

Boris Johnson MP
Foreign Secretary
FCO, Whitehall
London



London, 27 December 2017

Dear Foreign Secretary,

I write to you as the Chair of the Bar Human Rights Committee of England and Wales (BHRC) to draw your attention to the imprisonment and mistreatment of Nabeel Rajab, a prominent human rights defender in Bahrain. Mr Rajab is a person with whom BHRC has had a working relationship for many years and he is highly regarded internationally.

BHRC is international, independent human rights arm of the Bar Council concerned with the protection of rights, defending the rule of law, and ensuring the fair administration of justice. BHRC is particularly concerned with the protection of judges, lawyers and human rights defenders, and is experienced in legal systems throughout the world. BHRC has taken a close interest in human rights issues in Bahrain, engaging in dialogue with the government, conducting trial observations and publishing a number of reports and letters of concern over many years.

Mr Rajab is the president and co-founder of the Bahrain Center for Human Rights. On 21 February 2018 he was sentenced to 5 years imprisonment, to be served consecutively to a two-year prison sentence he was already serving¹. All of the charges against him concern ‘freedom of expression’ allegations². In particular, this recent conviction relates to comments made on Mr Rajab’s Twitter account about the Saudi-led coalition airstrikes in Yemen, and further comments exposing alleged torture in Bahrain’s Jau prison. Charges included “spreading false rumours in time of war”, “insulting public authorities” and “insulting a foreign country”.

It is clear from the evidence adduced by the Public Prosecutor that the basis of the case against Mr Rajab was founded entirely on legitimate public expressions of dissent and concern about violations of fundamental human rights. Subsequently, the Bahraini government has continued to pursue charges against Mr Rajab, seemingly in an attempt to silence him.

Mr Rajab endures poor health contributed to ill-treatment whilst in custody. The conditions of Mr Rajab’s confinement are of grave concern, and include extended periods in solitary confinement, poor medical care, and humiliation.

During the first nine months of his pre-trial detention in 2016, Mr Rajab was held largely in solitary confinement.³

In early April 2017, Mr Rajab was admitted to the Bahrain Defence Force hospital for necessary surgery. However, he was transferred back to police custody just one day later without adequate time to recover from his surgery. As a result, his health has deteriorated significantly, and Mr Rajab has

¹ <https://www.ft.com/content/b0d196a6-16fe-11e8-9e9c-25c814761640>

² <https://www.nytimes.com/2018/02/21/world/middleeast/nabeel-rajab-bahrain-twitter.html?smid=tw-share>

³ <http://birdbh.org/2017/12/bahrain-nabeel-rajabs-trial-for-tweeting-unexpectedly-brought-forward-then-adjournd-to-7-december/>

been unable to attend some court dates due to ill health. Nevertheless, the court hearings continued in his absence.⁴

Mr Rajab was transferred to Jau Prison on 25 October 2017. On arrival, Mr Rajab was subjected to a humiliating physical search, shaved against his will and mistreated.⁵ All of Mr Rajab's personal items, including books, clothes and toiletries were confiscated. Mr Rajab is confined to a very small room of no more than 3x3 meters, with five other prisoners.⁶ He is allowed out of the cell for no more than one hour each day.

The detention and mistreatment of human rights defenders violates Bahrain's obligations as a signatory to the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR), the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT), and the Arab Charter on Human Rights (ACHR). Bahrain also has an obligation as a UN Member State to cooperate in the protection and promotion of human rights.

Given the UK's close relationship with the Government of Bahrain, I urge you to make representations to the Bahrain Government regarding the deeply flawed prosecution of Mr Rajab and to raise concerns over his treatment in detention. We note that the US State Department has expressed concern over the conviction and jailing of Mr Rajab⁷ and the UN High Commissioner for Human Rights referred to him as having been arrested "for exercising his right to freedom of expression"

I thank you for your attention to this matter and remain willing to assist with any further information or clarification. I have copied this letter to the Shadow Foreign Secretary in the hope that the Government and Opposition might take a joint approach on this matter.

Yours sincerely,



Kirsty Brimelow QC

Chair, Bar Human Rights Committee of England and Wales (BHRC)

The Bar Human Rights Committee of England and Wales (BHRC) is the international human rights arm of the Bar of England and Wales, working to protect the rights of advocates, judges and human rights defenders around the world. The BHRC is concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial.

⁴ <https://www.frontlinedefenders.org/en/case/case-history-nabeel-rajab>

⁵ <http://birdbh.org/2017/12/bahrain-nabeel-rajabs-trial-for-tweeting-unexpectedly-brought-forward-then-adjourned-to-7-december/>

⁶ <http://birdbh.org/2017/12/bahrain-nabeel-rajabs-trial-for-tweeting-unexpectedly-brought-forward-then-adjourned-to-7-december/>

⁷ <https://www.theguardian.com/world/2018/feb/21/us-seriously-concerned-over-jailing-of-bahraini-activist-nabeel-rajab>

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