

(Translated from Arabic)

Reply to urgent appeal No. UA BHR 7/2017 dated 6 July 2017 concerning Ali Mohamed Ali al-Arab, identity number 940212099

- The following charges were filed against the person concerned:
 1. Establishment of a terrorist group and membership of the terrorist group in full knowledge of its terrorist goals;
 2. Training in the use of weapons and explosives for terrorist purposes;
 3. Premeditated killing of police officers for terrorist purposes;
 4. Attempting to kill police officers for terrorist purposes;
 5. Import, possession and use of explosives;
 6. Import and possession of firearms;
 7. Wreaking damage for terrorist purposes;
 8. Aggravated robbery;
 9. Resisting law enforcement officers;
 10. Assaulting those responsible for enforcing the provisions of the Act on the Protection of Society from Terrorist Acts and resisting them by force and violence;
 11. Flight of the accused following his arrest;
 12. Assisting the flight of convicted persons;
 13. Organization of locations and housing to conceal, shelter and provide living conditions for a terrorist group, in full awareness of its aims.
- The facts are summarized in the records of the investigations conducted by the Criminal Investigations Directorate, which provide details of the criminal evidence resulting from the investigations, and the flight of 10 convicts from the Reform and Rehabilitation Centre of Jau Prison on 1 January 2017, which led to the killing of a police officer from the team of prison guards. They reported the establishment of a terrorist organization, which was joined by a number of the accused, including 11 in Iran and Iraq, 1 in Germany, and 41 inside the country, including 10 who escaped from prison. The leaders and members of the organization prepared and planned a number of terrorist crimes with a view to disrupting law and order, endangering the Kingdom's safety and security, undermining national unity, and preventing the public authorities from performing their duties. They committed the following crimes with a view to achieving these aims:
 - Seizure of machine guns and explosives from a vessel on the seashore in the Nabih Saleh area on 1 December 2016;
 - An attack on the Reform and Rehabilitation Centre of Jau Prison, enabling a number of inmates convicted of terrorist crimes to escape, an incident that led to the killing of a police officer and the injuring of others and to the theft of firearms on 1 January 2017;
 - A terrorist operation targeting a police patrol with gunfire in the Bani Jamra area, which resulted in the injury of a police officer on 14 January 2017;
 - The killing of a police officer in the Bilad al-Qadeem area on 28 January 2017 in front of his private farm;



- An attempt to flee from the country and resisting arrest by shooting at police officers in the territorial waters of the Kingdom, which resulted in the death of three members of the organization on 9 February 2017.

The investigations revealed the details concerning the establishment of the terrorist organization and the fact that the accused fugitives in Iran and Iraq communicated with the organization's members in the Kingdom, within and outside prison, with a view to recruiting other members and supplying them with various types of explosives, firearms and ammunition that were smuggled into the country. They also supplied them with the necessary cash to fund their living expenses and the organization's activities. They joined the leaders who had fled to Germany in arranging for the travel of a number of organization members to Iran and Iraq to train them in the use of explosives and firearms in the military camps of the Revolutionary Guard corps and to prepare them for perpetrating terrorist crimes in Bahrain.

The group's leaders supplied members with the plans to conduct terrorist operations and with the requisite tools, weapons and explosives. They also provided them with the means to record the operations with drones for propaganda purposes.

According to the investigations, the seizure of explosives, firearms and ammunition from the vessel on the seashore in the Nabih Saleh area formed part of the action taken by the organization's leaders and members to smuggle explosives and firearms from Iran and Iraq into the country by sea in order to use them in perpetrating the planned terrorist crimes.

Preparations for the escape from the Reform and Rehabilitation Centre were conducted to enable members of the organization who had been convicted in terrorist cases to perpetrate a number of terrorist crimes in Bahrain. Some fled abroad in order to join the leaders in Iran and Iraq and the remainder stayed in the country to perpetrate terrorist crimes.

The incident resulted in the escape of 10 convicted members of the organization and the killing of a police officer, with the assistance of four accused members of the organization outside the prison.

The operation that led to the injury of a police officer with gunfire in the Bani Jamra area was conducted by a number of accused members of the organization who were not escapees from prison. They perpetrated the crime as part of the organization's activities aimed at disrupting law and order and killing police officers, based on instructions from leaders of the organization based abroad.

The killing of a police officer in the Bilad al-Qadeem area was planned by a leader of the organization in Iran together with a member inside Bahrain, who perpetrated the crime by using a machine gun supplied by the organization's leaders. He knew the personal and professional status of the victim and had monitored his movements.

The case involving resistance to the authorities and the shooting of police officers in Bahrain's territorial waters occurred in the context of an attempt to smuggle ten accused members of the organization abroad. They included a convicted fugitive from Jau Prison, three persons who had been involved in organizing the escape and the organization member who had killed the police officer. The police issued a warning to the accused who responded by opening fire on them. The legal procedures prescribed in such cases were followed and the policemen were forced to exchange fire with the accused, killing three of them and wounding others.

