

## **DRAFT ACTION PLAN TO IMPLEMENT BAHRAIN'S PLEDGES, VOLUNTARY COMMITMENTS AND UPR OUTCOMES**

### ***PREAMBLE***

The Kingdom of Bahrain reaffirms its commitment to respecting, protecting and realizing all human rights for all in Bahrain and to promoting human rights world-wide.

The Kingdom of Bahrain also reaffirms its commitment to cooperate with the Human Rights Council in its efforts to establish itself as a credible and effective mechanism for international dialogue and cooperation on human rights helping member states meet their human rights obligations through dialogue, capacity building, and technical assistance.

The Universal Periodic Review function of the Human Rights Council is the main mechanism for reviewing each and every member state of the United Nations with regard to the fulfillment by each State of its human rights obligations and commitments. The Kingdom of Bahrain considers the Universal Periodic Review to be a unique opportunity for the Human Rights Council and the country being reviewed to ascertain the human rights situation on the ground through a cooperative process, based on interactive dialogue, with the full involvement of the country concerned and with consideration given to capacity-building needs.

The Kingdom of Bahrain also considers the Universal Periodic Review as providing a unique opportunity for the Human Rights Council and the country being reviewed to commit to cooperate on measures to improve the human rights situation on the ground, through implementation of the Outcomes of the Universal Periodic Review.

Accordingly, as the very first country to undergo the Universal Periodic Review, the Kingdom of Bahrain underscores the importance of the UPR outcomes by hereby adopting this *National Action Plan to Implement Bahrain's Pledges, Voluntary Commitments and UPR Outcomes*.

### ***GUIDING PRINCIPLES***

Every aspect of this *Action Plan* from design and implementation to monitoring, evaluating and reporting shall be guided by the following guiding principles:

- Participation and inclusion of all relevant national stakeholders, governmental and nongovernmental including the judiciary, members of parliament, NGOs and political societies and the private sector, as appropriate.
- Transparency
- Accountability
- Cooperation between the government and people of the Kingdom of Bahrain as well as between the Kingdom of Bahrain and the Human Rights Council

- Commitment to results

### ***IMPLEMENTING BAHRAIN'S PLEDGES TO THE HUMAN RIGHTS COUNCIL***

In successfully seeking election to the inaugural Human Rights Council in 2006 the Kingdom of Bahrain made some 19 pledges and in its UPR Report, the Kingdom has detailed what it has done thus far in respect of those pledges. The pledges fall into 3 broad categories, and looking to the future, the Kingdom of Bahrain plans to implement those pledges as follows.

#### ***Pledges related to improving the human rights situation on the ground in Bahrain***

##### ***1. Ratification and National Legislative Incorporation:***

The Ministry of Foreign Affairs will create a Task Force for this purpose with inter-ministerial membership as well as representation from the other relevant branches of government and the National Human Rights Institution once it comes into existence. The Task Force will study and make proposals to the appropriate ministries, authorities and branches of government regarding ratification and national legislative incorporation regarding the human rights instruments listed below. Non governmental participation will be invited of those with a particular expertise on the subject-matter of the human rights instrument under consideration. Studies, with a view to ratification and/or national legislative incorporation will focus on:

- human rights treaties such as the Migrant Workers Convention whose ratification has been recommended to Bahrain by several treaty bodies;
- Other unratified human rights treaties such as the Conventions on Disability and on Disappeared Persons.
- Related international treaties such as the Convention against Corruption and the Convention on Transnational Organized Crime.
- Optional Protocol Provisions and declarations under treaties already ratified such as Articles 21 and 22 of the Convention Against Torture (CAT) and Article 14 of the Convention on the Elimination of Racial Discrimination (CERD).
- National legislative incorporating treaty definitions of concepts such as “torture” and “racial discrimination”, as has been recommended to Bahrain by the respective human rights treaty bodies.

##### ***2. Implementation of obligations under human rights treaties already ratified:***

The Inter-Ministerial Task Force described above will undertake monitoring of implementation of treaty obligations; development of specific implementation activities and strengthening capacities for implementation. Training on human rights for the police, law enforcement officials and the staff of other government ministries and authorities relevant to the implementation of such treaty obligations will be increased, as determined and directed by the Task Force.

