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**Bahrain\***

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## I. General information

### A. Demographic, economic, social and cultural characteristics

#### Geographic location

1. The Kingdom of Bahrain lies in the Arabian Gulf, approximately equidistant between the Straits of Hormuz and the mouth of the Shatt al-Arab. Its strategic location has given Bahrain enormous cultural importance throughout history and it has been and continues to be a major international trading centre, a key link in east-west trade and a global communications hub.

2. Bahrain is an archipelago consisting of 40 islands located in the Arabian Gulf, between longitudes 50.50 to 51.11 and latitudes 26.06 to 27.18. The total area of the country is 8,269 km<sup>2</sup>, of which 778 km<sup>2</sup> (approximately 9 per cent) is land mass. Bahrain Island, where the capital, Manama, is located, is the country's largest island and accounts for about 85 per cent of total land mass. Bahrain is connected with Saudi Arabia by the King Fahd Causeway, which opened in 1986. Bahrain is generally low-lying, with the highest point of elevation at Jabal al-Dukhan ("Mountain of Smoke"), 134 meters above sea level. Bahrain has a dome-like structure.<sup>1</sup>

Item	2012	2013	2014	2015	2016	2017
Total area	8 269	8 269	8 269	8 269	8 269	8 269
Land mass	770	770	774	778	779	780
Territorial waters	7 499	7 499	7 495	7 491	7 490	7 489

Source: Survey and Land Registration Bureau.

3. Other important islands in the archipelago are the Hawar group, lying 25 kilometres south of Bahrain Island and having a land mass of some 52.10 km<sup>2</sup>.

Area	Island									
	Total Area	Hawar	Umm Nassan	Jiddah	Umm Sabban	Qaser AlQulaya	Sitra	Nabih Saleh	Muarraq + Asry	Bahrain
2012										
Sq. Km	769.77	52.10	20.47	0.57	0.18	0.14	15.69	1.25	63.95	615.42
Sq. Miles	297.21	20.12	7.90	0.22	0.07	0.05	6.06	0.48	24.69	237.61
%	100.00	6.77	2.66	0.07	0.02	0.02	2.04	0.16	8.31	79.95
2013										
Sq. Km	770.34	52.10	20.47	0.57	0.18	0.14	15.82	1.28	64.22	615.56
Sq. Miles	297.43	20.12	7.90	0.22	0.07	0.05	6.11	0.49	24.80	237.67
%	100.00	6.76	2.66	0.07	0.02	0.02	2.05	0.17	8.34	79.91
2014										
Sq. Km	774.44	52.10	20.47	0.59	0.18	0.14	18.34	1.29	65.32	616.01
Sq. Miles	299.01	20.12	7.90	0.23	0.07	0.05	7.08	0.50	25.22	237.84
%	100.00	6.73	2.64	0.08	0.02	0.02	2.37	0.17	8.43	79.54
2015										
Sq. Km	778.33	52.10	20.47	0.59	0.18	0.14	21.46	1.29	65.65	616.45
Sq. Miles	300.52	20.12	7.90	0.23	0.07	0.05	8.29	0.50	25.35	238.01
%	100.00	6.69	2.63	0.08	0.02	0.02	2.76	0.17	8.43	79.20

<sup>1</sup> Kingdom of Bahrain: Voluntary National Review on Sustainable Development Goals 2030.

Area	Island									
	Total Area	Hawar	Umm Nassan	Jiddah	Umm Sabban	Qaser AlQulaya	Sitra	Nabih Saleh	Muarraq + Asry	Bahrain
2016										
Sq. Km	779.39	52.10	20.47	0.59	0.18	0.14	21.89	1.29	66.19	616.54
Sq. Miles	300.92	20.12	7.90	0.23	0.07	0.05	8.45	0.50	25.55	238.05
%	100.00	6.68	2.63	0.08	0.02	0.02	2.81	0.16	8.49	79.11
2017										
Sq. Km	779.95	52.10	20.63	0.59	0.18	0.13	21.91	1.30	66.48	616.63
Sq. Miles	301.14	20.12	7.96	0.23	0.07	0.05	8.46	0.50	25.67	238.08
%	100.00	6.68	2.64	0.08	0.02	0.02	2.81	0.17	8.52	79.06

Source: Survey and Land Registration Bureau.

### Population

4. The country's geographical situation is reflected in the nature of the Bahraini people, who enjoy distinctive and authentic characteristics that give expatriates and visitors a sense of security and stability, while at the same time serving the spirit of enterprise which prevails across the wider region.

5. The Bahraini people are characterized by tolerance, close-knit family ties, bonds of human fellowship and trustworthiness in business dealings, with an aversion to all forms of intolerance, bigotry and discrimination. This has led to migrants from neighbouring countries making Bahrain their home, attracted by its atmosphere of tranquillity and calm. The country's embrace of Islam and adoption of its revealed truth have helped to reinforce these qualities.

