

URGENT ACTION

BAHRAINI REFUGEE RISKS DEPORTATION

Bahraini refugee Hakeem Ali al-Araibi is in imminent danger of deportation from Thailand. Despite his status as a recognized refugee in Australia, Thai authorities detained Hakeem while he was traveling there based on an INTERPOL Red Notice. His forcible return to Bahrain would violate international law.

Hakeem Ali al-Araibi is a former football player on Bahrain's national team. He was arrested in Bahrain in 2012, and has reported that he was tortured in detention. He was conditionally released and was then sentenced in absentia to 10 years in prison in an unfair trial. Hakeem was convicted of vandalizing a police station, although he was abroad playing in a televised football match at the time of the incident alleged against him. Following the sentence, he fled Bahrain in spring 2014 and was recognized as a refugee by Australia in 2017.

On 27 November 2018, as he was traveling to Thailand for a holiday with his wife, he was detained by Thai authorities upon arrival at Suvarnabhumi International Airport in Bangkok. Thai authorities informed Hakeem and his wife that his arrest was based on an INTERPOL Red Notice initiated by Bahrain, and that he would be deported to Bahrain. Australian authorities have officially demanded his release, informing Thailand that Hakeem was recognized as a refugee and was traveling on a valid Australian document. The Red Notice against him has since been lifted. However, on 1 December Thai authorities transferred Hakeem to Suan Phlu immigration detention centre, as a step towards his deportation.

On 3 December Hakeem was brought before a Thai court that extended his arrest in immigration detention for a further 12 days pending the resolution of the case. If deported to Bahrain, Hakeem faces imprisonment based on his prior unjust conviction and is in serious danger of torture and/or other ill-treatment. Hakeem has been outspoken about human rights violations in Bahrain since he sought refuge in Australia.

1) TAKE ACTION

Write a letter, send an email, call, fax or tweet:

- Immediately release Hakeem Ali al-Araibi and allow him to return to Australia if he so wishes;
- Under no circumstances remove him to Bahrain or to any other country in which he would be at real risk of serious human rights violations;
- Ensure respect at all times for the obligation not to transfer anyone to a place where they would be at real risk of serious human rights violations (obligation of non-refoulement).

Contact these two officials by 17 January 2019:

Immigration Bureau Commissioner
Police Maj.-Gen. Surachate Hakparn
 Immigration Bureau
 507 Soi Suan Plu
 Bangkok 10120
 Fax: +66 2 287-1516
 Twitter: [@hakparn](https://twitter.com/hakparn)
Salutation: Dear Major General

Ambassador Virachai Plasai
Royal Embassy of Thailand
 1024 Wisconsin Ave. N.W., Washington, DC 20007
 Phone: 202 944 3600 | Fax: 202 944 3611
 Contact form: <http://thaiembdc.org/contact/>
 Twitter: [@ThaiEmbDC](https://twitter.com/ThaiEmbDC)
 Facebook: [@Thaiembdc](https://www.facebook.com/Thaiembdc)
Salutation: His Excellency

2) LET US KNOW YOU TOOK ACTION

[Click here](#) to let us know if you took action on this case! *This is Urgent Action 206.18.*

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ADDITIONAL INFORMATION

Since reaching safety in Australia, Hakeem Ali al-Araibi has spoken out publicly about his torture in Bahrain, most notably in a 2016 interview with *The New York Times* (where his family name was spelled "al-Oraibi"). In the interview he criticized the role played by Salman bin Ebrahim Al Khalifa, a member of the royal family who runs the Kingdom's international football portfolio and who according to Hakeem failed to support him as a member of the national football team when he was being persecuted.

Bahrain has a known record of detaining dissidents upon arrival at Manama International Airport. One of the most recent examples is the case of Ali Mohamed al-Showaikh, who was deported by Holland on 20 October 2018. Ali Mohamed al-Showaikh was arrested at the airport and has been held in detention without access to an attorney since that date, in circumstances raising grave fears of ill-treatment.

Thailand is bound by the principle of non-refoulement, which prohibits the transfer of persons to any country or jurisdiction where they would face a real risk of serious human rights violations. This principle is protected in numerous international instruments, and has achieved the status of customary international law, binding on all states regardless of whether they have ratified the relevant treaties. The forcible return of persons to a country where they could face torture and other ill-treatment would also constitute a violation of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Thailand is a state party. Thai officials have repeatedly affirmed their commitment to the principle of non-refoulement and ensuring its protection. Nevertheless, the Thai government has on several occasions acquiesced to pressure from foreign governments and forcibly returned people to countries where their lives and well-being are at serious risk. Ali Ahmed Ibrahim Haroon, 21, a Bahraini national, was forcibly returned to Bahrain from Thailand on 18 December 2014, in response to an Interpol notice raised by Bahraini authorities. There are credible reports that he was tortured when he returned to Bahrain. According to Haroon's family, both Thai and Bahraini authorities physically assaulted him during the course of his detention in Thailand and refoulement to Bahrain. He had fled Bahrain in 2013 following being reportedly subjected to torture in detention there.

Refoulement is a serious human rights violation. In deference to international legal standards, INTERPOL's Executive Committee in 2014 adopted a new policy intended to prevent its legitimate crime-fighting procedures from being used to violate the rights of refugees. The policy remains unpublished by INTERPOL, but has been made available in excerpt by the NGO named 'Fair Trials'. Nonetheless, Arab Gulf governments have continued to abuse the Red Notice process in the years since, to seek out, apprehend, and forcibly return dissidents who have escaped abroad.

Name: Hakeem Ali al-Araibi
Gender m/f: male

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