



Secretary of State John Kerry
United States Department of State
740 15th St., NW #4
Washington, D.C. 20005

Re: Call for a review of the situation of human rights in Bahrain at the UN Human Rights Council

Paris, New York, 14 February 2013

Dear Secretary of State Kerry:

The Center for Constitutional Rights and the International Federation for Human Rights (FIDH) call on the Government of the United States to demonstrate its resolve in addressing the human rights violations prevailing in Bahrain. FIDH has constantly raised concerns as the human rights situation in Bahrain has suffered a severe deterioration since February 2011. Since then, widespread human rights violations have been carried out in the context of the repression of anti-government protests.

The government of Bahrain has continuously reiterated its pledges to protect and promote human rights and implement the recommendations raised both by the Bahrain Independent Commission of Inquiry (BICI) established in June 2011 and international human rights mechanisms. However, no improvement has been recorded on the ground. Despite the BICI's findings of gross human rights violations, including torture and related deaths in custody, the government has continued unabated its use of repressive and unlawful measures against protestors, human rights defenders, and other activists. Meanwhile, the government has failed to implement the key BICI recommendations regarding political prisoners and accountability for serious human rights violations.

The main conclusions of the FIDH report released last September and which documented the systematic crackdown on political opposition and human rights activists in Bahrain remain current and accurate¹. Among other incidents, it documented 45 killings, 1,500 cases of arbitrary arrest, and 1,866 cases of torture.

On December 7, Bahrain's Crown Prince delivered a speech stating that "only through the genuine application of a just and fair and inclusive legal system will people feel that their own rights and their own futures are protected"². However four days later, **Nabeel Rajab, Deputy Secretary General of FIDH and President of the Bahrain Centre for Human Rights (BCHR), was sentenced in appeal to two years of prison for participating in peaceful gatherings and calling others to join.**

1 Report, FIDH : « Silencing Dissent: A Policy of Systematic Repression », released on 19 September, 2012, see at <http://www.fidh.org/Silencing-Dissent-A-Policy-of-12188>

2 Bahrain's crown prince calls for more dialogue , The National, 9 December 2012, *available at* <http://www.thenational.ae/news/world/middle-east/bahrains-crown-prince-calls-for-more-dialogue>.

Rajab's conviction blatantly violates the International Covenant on Civil and Political Rights (ICCPR) ratified by Bahrain, which provides that participation in peaceful activities to protest against violations of human rights, including through peaceful assemblies, is protected under international law. The report of the judicial observation of Rajab's trial carried out by the Observatory for the protection of human rights defenders, a joint programme of FIDH and the World Organisation against torture (OMCT), to be publicly released on 14 February 2013 and attached to the present letter, provides an in-depth analysis of the proceedings.

Judicial harassment against human rights defenders, trade unionists and other professionals has become a common repressive practice in Bahrain. The most common accusation against those who have been recently summoned and/or charged consists in "participation in illegal gatherings".

At the end of October 2012, the government imposed a ban on all rallies and gatherings. The ban was lifted in December, but restrictions on the rights to freedom of expression, association and assembly continue.

Demonstrations and clashes with the police continue almost daily in several villages on the edges of the capital. Repression of demonstrations continues with a disproportionate use of force, sometimes resulting in deaths, including of 24 individuals since the publication of the BICI report mainly due to the excessive use of tear gas or after being shot by rubber bullets.

Impunity remains largely the norm for those responsible for human rights violations. As of now, very few sentences have been rendered by courts for security officers accused of severe human rights violations and those convicted are low-ranking officers. Moreover, several defendants including political prisoners such as Abdulhadi Al Khawaja, a prominent human rights defender, or Ibrahim Sharif, the Secretary General of the Wa'ad party, complained before the judges of torture during their arrest and detention, however none of these complaints have been registered nor have they led to any independent and credible investigation.

FIDH raises the alarm at the rise in tension and growing violations of human rights in Bahrain. Thus, the Center for Constitutional Rights and FIDH call upon your government to urge the Bahraini government to finally put an end to ongoing human rights violations and implement the numerous pledges taken for the protection and respect of human rights and fundamental freedoms.

In this regard, we encourage the United States to raise its concerns in the framework of bilateral relations with Bahrain and:

- Call for the release of all prisoners of opinion;
- Suspend and ban exports of tear gas and crowd control material to Bahrain;
- Suspend all technical cooperation programmes with the Prosecutor's Office and the Ministry of Justice, until sentences and trials that are contrary to international human rights standards have been reviewed and prisoners of opinion have been released;
- Support independent human rights NGOs operating in Bahrain.

Our organisations also call upon the government of the United States to take action at the multilateral level and ensure in particular that a resolution will be adopted at the Human Rights Council on the human rights situation in Bahrain during its next session in March 2013. Such a resolution should:

- Firmly condemn the human rights violations
- Request the immediate release of all political activists, students, teachers, doctors, workers,

human rights defenders and individuals detained, charged with and sentenced for alleged violations related to the rights of expression, peaceful assembly and association ;

- Establish an international monitoring mechanism mandated with monitoring the implementation of the recommendations of the BICI and of the Universal Periodic Review of Bahrain ;
- Request the full respect and protection of fundamental freedoms and in particular, freedom of expression, opinion and peaceful gathering ;
- Urge the government of Bahrain to : conduct independent, effective and transparent investigations (by an independent body outside the Public Prosecutor's Office) into all allegations of torture and other ill-treatment, and make the results public ; and bring to justice anyone at any level of the chain of command who committed or gave the orders to commit human rights violations ;

In thanking you for your attention to this matter, please accept the expression of our highest consideration.

Yours sincerely,



Vincent Warren
Executive Director, Center for Constitution Rights



Souhayr Belhassen,
President, FIDH