3. *Campaigns against trafficking in human persons and on empowerment of women* will be monitored and reported on at 6 monthly intervals by the authorities entrusted with such campaigns.

4. *The Draft law on NGOs* will be fast-tracked for enactment and its implementation will be monitored and reported on, annually, by the authority concerned along with a prescribed number of NGO representatives.

5. *Adoption of a Human Rights-Based Approach to Development*: a HRBA capacity strengthening plan directed at both governmental and nongovernmental entities will be drawn up by the Ministry of Foreign Affairs working with the relevant ministries and with other relevant institutions such as the Bahrain Institute of Political Development.

6. *Workshops and seminars on human rights to increase public awareness*: will be organized as detailed in the Bahrain UPR Report with special attention being paid to reaching youth and women as well as disadvantaged or vulnerable groups.

#### ***Pledges relating to regional cooperation on human rights***

Starting with a regional seminar on UPR experiences during the year 2008, Bahrain will foster regional cooperation with the Human Rights Council and will work to integrate human rights considerations in regional processes such as the Forum for the Future.

#### ***Pledges related to cooperation with the UN human rights system in general and the Human Rights Council in particular***

This Action Plan will be the main vehicle for Bahrain's cooperation with the Human Rights Council. Therefore, Bahrain will voluntarily report on an annual basis, both nationally and to the Human Rights Council on steps taken and progress made in implementation of UPR Outcomes.

Bahrain welcomes visits and suggestions from UN human rights treaty-based and Charter-based bodies to enhance the implementation of UPR Outcomes.

Bahrain will make a conscious effort to include existing best-practices pledges in its pledges for the June 2008 election and hereby commits itself to implementing all the pledges it has made to the HRC, even after Bahrain's term of membership in the HRC has expired.

### ***IMPLEMENTING BAHRAIN'S UPR VOLUNTARY COMMITMENTS***

#### ***1. Establishment of a National Institution for Human Rights***

The Kingdom of Bahrain is committed to establishing a National Institution for Human Rights in the near future, in line with United Nations principles in general, and the Paris

Principles in particular. In November 2007, the Cabinet approved the formation of a National Human Rights Institution, and it is expected that the Institution will be formed during 2008.

### *2. National Human Rights Action Plan*

The Kingdom of Bahrain is actively studying the need for a national plan for human rights. In the interim, this Action Plan on Implementing Bahrain's UPR Outcomes will serve as the vehicle through which a National Human Rights Action Plan will be developed and implemented through a process of interaction between the ministries and authorities concerned with human rights and civil society. The objective of such a National Plan is to enhance respect, protection and realization of human rights in Bahrain through implementation of recommendations of international human rights treaty bodies to which the Kingdom of Bahrain has reported, of the outcomes of the UPR process and recommendations of the Special Procedures and Mechanisms of the Human Rights Council. As soon as possible, it is expected that a national human rights education action plan will be initiated and implemented in coordination with the appropriate agencies and organizations in Bahrain, as well as the OHCHR.

### *3. Ratification of Human Rights Instruments*

As indicated above, the Kingdom of Bahrain commits to reviewing all existing international human rights instruments with a view to ratifying them as soon as possible. For this purpose, the Kingdom of Bahrain will seek international cooperation and assistance to strengthen individual and institutional capacities to undertake studies regarding ratification of such instruments.

### *4. Reservations to human rights instruments*

The Kingdom of Bahrain also reiterates its commitment made in the Vienna Declaration and Programme of Action of the UN World Conference on Human Rights and Development to undertake a review of existing reservations made upon ratification of an international human rights instrument, with a view to ascertaining the feasibility of withdrawing such reservations. Thus, for example, Bahrain has already withdrawn its reservation to Article 20 of the Convention against Torture.

*5. Participation in ongoing and future human rights standard-setting processes at the UN*  
Likewise, the Kingdom of Bahrain commits to participating fully in ongoing human rights standard-setting processes at the UN and also to participating in UN human rights fora where discussions on human rights standard-setting are to take place (such as, for example the International Forum on Minorities to take place in Geneva in September, 2008).

### *6. National human rights capacity-strengthening*

The Kingdom of Bahrain is committed to strengthening its governmental and non-governmental national capacities for:

- More effective implementation of its obligations under the international human rights treaties ratified by Bahrain.
- Ensuring timely reporting under such treaties.

