

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations
Promoting human rights by protecting those who defend them

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September 14, 2012

Shaikh Hamad bin 'Issa Al Khalifa
King of Bahrain
Office of His Majesty the King
P.O. Box 555
Rifa'a Palace, al-Manama
Kingdom of Bahrain

Prince Khalifa bin Salman al-Khalifa
Prime Minister
Kingdom of Bahrain
Manama, Kingdom of Bahrain

Dear King Shaikh Hamad bin 'Issa Al Khalifa and Prime Minister Khalifa bin Salman al-Khalifa,

Re: Release of Mr. Abdulhadi Al-Khawaja and others arbitrarily convicted

Lawyers' Rights Watch Canada (LRWC)¹ is gravely concerned at the prison terms imposed on Mr. Abdulhadi Al-Khawaja, as well as the authorities' continuous repression against other human rights defenders in the Kingdom of Bahrain.

We were informed that on September 4, 2012, Bahrain's High Court of Appeals upheld the life sentence against founder of the Gulf Center for Human Rights, former President of the Bahrain Human Rights Commission and former Middle East and North Africa Director at Front Line, Mr. Abdulhadi Al-Khawaja, and 19 other human rights and political activists, 7 in which were decided by the Court in absentia. All parties were charged under the temporary martial law for "organising and managing a terrorist organisation", "attempt to overthrow the Government by force and in liaison with a terrorist organisation working for a foreign country" and "collection of money for a terrorist group".

Hasan Radhi, one of the lawyers involved in this case, indicated in a press conference on September 4, 2012, that torture allegations had been made against Bahraini officials by Mr. Al-Khawaja and other detained activists, which are detailed in some of their statements. The confessions that are alleged to have been extracted under torture have not been investigated or excluded from the court proceedings.

In addition to repression against above political and human rights activities, Bahrain is taking repressive measures against political blogger Ms. Zainab Al-Khawaja, who has been detained since August 2, 2012 for protesting the arrest and detention of her father Mr. Abdulhadi Al-Khawaja. She faces 13 charges by

¹ LRWC is a committee of lawyers who promote human rights and the rule of law internationally by protecting advocacy rights. LRWC campaigns for advocates in danger because of their human rights advocacy, engages in research and education and works in cooperation with other human rights organizations. LRWC has Special Consultative status with the Economic and Social Council of the United Nations

the Lower Criminal Court, including for “damaging property belonging to the Ministry of Interior”. She also sustained a broken leg in a protest for which she requires medical attention.

LRWC is concerned by the deteriorating human situations in Bahrain. The Universal Periodic Review (UPR) of the UN Human Rights Council, in respect of Bahrain’s human rights situation is expected to be adopted in September 19, 2012.

LRWC denounces the arbitrary repression of legitimate human rights advocacy and engagement in political activities including criticism of government action.

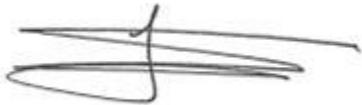
The Government of Bahrain is obliged to abide by the *International Convention on Civil and Political Rights* (ICCPR)², *CESCR* and the *Convention against Torture* (UNCAT). The ICCPR imposes the legal duty on Bahrain to protect freedoms of expression and assembly. These freedoms encompass the right (and duty) to engage in receiving and disseminating information and to debate issues of public concern. The ICCPR also guarantees the right to a fair trial before a competent, independent and impartial tribunal, the right to disclosure and to make full answer and defense and freedom from malicious prosecutions and prosecutions based on illegitimate charges. UNCAT imposes inescapable duties on Bahrain to prevent and punish torture, to prohibit absolutely the use of evidence allegedly obtained by torture and to ensure fair trials.

LRWC calls on the Government of Bahrain to ensure:

1. the immediate and unconditional release of Mr. Abdulhadi Al-Khawaja, Ms. Zainab Al-Khawaja along with the other 28 activists;
2. a judicial review of the convictions that adheres strictly to international law fair trial standards;
3. effective measures to prevent and punish the use of torture and other cruel, inhuman or degrading punishment or treatment in Bahrain; and
4. that Mr. Al Khawaja and other human rights defenders including those advocating for democracy are protected from reprisals or other interference with their work in accordance with the 1998 UN Declaration on Human Rights Defenders.

LRWC will continue monitoring the situation. Due to the urgent nature of this matter, LRWC respectfully requests your prompt response outlining the remedial actions taken. Thank you for your attention to our concerns.

Sincerely,



Vicheka Lay, LRWC

Copies to:

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² Bahrain acceded to the International Convention on Civil and Political Rights 20 September 2006.

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