

URGENT ACTION

COURT OF CASSATION UPHOLDS DEATH SENTENCE

On 29 January, Bahrain's Court of Cassation upheld the death sentence imposed against Maher Abbas Ahmad following a trial which relied on "confessions" extracted under torture. If the King ratifies his sentences, he will be at imminent risk of execution.

The death sentence against **Maher Abbas Ahmad**, also known as Maher al-Khabbaz, was upheld on 29 January by the Court of Cassation in Manama, the capital of Bahrain. It will be passed on to the King for final ratification. On 15 January 2017 three men were executed, six days after the Court of Cassation upheld their sentences.

On 11 May 2017, the High Court of Appeal upheld the death sentence imposed on Maher Abbas Ahmad; the life sentences on two men, including his brother; and the 10 year prison sentences against six others which also included two of his brothers, all involved in the same case. On 1 December 2015, the Court of Cassation had overturned Maher Abbas Ahmad's death sentence on grounds that his "confessions may have been made under coercion" and sent the case back to the High Court of Appeal for review.

Maher Abbas Ahmad was first sentenced to death on 19 February 2014. He was charged with the premeditated murder of a police officer with explosive materials on 14 February 2013 while he attended a gathering in Sahla, on the outskirts of Manama. Maher Abbas Ahmad told his lawyer that he had been tortured during the first few days he was detained, while he was being interrogated. This included being beaten and threatened. During one hearing, he told the judge that he had been tortured, but no investigation is known to have been launched into his allegations. His lawyer complained that the court had accepted his "confession" as the main evidence against him, as well as the statements of some co-defendants who said they had "confessed" under duress, and testimonies of police officers called as witnesses. According to court documents, the judges said they would accept the defendants' "confessions" because they believed the confessions were true and that the defendants had sustained their injuries, detailed in forensic reports, when they resisted arrest.

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

- Urging the King of Bahrain, Shaikh Hamad bin Issa Al Khalifa, to quash the death sentence imposed on Maher Abbas Ahmad, order a full retrial without recourse to the death penalty and where no evidence obtained under torture is used and investigate his allegations of torture;
- Urging the Bahraini government to acknowledge their responsibility to protect the public and bring to justice those who commit crimes, but insisting that this should always be done in accordance with international law and Bahrain's international human rights obligations;
- Urging them to commute all death sentences and declare an official moratorium on executions.

PLEASE SEND APPEALS BEFORE 13 MARCH 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
E-form: <http://www.moj.gov.bh/en/>
Twitter: @Khaled_Bin_Ali

Also send copies to diplomatic representatives accredited to your country. His Excellency Shaikh Fawaz bin Mohammed Al Khalifa, Embassy of the Kingdom of Bahrain, 30 Belgrave Square, London, SW1X 8QB, Tel: 0207 201 9170, Fax 020 7201 9183, Email: information@bahrainembassy.co.uk or through the online contact form at <http://www.bahrainembassy.co.uk/>; Salutation: Your Excellency

Please check with your section office if sending appeals after the above date. This is the second update of UA 252/14. Further information:

www.amnesty.org/en/documents/mde11/6276/2017/en/

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ADDITIONAL INFORMATION

Bahrain resumed executions on 15 January 2017, after a nearly seven-year hiatus. Following a grossly unfair trial, three men, Ali Abdulshaheed al-Sankis, Sami Mirza Mshaima' and Abbas Jamil Taher Mhammad al-Samea, were executed on that day after their death sentences were confirmed by the Court of Cassation on 9 January. The speed at which the King of Bahrain ratified their death sentences and their executions were carried out was unprecedented in the country. Under Bahraini law, once a death sentence has been confirmed by the Court of Cassation the decision is sent to the King of Bahrain. The latter holds the authority to then ratify the sentence, commute it or grant a pardon. Prior to the 15 January executions, the last person executed in Bahrain was Bangladeshi national Jassim Abdulmanan in 2010.

Maher Abbas Ahmad (also Known as Mahez al-Khabbaz) was tried along with eight men which included three of his brothers. He was sentenced to death while two were sentenced to life imprisonment and the other six were sentenced to 10 years' imprisonment.

In May 2014, the Chair Rapporteur of the Working Group on Arbitrary Detentions, the Special rapporteurs on the independence of judges and lawyers, on torture and other cruel inhuman or degrading treatment or punishment and on extrajudicial, summary or arbitrary executions, wrote to the Bahraini authorities in relation to the sentencing of Maher Abbas Ahmad and called for his conviction to be quashed and for his retrial (Please see:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=14852>).

Today, 142 countries have abolished the death penalty in law or practice. The right to life, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment are recognized in the Universal Declaration of Human Rights and other international human rights instruments. Amnesty International opposes the death penalty in all cases without exception. The death penalty is a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

Further information on UA: 252/14 Index: MDE 11/7803/2018 Issue Date: 30 January 2018