- Following-up on the Concluding Observations of such treaty bodies.

In this regard, and in order to strengthen its commitment to human rights treaties, the Kingdom of Bahrain will investigate the possibility of establishing an inter-ministerial working group on human rights to organize and follow up such issues. In addition, it will further strengthen its national capabilities to implement its human rights commitments, including among police, prison officers, security personnel, the media and NGOs. The Kingdom of Bahrain is firmly committed to the promotion of NGOs, whether through legislation or otherwise, and to creating positive interactions with NGOs and other related agencies.

#### *7. Special Procedures and Mechanisms of the Human Rights Council*

Recognizing the importance of the Special Procedures and Mechanisms of the UN Human Rights Council, the Kingdom of Bahrain commits itself to:

- Timely response to requests for country visits, or for requests for information from the UN Human Rights Special Rapporteurs, Special Representatives, Independent Experts and Working Groups. Accordingly, it will develop a national, standing policy, process and mechanism (as distinct from *ad hoc* decision-making) to respond to such requests.
- Studying the feasibility of a “standing invitation approach” initially to selected, and ultimately to other Special Procedures and Mechanisms.
- Following-up, in a timely and effective manner, on the findings and recommendations of UN Special Rapporteurs, Special Representatives, Independent Experts and Working Groups, of particular relevance to Bahrain.

#### *8. UN General Assembly, Security Council, ECOSOC and other UN bodies*

Recognizing that important human rights themes and issues are discussed and addressed in various organs of the UN, the Kingdom of Bahrain commits itself to:

- Participating in meetings of ECOSOC (and its various Commissions), the General Assembly and the Security Council dealing with human rights questions and issues.
- Continuous and effective participation in Global Conference follow-up/periodic review processes, including the forthcoming Review of the Durban Declaration and Programme of Action of the World Conference Against Racism.

#### *9. Human rights of workers*

In an effort to continuously address challenges to the full protection of all human rights of all workers in Bahrain:

- There will be intensified inspection of workers’ housing, ensuring its suitability from the humanitarian, health and security aspects.
- Work will commence to coordinate with existing bodies concerned with monitoring and regulating the private sector with regard to the human rights of workers, especially in respect of housing of workers, where human rights violations are present in respect of some private sector companies.
- Enhanced protection will be devised for the rights of domestic workers especially those vulnerable because they are foreigners or women.

#### *10. Non-discrimination*

The CERD Committee has pointed out that Bahrain's domestic law continues to lack a definition of racial discrimination that embodies the terms set out in Article 1 of the Convention. Bahrain's legislature will be presented with this issue. The Committee also requested additional information regarding the population. Therefore, the Kingdom of Bahrain is committed to providing the requested information in its upcoming report to the Committee for the Elimination of All Forms of Racial Discrimination. Bahrain will also seek additional assistance in implementing recommendations of the CERD Committee.

#### *11. Torture and ill-treatment in custody or detention*

Even though cases of torture do not exist in Bahrain, the Kingdom of Bahrain constantly strives to improve the performance of law enforcement personnel in this area, including by requesting UN assistance in further development of human rights educational curricula, as well as in holding workshops on human rights. Law enforcement agencies will increase their courses and workshops for police and judicial officials, in the field of protecting and enhancing human rights, in relation to their duties. The Kingdom of Bahrain assures the Committee Against Torture of its cooperation with regard to implementation of Article 20 of the Convention.

#### *12. Trafficking in human persons*

The Kingdom of Bahrain is in the process of implementing the articles of its new anti-trafficking law and developing its campaign against trafficking in human persons. Reports from such campaign will be included in Bahrain's voluntary annual report to the HRC on implementation of UPR Outcomes..

#### *13. Freedom of speech, expression and assembly*

The Ministry of the Interior stresses its continuous commitment to ensuring that peaceful and lawful assemblies and gatherings take place free from unlawful interference. A programme of human rights education will be developed, directed both at law enforcement officers and at civil society organizations to explore the possibility of developing a voluntary code of conduct and behaviour applicable to all present at lawful assemblies and gatherings to ensure full compliance with the rule of law.

#### *14. The Right to Effective Remedies*

Here, once again, the Kingdom of Bahrain will use the UPR as an opportunity to seek technical assistance and international cooperation of experts to study and suggest measures to enhance the effective utilization of remedies for the protection and enjoyment of human rights in Bahrain. Article 2 of the International Covenant on Civil and Political Rights recognizes the right to effective remedies as itself being a key human rights.

