

Shaikh Hamad bin Isa Al Khalifa
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace
Bahrain

Wednesday, the 19th of June 2019

Your Majesty,

We write you to express our serious concern over the recent upholding of the death sentences of two Bahraini men and torture survivors, Ali AlArab and Ahmed Al-Malali on Monday 6th of May 2019. Security forces tortured them both men and they were forced to confess crimes they did not commit, before sentencing them to death in mass trials. We respectfully 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 the 6th of May 2019. The cases of Mr. Ali Al-Arab and Mr. Ahmed Al-Malali raise additional concerns, given the allegations that their confessions were obtained under torture and their right to a fair trial was violated.

According to the given informations, on the 9th February 2017, security forces arrested separately Al-Arab and Al-Malali, whom are respectively 25 and 24 years old, without any warrant. Al-Arab's family told Human Rights Watch, Americans for Democracy and Human Rights in Bahrain (ADHRB) and Bahrain Institute for Rights and Democracy (BIRD) that during his interrogation, members of the Criminal Investigations Directorate (CID) beat him up, they also used electric shocks on him, and pulled out his toenails, after which they forced him to sign a "confession" while blindfolded.

On July 2017, the Working Group on Arbitrary Detention and the Rapporteur on torture expressed concern over AlArab's arbitrary arrest and torture. During Al-Malali's arrest, he was struck by at least two bullets. Un human rights experts noted that the bullets were not removed from his body 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 31st of January 2018, both men were sentenced to death in a mass trial along with 58 other defendants. Al-Malali, Al-Arab and their families were not allowed to attend the hearing, nor did the court allow his lawyer to speak. 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 sent the 21th May 2019, five UN human rights experts appealed to the Government of Bahrain to "halt the imminent executions" of Mr. Al-Arab 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 upon Your Majesty not to ratify the death sentences imposed on the two men and to ensure they will not be executed, and to reinstitute a moratorium on capital punishment. 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. We are deeply concerned about the lack of due process and minimal standards of justice in the current Bahraini judicial process. Bahrain is invited to join the many countries already committed to the 18th of December 2007 UN General Assembly's 18 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 on 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 on ensuring that victims of human rights abuses unlawfully sentenced to death receive redress.

Sincerely,

Deputies :

Bertrand PANCHER

Frédérique DUMAS

Paul-André COLOMBANI

Paul André Colombani
Deputatu di a Puntonte

Sylvain BRIAL

Paul MOLAC

François-Michel LAMBERT

Jean-Félix ACQUAVIVA

Jean-Michel CLEMENT