



Extrait du FIDH - Worldwide Human Rights Movement

<http://www.fidh.org/Bahrain-Arbitrary-arrest-and,11810>

# **Bahrain: Arbitrary arrest and judicial harassment of Nabeel Rajab**

- [english] - North Africa & Middle East - Bahrain -

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**FIDH - Worldwide Human Rights Movement**

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**The Observatory has been informed by reliable sources about the arbitrary arrest of Mr. Nabeel Rajab, President of the Bahrain Centre for Human Rights (BCHR), Director of the Gulf Centre for Human Rights (GCHR) and FIDH Deputy Secretary General [1].**

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Bahrain**.

### **New information:**

According to the information received, on June 6, 2012, Mr. **Nabeel Rajab** was summoned by the Public Prosecutor, on June 2, 2012, after he tweeted the following: "Khalifa [2], leave the residents of Al Mahraq, its Sheikhs and its elderly. Everyone knows that you are not popular here, and if there wasn't a need for money, they wouldn't have gone out to receive you. When will you step down?"

On June 6, 2012, he was questioned at the Public Prosecution Office about these allegations and the Prosecutor ordered a seven-day imprisonment pending further investigation. Mr. Rajab was charged with "insulting in public" in accordance with Article 92 (1), (3) and 365 (1) of the Bahraini Penal Code. His lawyer requested his release on bail but the prosecution refused without giving any proper argument. After the seven-day imprisonment, he will be presented before the judge who will either release him or put him back in detention. No hearing has been scheduled yet.

This arbitrary detention seems to merely aim at curtailing Mr. Rajab's freedom of expression and at stifling his attempts to fight corruption in Bahrain. The Observatory recalls that according to international standards pre-trial detention should only be used where other measures of restraint are not possible.

The Observatory urges the Bahraini authorities to put an end to the harassment - including at the judicial level - against Mr. Rajab, and to comply with the relevant international norms and standards, in particular the United Nations (UN) Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998, and international human rights standards and international instruments ratified by Bahrain.

The Observatory recalls that these events occur in the context of an intensified crackdown against activists, including human rights defenders, who have supported, or are alleged to have supported, the protest movement which started in Bahrain in February 2011.

### **Background information:**

On May 5, 2012, Mr. Nabeel Rajab was arrested by plain clothes police officers upon arrival at Manama airport from Lebanon and transferred to Al Hawra police station. The police officers who carried out the arrest stated that it had been ordered by Public Prosecution, however neither Mr. Rajab nor his lawyers were at the time informed of the reasons for his arrest.

The following day, Mr. Rajab was taken to court where he faced charges of "participating in an illegal assembly" and "calling others to join", in relation to a protest organised on March 31, 2012 in Manama to denounce the detention of

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human rights defender Abdulhadi Al Khawaja, founder of GCHR, former President of the Bahrain Centre for Human Rights (BCHR), and former MENA Director at Front Line. Mr. Rajab denied the charges. The trial was postponed to May 22, 2012.

Later, the same day, Mr. Rajab was presented before the Public Prosecutor who informed him of the reasons for his arrest. According to Mr. Rajab's lawyers, charges of "insulting the statutory bodies", pursuant to Article 216 of the Penal Code, which carry a term of imprisonment of up to three years and a fine, are pressed against him in relation to tweets he posted deemed "insulting" to the Ministry of Interior. Mr. Rajab stated that he was the author of tweets posted through his account but that he did not recognise the jurisdiction of the Court and the Prosecution given their lack of independence from the Executive. The Public Prosecutor remanded Mr. Rajab to detention for seven days.

On May 28, 2012, Mr. Rajab was released on bail after spending three weeks in detention. The three different sets of charges against him ("illegal gathering", "calling others to gather" and "defaming the government" via twitter) have not yet been dropped, and he is banned from travelling.

Mr. Rajab is scheduled to appear before court on June 17, 2012, for the two cases in which he is charged with "illegal gathering" and "disturbing public order", and again on June 24, 2012 in another case in which he is charged with "insulting statutory bodies."

### **Actions requested:**

The Observatory urges the authorities of Bahrain to:

1. Guarantee the physical and psychological integrity of Mr. Nabeel Rajab and all human rights defenders in Bahrain;
2. Release Mr. Nabeel Rajab immediately and unconditionally as his detention seems to merely sanction his human rights activities and is contrary to national and international law;
3. Put an end to any act of harassment, including at the judicial level, against Mr. Nabeel Rajab and against all human rights defenders in Bahrain;
4. Conform in any circumstances with the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular:

its Article 1, which states that "everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels" ;

- ▶ its Article 6 (c) which states that "everyone has the right, individually and in association with others to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters" ;
- ▶ and its Article 12.2 which states that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration".

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vi. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by Bahrain.

### Addresses:

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Please also write to diplomatic representations of Bahrain in your respective countries.

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Paris-Geneva, June 8, 2012

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

The Observatory, a FIDH and OMCT venture, is dedicated to the protection of Human Rights Defenders and aims to offer them concrete support in their time of need.

### To contact the Observatory, call the emergency line:

\* E-mail: [Appeals@fidh-omct.org](mailto:Appeals@fidh-omct.org)

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[1] Mr. Rajab is also a member of the Advisory Committee of Human Rights Watch's Middle East Division and Chair of CARAM Asia.

[2] Referring to Khalifa ibn Sulman al-Khalifa, Prime Minister of Bahrain.