### ***IMPLEMENTING BAHRAIN'S UPR OUTCOMES***

The Kingdom of Bahrain, on the receipt from the Human Rights Council of the UPR Outcomes Document, commits to:

- Posting the Outcome Document on MoFA’s UPR web site in both English and Arabic
- Inviting recommendations from any of the UN funds, agencies, programmes, mechanisms and procedures for enhancing the effective implementation of such Outcomes.
- Convening a National Consultation of all stakeholders to discuss the Outcomes Document, strategize about implementation, and finalize and adopt this Action Plan. This is why the Action Plan will be termed “Draft” until such National Consultation takes place.

The Kingdom of Bahrain is committed to participatory implementation and participatory monitoring of implementation of the UPR Outcomes by all national stakeholders governmental and nongovernmental alike.

The Kingdom of Bahrain is also committed to voluntarily reporting periodically to the HRC on its implementation of the UPR Outcomes and the resultant impact upon the “human rights situation on the ground”. The Kingdom of Bahrain is further committed to periodically reporting to its own people on the “human rights situation on the ground”. Therefore, Bahrain commits itself to: studying the feasibility of publishing, on an annual or periodic basis, a National Report on the State of Human Rights in the Kingdom of Bahrain.

### ***IMPLEMENTATION MECHANISMS AND PROCEDURES***

The effectiveness of any Action Plan depends on the implementing and monitoring mechanisms and processes established by the Plan. Accordingly, this Plan sets up the following implementation, monitoring and reporting mechanisms:

- A High-Level UPR Outcomes Implementation Plan Steering Committee with high-ranking representatives, for example, from the Ministries and government authorities suggested below, from the National Human rights Institution once it has been created and with at least one representative from civil society. This body would meet twice a year: to receive reports on implementation of this Plan; to provide policy direction and to prioritize activities under this plan. A report on each such bi-annual meeting will be made public and posted on Bahrain’s UPR website maintained by the Ministry of Foreign Affairs. The Steering Committee will also approve and release an Annual Report on activities undertaken under this Plan and on progress regarding UPR Outcomes. Such Report will be released simultaneously within Bahrain and to the Human Rights Council before one of the regular sessions of the Human Rights Council.
- A Technical Working Group on UPR Outcomes Implementation Plan comprising one staff member each, designated respectively by each member of the Steering Committee. This Working Group is charged with implementing the activities undertaken under the Action Plan. It will meet once a month for the purpose of division of labor and allocation of responsibilities for undertaking Action Plan activities.

- A Monitoring, Evaluation and Reporting Group on the UPR Outcomes Action Plan comprised of experts, both governmental and nongovernmental, appointed by the Steering Committee.
- An Task Force to recommend ratification, national legislative incorporation of Bahrain's international human rights obligations appointed by the Steering Committee.
- Such other mechanisms that the Steering Committee might deem necessary for effective implementation of this Action Plan.

The Ministry of Foreign Affairs will Co-Chair each of the above mechanisms and the second co-Chair will be determined by the membership of each mechanism. In the interests of transparency and accountability, the Ministry of Foreign Affairs will prepare a detailed draft of procedures for each of the above mechanisms to be discussed and adopted by each of the mechanisms themselves, on such topics as:

- Periodicity of meetings
- Duration of meetings
- Officers of the Mechanism
- Transparency and reporting on meetings: publication of minutes; publication of budget, and of annual audit report.
- Access to meetings: observers.
- National Stakeholder opportunities to contribute to agenda-setting of meetings of the Committee.

The procedures for each of the above mechanisms will be made public and posted on the Bahrain UPR website maintained by the Ministry of Foreign Affairs.

*Ministry of Foreign Affairs  
The Kingdom of Bahrain  
March 28, 2008.*

(Suggested representation on the above implementation; monitoring; evaluation; and reporting mechanisms are: the Ministries of Foreign Affairs, Justice, Interior, Labor, Health, Education, Information; the Judiciary (including Office of Prosecutor) the Legislature; the Directorate of Legal Issues in the Office of the Prime Minister; the High Council On Women; and appropriate and relevant NGOs and the National Human Rights Institution once it has been established).