

The Rt Hon Boris Johnson MP
Secretary of State for Foreign and Commonwealth Affairs
King Charles Street
Westminster
London
SW1 2AH

6 August 2017

Dear Foreign Secretary,

We write to you to express our deep disappointment with the Foreign and Commonwealth Office's failure to adequately respond to the sentencing of Nabeel Rajab, one of the Gulf's most prominent human rights defender, to two years in prison by Britain's ally Bahrain. We urge you to uphold your policy to support human rights defenders as set out in the Human Rights and Democracy Report 2016 by condemning the sentencing of Mr. Rajab and calling on the Government of Bahrain for his immediate and unconditional release and the dropping of all pending charges. Silence over Bahrain's reprisals against human rights defenders exercising their free expression only emboldens the Bahraini government to pursue further reprisals.

On 10 July, the Lower Criminal Court sentenced Mr. Rajab, President of the Bahrain Center for Human Rights, Founding Director of the Gulf Centre for Human Rights, Deputy Secretary General of FIDH and a member of Human Rights Watch Middle East Advisory Committee, to two years in prison on charges of "publishing and broadcasting false news that undermines the prestige of the state." The charges relate to interviews he gave in 2015 and 2016 and relate solely to his freedom of expression. Mr. Rajab did not attend the trial, having been hospitalised since April after a serious deterioration of his health resulting from the authorities' denial of adequate medical care and unhygienic conditions of detention. Despite this, the Lower Criminal Court insisted on holding court sessions in his absence. The sentencing hearing was the fourteenth since the trial began; the court held nine hearings during Mr. Rajab's hospitalisation which he was unable to attend. Mr. Rajab's prosecution violates the principles of a fair trial and right to freedom of expression. Mr. Rajab has been in pre-trial detention since 13 June 2016, largely in solitary confinement, and presently remains in the Ministry of Interior hospital where he is recovering from surgery.¹ He faces another trial on 7 August in a separate case related to his tweeting against the Saudi coalition war in Yemen, and torture in Bahraini prisons, for which he faces up to 15 years in prison. He also faces a separate set of charges of "spreading false news" in relation to a letter he wrote to the *New York Times* in September 2016.²

Mr. Rajab will now serve two years in prison solely for speaking to the media. In addition, he has been barred from receiving family visits and making phone calls since 15 July. On that day, he told his family by phone that he had seen human rights defender Ebtisam Al-Sayegh in the Ministry of Interior hospital and expressed concern for her health.³ Ms. Al-Sayegh has been in detention since 3 July and

¹ Further information on the trial available on Bahrain Institute for Rights and Democracy, *Nabeel Rajab Sentenced to 2 Years In Absentia As Unfair Trial Concludes*, 10 July 2016, <http://birdbh.org/2017/07/nabeel-rajab-sentenced-to-2-years-in-absentia-as-unfair-trial-concludes/>.

² New York Times, Letter From a Bahraini Jail, 4 September 2016, https://www.nytimes.com/2016/09/05/opinion/letter-from-a-bahraini-jail.html?_r=0.

³ Adam Rajab, Twitter, 15 July 2017, <https://twitter.com/AdamNabeel/status/886327353651146754>.

the UN has expressed deep concern over allegations of arbitrary arrest and torture.⁴ It is clear that the Bahraini government is willing to prosecute and punish Mr. Rajab every time he expresses himself. The targeting of Mr. Rajab for his work as a human rights defender and critic of the Bahraini government reflects the dangerous situation for human rights defenders in Bahrain. United Nations human rights experts noted in June that “there has been a sharp deterioration of the human rights situation in the country.”⁵ This deterioration has included executions, unlawful killing of protesters and new reprisals against human rights defenders.

