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Bahrain: Court postpones verdict for human rights defender Nabeel Rajab, facing up to 15 years in jail



Bahrain's most prominent human rights defender **Nabeel Rajab** remains jailed for his alleged tweets and his human rights activities in violation of his right to freedom of expression after a judge postponed his trial on 31 October 2016 but did not free him on bail despite his illness.

Following a joint trial observation mission, the Arabic Network for Human Rights Information (ANHRI), Front Line Defenders and the Gulf Centre for Human Rights (GCHR), FIDH & the World Organisation Against Torture (OMCT) within the framework of the Observatory for the Protection of Human Rights Defenders call for him to be freed immediately and unconditionally.

During the hearing, where a verdict had been expected, Judge Ebrahim Al-Zayed of the Fourth High Criminal Court postponed the trial until 15 December in order to obtain a technical expert from the Cyber-Crime Unit to determine who runs Rajab's twitter account.

"It's concerning that the Court is effectively advising the Prosecution on its proofs and affording time to get them in order, when it seems the charges should be dismissed; and also that the Court has ordered a technological report be appropriated by the Cyber-Crime Unit of the Ministry of the Interior, which is clearly not an independent party," said the trial observer. It was reportedly suggested that Rajab himself would have to pay 500 BD (approx. USD\$1325) for the technical expert.

Rajab arrived at the court right before the hearing, and was taken out immediately after the Judge made his pronouncements, while Rajab's lawyers were still making applications. The trial was attended by diplomatic representatives of the United States, United Kingdom, France, Germany, Italy and Spain.

Rajab is the co-founder and president of the Bahrain Center for Human Rights (BCHR), founding director of GCHR, Deputy Secretary General of FIDH and a member of the Middle East advisory committee at Human Rights Watch. He was arrested on 13 June 2016 on several charges and has suffered from poor health in prison including irregular heartbeats, an ulcer and problems with his gallbladder.

Rajab was facing up to 15 years in prison on charges relating to his criticism of Bahrain's participation in Saudi Arabia-led military operations in Yemen, which according to the United Nations, have so far been responsible for the deaths of thousands of civilians.

Rajab's comments on Twitter about the Saudi-led coalition airstrikes in Yemen first led to his arrest on 2 April 2015. Bahrain's penal code provides for up to 10 years in prison for anyone who "deliberately announces in wartime false or malicious news, statements or rumours." The authorities pardoned and released him for health reasons from this initial detention on 13 July 2015, but the Prosecution did not close the case and ordered his re-arrest on 13 June 2016 on separate charges. Rajab is now facing new charges of allegedly "offending a foreign country" (Saudi Arabia). In addition, he was charged with "offending national institutions," for comments about the alleged torture of inmates in Bahrain's Jau Prison in March 2015. See: <http://www.gc4hr.org/news/view/1392>

Then in September, an additional charge was brought against Rajab following the publication on 5 September 2016 of an Op-Ed in "The New York Times" with his by-line, which discussed the conditions of his imprisonment and arrest. He was charged with "intentionally broadcasting false news and malicious rumours abroad impairing the prestige of the state," which carries an additional one-year prison term if he is convicted.

On 3 October, Rajab was taken to the Bahraini Defense Forces hospital for surgery to remove his gallbladder. Despite the risks of moving him back to jail, Rajab was taken from the hospital the day after his surgery and placed in solitary confinement in a dirty cell. He has often been held in solitary confinement and denied access to proper care. He is currently awaiting results of other diagnostic tests, and is being held at East Riffa Police Station. A few days after surgery, he was taken to court on 6 October for the next hearing in his case.

Human rights organisations, the UN and government representatives worldwide have all called for Rajab to be released including through the "Their Freedom is Their Right" Campaign which named him Prisoner of the Month in September. See: <http://anhri.net/?p=173264&lang=en>

On 31 October 2016, FIDH also launched the #RT4Freedom website, aiming to maximise the mobilising power of the web in order to raise awareness about the plight of Nabeel Rajab, and to call on the international community for action. See: <http://rt4freedom.fidh.org/en>

See also a case history at <https://www.frontlinedefenders.org/en/case/case-history-nabeel-rajab>

ANHRI, Front Line Defenders, GCHR and the Observatory (FIDH-OMCT) call on the government of Bahrain to:

1. Immediately and unconditionally free Nabeel Rajab and overturn the charges against him, or at least release him on bail pending trial;
2. Uphold international legal standards including ensuring that technical experts are independent;
3. Ensure all prisoners, including Nabeel Rajab and other human rights defenders, have access to proper medical treatment and clean conditions while in detention, and that they are not held in solitary confinement; and
4. End all forms of reprisals against human rights defenders and other activists in Bahrain, including travel bans, to which they have been subjected in violation of their rights to freedom of assembly and freedom of expression.