

King Hamad bin Isa Al-Khalifa
Office of the King
The Amiri Court, Rifa'a Palace
PO Box 555
Manama
Bahrain

Brussels, 12 July 2012

Re: Concerns regarding the situation of lawyer, Mr Mohamed Al-Tajer

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its concerns over the situation of a lawyer, Mr Mohamed Al-Tajer, who has been recently subjected to threats and intimidation.

Mr Al-Tajer is a prominent human rights activist involved in defending government opposition campaigners who have been arrested and detained *incommunicado* following protests in Bahrain in early 2011. In January 2011, Mr Al-Tajer, alongside 45 other lawyers, withdrew from the court case due to lack of fair trial controls, a move that attracted international attention to the problems of the judicial system in Bahrain. On 16 April 2011, Mr Al-Tajer was arrested without a warrant and brought before a military tribunal. His attorneys were given no notice and were therefore not present at the trial. He was charged with inciting hatred for the regime, engaging in illegal protests and provoking people to harm police. On 7 August 2011, Mr Al-Tajer was released on bail, although charges against him have not been dropped and his next hearing is scheduled to take place on 26 June 2012.

Mr Al-Tajer claims that he was abused and subjected to torture while in captivity by being kept in solitary confinement during seven weeks, beaten, forced to stand for long hours with hands against the wall, prevented from going to the bathroom, sleeping or talking with other detainees. The public prosecution has never opened an investigation into these allegations.

The CCBE has been informed that recently private photos and videos of Mr Al-Tajer and his wife have been circulated online via pro-government forums and accounts in social media. The information was released shortly after Mr Al-Tajer attended a UN Human Rights Council Conference on Bahrain in Geneva last month.

The CCBE is alarmed by these facts and believes that they form part of a wider campaign to target the peaceful and legitimate work of Mr Al-Tajer as a human rights lawyer.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE urges you to take immediate and effective steps to ensure that all charges brought against Mr Al-Tajer are dropped and that those responsible for his abuse in custody are brought to justice. The CCBE also urges you to put a stop to the use of breaches of privacy to blackmail human rights activists in Bahrain and to ensure that those behind recording and publishing of private photos and videos of Mr Al-Tajer are held accountable. We further urge you to take steps to guarantee in all circumstances that lawyers in Bahrain are able to conduct their professional duties without intimidation, hindrance, harassment or improper interference, and that they do not suffer prosecution for any action taken while carrying out their legitimate duties.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Prunbauer-Glaser', with a long, sweeping underline.

Marcella PRUNBAUER-GLASER

CCBE President