The FCO has attended all of Mr. Rajab’s court hearings, including those held since April 2017 in disregard to Mr. Rajab’s health deterioration and hospitalisation. The United States, European Union and Germany, all of which also attended Mr. Rajab’s hearings, all published public statements on Mr. Rajab’s sentencing. The US and EU called for his release, while Germany deplored his sentence.⁶

The FCO’s lacklustre response, stating that it “note[s] the two year sentence given to him and understand[s] that there are further steps in the judicial process, including the right to appeal,”⁷ entirely fails to address the significance of Bahrain’s repressive actions. The FCO is very aware of the scale of the human rights violations. It has followed the many prosecutions Mr. Rajab has faced since 2011. In 2012, Middle East Minister Alistair Burt stated he was “very concerned” at the sentencing of Mr. Rajab on charges related to his free expression, and added, “I have made it clear to the Bahraini authorities that the human and civil rights of peaceful opposition figures must be respected.”⁸ The stark difference in these two statements, separated by five years, shows a clear shift away from supporting human rights defenders in Bahrain.

Last month’s Human Rights and Democracy Report recognises that “Human Rights Defenders are at the forefront of work to promote and protect human rights and democracy, often at great personal risk to themselves. In many places they are persecuted, imprisoned, attacked or even killed because of their work. ...Laws restricting civil society space are used in many countries to limit the ability of human rights defenders to operate.”⁹ The report states that the FCO raised concern over Nabeel Rajab’s case in 2016. While that was the case last year, that does not excuse the fact that following

⁴ UN Office of the High Commissioner for Human Rights, *UN experts urge Bahrain to investigate reports of torture and ill-treatment of rights defender Ebtisam Alsaeg*, 18 July 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21886&LangID=E>.

⁵ UN Office of the High Commissioner for Human Rights, *Bahrain must end worsening human rights clampdown, UN experts say*, 16 June 2017, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21762&LangID=E>.

⁶ U.S. State Department, *Sentencing of Nabeel Rajab*, 10 July 2017, <https://www.state.gov/r/pa/prs/ps/2017/07/272513.htm>; European External Action Service, *Statement by the spokesperson on the sentencing of Mr. Nabeel Rajab by a Bahraini Court*, 11 July 2017, https://eeas.europa.eu/headquarters/headquarters-homepage/29661/statement-spokesperson-sentencing-mr-nabeel-rajab-bahraini-court_en; German Federal Foreign Office, *Statement by Human Rights Commissioner Kofler on the conviction of a Bahraini human rights activist*, 11 July 2017, http://www.auswaertiges-amt.de/EN/Infoservice/Presse/Meldungen/2017/170711_Kofler_IDN.html?nn=475190.

⁷ Hansard, *Written question HL847*, 26 July 2017, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2017-07-13/HL847/>

⁸ Hansard, *HC Deb, 11 September 2012, c218W*, https://publications.parliament.uk/pa/cm201213/cmhansrd/cm120911/text/120911w0004.htm#120911w0004.htm_snew48.

⁹ FCO, *Human Rights and Democracy Report 2016*, July 2017, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/630623/Human_Rights_and_Democracy_Report_2016_accessible.pdf.

Rajab's sentencing the FCO dropped the language of concern. It is appalling that while the FCO recognises the brave work of human rights defenders worldwide, it has turned a blind eye to the human rights abuses in Bahrain, including the reprisals against Mr. Rajab.

British silence on this case contradicts FCO support for human rights defenders internationally and the FCO's own past record on Mr. Rajab's case. We urge you to overturn this policy of silence and support Nabeel Rajab and all human rights defenders in Bahrain in line with your policies set out in the Human Rights and Democracy Report by condemning his sentence and calling on the Government of Bahrain for his immediate and unconditional release and the dropping of all pending charges against him.

Yours sincerely,

Organisations:

Americans for Democracy & Human Rights in Bahrain (ADHRB)

ARTICLE 19

Bahrain Center for Human Rights (BCHR)

Bahrain Institute for Rights and Democracy (BIRD)

English PEN

European Centre for Democracy and Human Rights (ECDHR)

FIDH, within the framework of the Observatory for the Protection of Human Rights Defenders

Front Line Defenders

Gulf Centre for Human Rights (GCHR)

Index on Censorship

Jimmy Wales Foundation

PEN International

Reporters Without Borders

World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders

Individuals:

Julie Ward MEP, Member of European Parliament

Sue Willman, Director, Deighton Pierce Glynn

Tom Brake MP, Member of the House of Commons