May 27, 2011

The Honorable Khalifa bin Salman Al Khalifa  
Prime Minster  
Kingdom of Bahrain  
Manama, Bahrain  

Re: Harassment of Lawyers and Human Rights Defenders in Bahrain

Your Excellency:

The American Bar Association (ABA) is an independent, voluntary, non-governmental organization of nearly 400,000 lawyers and judges worldwide. It regards human rights and the rule of law as cornerstones of a free and just society and has committed to strengthening them in the United States and internationally.

Accordingly, I write to convey respectfully the ABA’s deep concern regarding reports of abusive treatment of lawyers and human rights defenders under Bahrain’s emergency law. Reliable information indicates that several lawyers, including prominent defense lawyer Mohammed al-Tajer, have been detained under the emergency law in connection with either their representation of opposition members or for being opposition members themselves. In al-Tajer’s case, security officers also confiscated personal items such as laptop computers, mobile phones, and documents. Al-Tajer is part of a group of Bahraini lawyers who have defended opposition figures and rights activists arrested and detained by authorities during the past several years. Further reports indicate that numerous detained human rights defenders have been denied access to legal representation and subjected to abusive treatment by authorities.

Such treatment clearly violates international norms and undertakings. The United Nations Basic Principles on the Role of Lawyers clearly provide that lawyers must be allowed to carry out their work “without intimidation, hindrance, harassment or improper interference” and affirm the right of lawyers to freedom of expression. The United Nations Declaration on Human Rights Defenders calls upon states to “... take all necessary measures to ensure the protection by the competent authorities of [human rights defenders] against any violence, threats, retaliation, de facto or de jure adverse
discrimination, pressure or any other arbitrary actions” as a consequence of their legitimate effort to promote human rights. And the International Covenant on Civil and Political Rights, to which Bahrain has acceded, protects, under Article 19, “[t]he right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights.” Any trials of detainees must be conducted in full compliance with international fair trial standards and open to impartial observers.

The ABA respectfully urges the Government of Bahrain to honor these international principles and commitments and stands ready to be of assistance toward this end.

Sincerely,

[Signature]

Stephen N. Zack

cc: Hon. Ms. Houda Ezra Ebrahim Nonoo
Ambassador of the Kingdom of Bahrain to the United States
Fax: (202) 362-2192

Hon. Hillary Rodham Clinton
U.S. Secretary of State