



12 January 2015

Dear Member of Parliament,

We, the undersigned regional and international human rights organizations, write to express our grave concern ahead of the court verdict on 20 January in the trial of Mr Nabeel Rajab, a prominent human rights defender in the Kingdom of Bahrain, and request you urge your government to publicly call on the Bahraini authorities to drop the charges against him.

On 1 October 2014, Mr Rajab was summoned to the Criminal Investigations Directorate (CID) Cyber Crimes Unit for interrogation, where officers arrested and interrogated him for a number of hours in relation to a tweet he published while abroad. The tweet read: "Many #Bahrain men who joined #terrorism & #ISIS came from security institutions and those institutions were the first ideological incubator."

Mr Rajab was charged in relation to this tweet with insulting public institutions (Ministries of Interior and Defense) under article 216 of the penal code, which states: "A person shall be liable for imprisonment or payment of a fine if he offends by any method of expression the National Assembly, or other constitutional institutions, the army, law courts, authorities or government agencies." He was released on bail on 2 November, more than a month later, although since that time he has not been allowed to travel outside the country because the court issued a travel ban against him. If he is found guilty he faces up to six years in prison.

Mr Rajab's prosecution is a clear violation of his right to freedom of expression. Bahrain is party to the International Covenant on Civil and Political Rights. The UN Human Rights Committee issued an authoritative interpretation on the scope of the right to freedom of expression and opinion. In its General Comment 34, the committee stated that "In circumstances of public debate concerning public figures in the political domain and public institutions, the value placed by the Covenant upon uninhibited expression is particularly high." It also stated that "states parties should not prohibit criticism of institutions, such as the army or the administration."

In June 2014, Your government joined 46 other States in signing a UN joint statement on Bahrain expressing these State's collective concern "about the continued harassment and imprisonment of persons exercising their rights to freedom of opinion and expression, including human rights defenders." The statement also called on Bahrain to "release all persons imprisoned solely for

exercising human rights, including human rights defenders.” In 2014 a European Parliament resolution also called for “the immediate and unconditional release of all prisoners of conscience, political activists, journalists, human rights defenders and peaceful protesters, including Nabeel Rajab...”

We therefore urge you to call on your government to explicitly and publicly call for the charges against Mr. Nabeel Rajab, which are based solely on his peaceful exercise of the right to freedom of expression, to be immediately dropped.

Sincerely,

- Amnesty International
- CIVICUS
- Freedom House
- Front Line Defenders
- Human Rights Watch
- Index on Censorship
- International Federation for Human Rights
- Pen International
- Project on Middle East Democracy
- FIDH in the framework of the Observatory for the protection of human rights defenders
- OMCT in the framework of the Observatory for the protection of human rights defenders
- Americans for Democracy and Human Rights in Bahrain
- Bahrain Center for Human Rights
- Bahrain Institute for Rights and Democracy
- Gulf Center for Human Rights

Background:

Nabeel Rajab is the President of the Bahrain Center for Human Rights, Deputy Secretary General of the International Federation for Human Rights (FIDH), and a member of Human Rights Watch's Middle East Advisory Board.

Bahrain authorities have previously prosecuted Rajab on politically motivated charges. They have never presented any credible evidence that Rajab has advocated, incited or engaged in violence.

Mr Rajab was detained from May 5 to May 28, 2012, for Twitter remarks criticizing the Interior Ministry for failing to investigate attacks carried out by what Rajab said were pro-government gangs against Shia residents. On June 28, 2012, a criminal court fined him 300 Bahraini Dinars (US\$790) in that case.

Authorities again detained Rajab on June 6, 2012, for another Twitter remark calling for Prime Minister Khalifa bin Salman al Khalifa to step down. On July 9, 2012, a criminal court convicted and sentenced him to three months in prison on that charge. A court of appeal overturned that verdict, but in a separate case a criminal court sentenced him to three years in prison for organizing and participating in three unauthorized demonstrations between January and March 2012. An appeals court reduced the sentence to two years, which Mr Rajab completed in May 2014.

In September 2014 Mr Rajab traveled to Europe to call for stronger international action on Bahrain. He met with representatives of various European governments and the EU, spoke to the media, and addressed UN fora.

In the current case, Mr Rajab was detained on 1 October 2014, within 24 hours of his return to Bahrain.