, the court relied on the men's "confessions," which as noted above were obtained under torture, according to credible sources.

In a letter on 21 May 2019, five UN human rights experts appealed to the Government of Bahrain to "halt the imminent executions" of Mr. Al-Arab

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and Mr. Al-Malali, raising “serious concerns that they were coerced into making confessions through torture and did not receive a fair trial.”

The lives of these two young men are in your hands. We call on Your Majesty not to ratify the death sentences imposed on the two men and to ensure they are not executed. We urge you to order a retrial that fully complies with international fair trial standards and excludes evidence obtained under torture, and to carry out an independent and impartial investigation into the men’s claims of torture. We acknowledge the authorities’ duty to prevent crime and bring those responsible to justice, but emphasize that this should always be done in accordance with Bahrain’s national and international human rights obligations.

Bahrain should join the many countries already committed to the UN General Assembly’s 18 December 2007 resolution calling for a moratorium on executions, with the aim of abolishing the death penalty. Therefore, we further urge you to: immediately establish an official moratorium on executions with a view to abolishing capital punishment in Bahrain; commute all outstanding death sentences to terms of imprisonment, and conduct a comprehensive review of Bahrain’s death row, with a view to ensuring that victims of human rights abuses unlawfully sentenced to death receive redress.

Sincerely

SOCIALDEMOCRATIC GROUP IN SWISS PARLIAMENT

MP Roger Nordmann
President