

Reply to the urgent joint appeal UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (53-24) BHR 4/2014 dated 15 April 2014 from the Chair-Rapporteur of the Working Group on Arbitrary Detention, the Special Rapporteur on the independence of judges and lawyers, and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, concerning the case of Ahmed al-Arab

The said accused person, Ahmed Saleh al-Arab, was arrested on 9 January 2014 in the light of investigations which found him to be involved, together with others, in the commission of acts of terrorism. On 12 January 2014, he was brought before the Department of Public Prosecutions and questioned on numerous charges, including membership of a terrorist group, procurement and possession of firearms and ammunition, the unlicensed manufacture and possession of explosives for a terrorist purpose, the unlicensed import of firearms and facilitation of the escape of persons in respect of whom arrest warrants had been issued. These are all designated as criminal acts in the Penal Code, in Act No. 58 of 2006 concerning the protection of society from acts of terrorism and in Legislative Decree No. 16 of 1976 concerning explosives, firearms and ammunition.

When the accused underwent a physical examination during his questioning by the Department of Public Prosecutions, he was found to have injuries below his eye and abrasions on his back, on the dorsal surface of his foot and on his wrists. The Department of Public Prosecutions entered this in the record and ordered him to be brought before the forensic medical examiner. During his questioning, the accused affirmed that these injuries had occurred as a result of an endeavour by the police to subdue him at the time of his arrest when he assaulted them in an attempt to escape.

The Department of Public Prosecutions ordered his remand in custody pending investigation, bearing in mind that his detention in connection with other cases had already been ordered, prior to his arrest, under the terms of judicial decisions and judgements.

It should be noted that health care is available to all detainees on an equal footing. The provision of health care begins as soon as the detainee is admitted to the reform and rehabilitation centre, which has a medical clinic that operates round the clock to provide a full range of medical services for all the inmates.

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البعثة الدبلوماسية للمملكة العربية
البحرينية لدى الأمم المتحدة
جنيف، فيينا

Geneva, 14th May 2014
1/5(4) - 194 (wg)

The Permanent Mission of the Kingdom of Bahrain to United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and would like to refer to the joint urgent appeal, ref. UA G/SO 218/2 G/SO 214 (3-3-16) G/SO 214 (53-24) BHR 4/2014, dated 15th April 2014, sent by the Chair-Rapporteur of the Working Group on Arbitrary Detention; the Special Rapporteur on the independence of Judges and lawyers; and the Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment on the information received regarding the alleged torture and other ill-treatment of **Mr. Ahmed Mohamed Salah Al-Arab**.

In this regards, the Mission has the honour to enclose herewith the reply of the Government of the Kingdom of Bahrain to the aforementioned joint urgent appeal in Arabic language.

The Permanent Mission of the Kingdom of Bahrain avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurance of its highest consideration.

Ms. Mara Bustelo

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مذكرة رد على

النداء العاجل المشترك الوارد من رئيس مقرر الفريق العامل المعني بالاحتجاز التعسفي، والمقرر الخاص المعني باستقلال القضاة والمحامين، والمقرر الخاص المعني بمسألة التعذيب وغيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة UA G/SO 218/2 G/SO 214 BHR 4/2014 (53-24) G/SO 214 (3-3-16) المؤرخ في 15 أبريل 2014 بشأن حالة المدعو أحمد العرب.

أحمد محمد صالح العرب:

● قبض على المتهم المذكور بتاريخ 2014/1/9، في ضوء ما كشفت عنه التحريات من ضلوعه وآخرين في ارتكاب أعمال إرهابية، وتم عرضه على النيابة واستجوابه بتاريخ 2014/1/12، حيث وجهت إليه عدة اتهامات من بينها الانضمام إلى جماعة إرهابية وحياسة وإحراز أسلحة وذخائر، وكذا تصنيع وحياسة مفرقات بغير ترخيص ولغرض إرهابي واستيراد أسلحة بغير ترخيص وتهريب أشخاص مطلوب القبض عليهم، وهي الجرائم المؤثمة بقانون العقوبات، والقانون رقم 58 لسنة 2006 بشأن حماية المجتمع من الاعمال الإرهابية، والمرسوم بقانون رقم 16 لسنة 1976 في شأن المفرقات والأسلحة والذخائر.

● بمناظرة النيابة العامة المتهم لدى استجوابه وجد به إصابات أسفل العين وسحجات بالظهر، وبسطح القدم وبالمعصمين، وقد أثبتت النيابة العامة ذلك وأمرت بعرضه على الطبيب الشرعي، كما قرر المتهم بالتحقيق بأن هذه الإصابات حدثت نتيجة محاولة الشرطة السيطرة عليه عند القبض بعد أن اعتدى عليهم بالضرب في محاولة للهرب .

- أمرت النيابة بحبس المتهم احتياطياً على ذمة التحقيق، علماً بأنه محبوس على ذمة قضايا أخرى بناء على قرارات وأحكام قضائية سابقة على القبض.
- وتجدر الإشارة إلى أن الرعاية الصحية متوفرة لجميع النزلاء دون تمييز بينهم، حيث تبدأ مرحلة تقديم الرعاية الصحية فور إيداع النزيل بمركز الإصلاح والتأهيل، كما توجد عيادة طبية في المركز تعمل على مدار الساعة لتقديم كافة الخدمات الطبية لجميع النزلاء.

- انتهى -