

His Excellence Frans Potuyt  
Ambassador in Kuwait,  
Netherlands Embassy  
Block 6, Street 11, House 11, Jabriya

Re: Situation of Nabeel Rajab

7 June 2017

Your Excellency,

We write to alert you to the precarious situation facing Mr. Nabeel Rajab, President of the Bahrain Center for Human Rights (BCHR), Founding Director of the Gulf Centre for Human Rights (GCHR) and Deputy Secretary General of the International Federation for Human Rights (FIDH). According to Mr. Rajab's lawyers, the Bahraini judiciary will issue a sentence on Monday 10 July in one of the two cases for which he is being prosecuted. He is on trial in two cases relating to his right to freedom of expression, which could result in up to 18 years of prison, with other cases pending.

Mr. Rajab is likely to be sentenced in absentia to three years in prison on charges of "publishing and broadcasting false news that undermines the prestige of the state." This relates to press interviews he gave in 2015 and 2016. These charges relate solely to the exercise of Mr. Rajab's freedom of expression and are reprisals against his work exposing human rights violations in Bahrain.

Mr. Rajab has been hospitalized since April and been unable to attend the trial. Despite this, the Lower Criminal Court has insisted on holding court sessions. His lawyers have boycotted the trial since 14 June, in protest of the court's decision to hold the hearings in Mr. Rajab's absence, as he is still recovering at the Ministry of Interior Hospital from a post-surgery infection and not able to attend his hearings. Monday's hearing will be the fourteenth hearing since the trial began. To date, the court has held eight hearings during Rajab's hospitalization which he has been unable to attend.

We respectfully **request your Excellency's presence at the upcoming court hearing** to ensure adequate protection of Mr. Rajab's internationally protected rights, including rights protected by the International Covenant on Civil and Political Rights (ICCPR), acceded to by Bahrain in 2006, and the UN Declaration on Human Rights Defenders. His fair trial rights and freedom of expression are being systematically denied by the Bahraini Government<sup>1</sup> as follows.

Since 19 June, Mr. Rajab has been prevented from contacting his lawyers and has had little contact with his family, apart from a visit in early July. The denial of regular communication

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<sup>1</sup> For more info, please see: <http://bahrainrights.org/en/node/8758>

raises fears for his health and safety. We believe it is a new form of harassment with the aim of transferring him back to prison. His health has steadily worsened during his lengthy detention and on 5 April he underwent surgery for bleeding ulcers, but was returned to the prison shortly afterwards. Due to the unhygienic detention conditions, Mr. Rajab developed a post-surgery infection and was rushed back to the Ministry of Interior hospital three days later. He has been slowly recovering ever since.

Mr. Rajab has been arbitrarily detained on spurious charges for over a year, over nine months of which has been in solitary confinement. This long-term isolation has been coupled with sleep deprivation, unsanitary cell conditions, and chronic physical pain, resulting in deteriorated mental health, including severe depression. In May, the Committee Against Torture expressed particular concern over Mr. Rajab's solitary confinement and called for his release<sup>2</sup>.

We support your dialogue with Bahrain; however, we are equally convinced that this relationship is only sustainable if it is founded on the mutual respect of democratic freedoms and human rights. Mr. Rajab is currently being punished for holding these same ideals. We urge you to stand by him now, and to **call on the Bahraini government to grant his release immediately on humanitarian grounds**, in light of the critical state of his mental and physical health **and to immediately drop the expression-related charges**.

We also urgently seek your assistance in **verifying Mr. Rajab's status** and safeguarding his health by requesting permission from the authorities to visit him at the Ministry of Interior Hospital. The government has so far denied requests by human rights groups to visit him and examine his condition.

We also urge you to **take action to ensure that the fair trial and due process rights of Mr. Rajab are adequately protected** and to press for the Bahraini authorities to implement their own commitment to invite the UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein to visit the country<sup>3</sup>. This visit which was postponed indefinitely, would be a critical step in encouraging the Bahraini government to engage with the recommendations and decisions of UN Human Rights bodies concerning Bahrain, including those calling specifically for the immediate release of Mr. Rajab.

Should you require any further information please don't hesitate to get in touch.

We look forward to your response.

Yours sincerely,

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<sup>2</sup> Committee Against Torture, CAT/C/BHR/CO/2-3, Concluding Observations on the Second and Third Periodic Reports of Bahrain, 29 May 2017, paras. 20, 21(e), 32, 33(b).

<sup>3</sup><https://www.usnews.com/news/world/articles/2017-03-15/bahrain-parliament-invites-un-rights-chief-for-unrestricted-visit>

Americans for Democracy & Human Rights in Bahrain  
Bahrain Center for Human Rights  
Front Line Defenders  
Gulf Center for Human Rights  
IFEX  
International Federation for Human Rights  
Pen International  
World Organization against Torture