The law enforcement authorities arrested a number of the accused, in accordance with the provisions of the Act on the Protection of Society from Terrorist Acts, and searched their homes and warehouses. The operation led to the seizure of large quantities of explosives, detonators, hand grenades, explosive molds, Kalashnikovs, pistols and ammunition, as well as cars and boats used by the accused in perpetrating terrorist crimes and conducting smuggling operations.

• **Statements by the accused during the investigations by the Public Prosecution Office**

The accused Ali Mohamed Ali al-Arab confessed to the charges during the investigations by the Public Prosecution Office. He admitted that he had been recruited to the terrorist group by another accused and had been sent to Iran for military training with another individual in one of the Iranian Revolutionary Guard camps. On returning to Bahrain, he had been entrusted by the accused with 300 dinars (BD) in order to travel to Saudi Arabia to purchase wireless cable transmitters from another accused. The first accused also entrusted him with BD 2,000 to purchase two revolvers from the second accused in Saudi Arabia. The first accused entrusted him with an additional BD 2,000 to purchase two Kalashnikovs and 120 rounds of ammunition for such weapons from the second accused in Saudi Arabia. He did so, and handed over the weapons and transmitters to another person to smuggle them into Bahrain. He was also instructed to use weapons to enable a detainee to escape from Al-Salmaniya hospital. He admitted to participating in the operation to free detainees from Jau Prison in coordination with the first accused. He was instructed to meet the second accused in Saudi Arabia in order to obtain a drone as well as the weapons that were smuggled into the country to conduct the operation. He admitted that he had met a number of accused in the home of the grandfather of an accused, where they had agreed on how to enable the first accused and the others to escape from Jau Prison. A third accused hired a GMC motor car for the purpose. The accused admitted that on the day in question he proceeded with a group of accused to Jau Prison. One of them launched the drone in the direction of the entrance to the prison. The accused then headed to the entrance with a Kalashnikov together with another accused armed with a pistol. An accused with a transmitter instructed them to open fire on the police. The accused saw a police officer ordering the closure of the gate leading into the prison, which had been opened for a municipality vehicle. He opened fire on the police officer and killed him, enabling the first accused together with a group of accused to escape from the prison. One accused attacked a police officer and stole his weapons. They then entered the vehicle and fled from the area to the home of a relative of one of the accused in the Shakhura area, who treated another accused who had been hit by a bullet during the escape operation. They then headed to a house in the Al-Maqsha area, following which they left in groups. The accused first went to a house in the Abu Saiba area and then to a house in the Barbar area. He was instructed by the first accused to deliver a Kalashnikov to people who would use it to target the police in the area of Bani Jamra. The first accused informed him that the weapon had also been used to kill the police officer [REDACTED]. He admitted that one of the accused had conveyed them to an apartment in the Barbar area. He was instructed to bring them food and was arrested with an accused in the apartment of another accused, where a Kalashnikov and a number of pistols were also impounded.

- The person in question did not claim that he had been subjected to torture or ill-treatment during the investigations by the Public Prosecution Office.
- It should be noted that article 12 of Decree No. 27 of 2012 concerning the Office of the Ombudsman, as amended by Decree No. 35 of 2013, stipulates that: "The Office of the Ombudsman shall receive and investigate any complaints submitted in accordance with the provisions of this Decree." Article 1 of the Decree defines a complaint as "a written or oral complaint submitted by any person". It should further be noted that the Office of the Ombudsman takes action as soon as it receives a complaint. The files contained no complaint to the Office of the Ombudsman from anyone called Ali Mohamed Hakeem al-Arab or any person acting on his behalf alleging that he was subjected to torture or to other cruel, inhuman or degrading treatment.
- During his period in pretrial detention from 7 March 2017 to 27 July 2017, he received 34 family visits, the first of which was on 9 March 2017. His lawyer submitted no request to visit him.
- With regard to the number of phone calls that can be made by convicts and detainees, it should be noted that article 28 of the implementing regulations of the Act on the Reform and Rehabilitation Institution stipulates that: "Inmates are entitled to make telephone calls for a period not exceeding half an hour each week.

They are also entitled to receive telephone calls in cases of necessity, which shall be assessed by the director of the facility or his deputy. The administration of the facility is entitled to monitor all telephone calls made or received by the inmate, who may not oppose this measure. The director of the facility or his deputy may permit the inmate to make exceptional telephone calls on investigating the grounds for such requests. The rules governing telephone calls in this article shall be applicable to persons in pretrial detention unless such calls are prohibited by the detention order.” It follows that the applicable legal provisions were complied with.

- With regard to the request for information concerning the state of the said person’s health, we wish to note that, according to the procedures applicable under the Act on the Reform and Rehabilitation Institution and its implementing regulations, no detainee or inmate may be admitted without a comprehensive medical examination in the Public Security Clinic. On admission they are taken to the competent physician, who issues a medical report on their health condition and any chronic illnesses from which they suffer. They receive appropriate treatment in light of the report. In addition, they are examined to establish whether they have suffered any physical injuries and the results are recorded in the file of the inmate or person in pretrial detention. There is a clinic attached to the facility with a physician and a number of nurses, who work around the clock. He visited the clinic on 17 occasions to see the general practitioner and a dentist.
- In light of the foregoing, it may be concluded that the allegations contained in the appeal are false.