6. The overwhelming majority of Bahrainis are of Arab origin, the product of successive waves of tribal immigration from the Arabian Peninsula in pre-Islamic times. Their historical roots can be traced back to the pre-Christian Dilmun civilization and later civilizations, such as those of Tylos, Arados and Awal. The modern history of Bahrain began in 1783.

7. Approximately 80 per cent of the population are concentrated in Bahrain Island, particularly the northern half, where government offices and business incubators are located. In certain parts of the country, the population density exceeds 1,800/km<sup>2</sup>. In 2017, the total population stood at around 1,500,000, of whom some 45 per cent were Bahraini nationals. Of these, 64 per cent were of working age (i.e. aged between 15 and 64). Young people in the 15–24 age group made up around 12 per cent of the population, while dependents (i.e. those aged under 15 and over 64) made up 31 per cent (25 per cent children and 6 per cent the elderly). Around 46 per cent of the population was under the age of 30 (58 per cent Bahraini and 36 per cent non-Bahraini). The average life expectancy of Bahrainis was 76.7 years, meaning that Bahrain may, in principle, benefit from the demographic dividend.<sup>2</sup> The following table shows the gender distribution of the population:

<sup>2</sup> Kingdom of Bahrain: Voluntary National Review on Sustainable Development Goals 2030.

**Population by nationality and gender**

Year	Bahraini			Non-Bahraini			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
2012	305 354	294 275	599 629	455 095	154 240	609 335	760 449	448 515	1 208 964
2013	312 945	301 885	614 830	475 436	162 925	638 361	788 381	464 810	1 253 191
2014	320 839	309 905	630 744	485 648	198 170	683 818	806 487	508 075	1 314 562
2015	328 887	318 948	647 835	517 478	205 009	722 487	846 365	523 957	1 370 322
2016	336 834	327 873	664 707	551 555	207 464	759 019	888 389	535 337	1 423 726
2017	343 340	334 166	677 506	607 972	215 638	823 610	951 312	549 804	1 501 116
2018	349 661	340 053	689 714	597 203	216 174	813 377	946 864	556 227	1 503 091

Source: Information and eGovernment Authority.

**8. Population density**

Year	Population density (km <sup>2</sup> )	Population	Land area (km <sup>2</sup> )
2012	1 570	1 208 964	770
2013	1 628	1 253 191	770
2014	1 698	1 314 562	774
2015	1 761	1 370 322	778
2016	1 827	1 423 726	779
2017	5 192	1 501 116	780

Source: Information and eGovernment Authority.

**9. Age distribution of the population (percentage)**

Age range	2012	2013	2014	2015	2016	2017	2018
0-4	7.3	7.3	7.7	7.7	7.1	7.3	7.1
5-9	6.5	6.5	6.8	7.0	6.8	6.6	6.7
10-14	5.8	5.7	6.0	6.1	6.0	5.9	5.9
15-19	5.8	5.6	5.6	5.5	5.4	5.1	5.2
20-24	8.6	8.4	8.1	7.5	7.7	7.3	7.5
25-29	14.5	14.4	13.5	13.1	13.6	14.0	12.7
30-34	13.4	14.0	13.0	13.7	14.1	14.4	14.3
35-39	10.6	10.7	10.3	10.9	11.0	11.3	11.6
40-44	8.6	8.4	8.1	8.5	8.4	8.5	8.7
45-49	6.7	6.7	6.6	6.8	6.6	6.5	6.5
50-54	5.1	5.0	5.3	5.1	5.0	4.9	5.0
55-59	3.2	3.4	4.0	3.7	3.6	3.6	3.7
60-64	1.7	1.7	2.2	2.0	2.1	2.1	2.3
65-69	0.8	0.9	1.1	0.1	1.1	1.1	1.2
70-74	0.7	0.6	0.8	0.6	0.6	0.6	0.7
75-79	0.4	0.4	0.5	0.4	0.4	0.4	0.4
80-84	0.2	0.2	0.3	0.2	0.2	0.2	0.2
85+	0.2	0.2	0.2	0.2	0.2	0.2	0.2

Source: Information and eGovernment Authority.

## 10. Dependency ratio

<i>Dependency per 1,000 population</i>	2012	2013	2014	2015	2016	2017	2018
Childhood dependency	25.1	24.9	26.8	27.1	25.7	25.4	25.5
Old age dependency	3.0	3.0	3.7	3.2	3.3	3.3	3.6
<b>Total dependency</b>	<b>28.1</b>	<b>27.9</b>	<b>30.5</b>	<b>30.3</b>	<b>29.0</b>	<b>28.7</b>	<b>29.1</b>

Source: Information and eGovernment Authority.

11. It is worth pointing out that, in the last few years, Bahrain has witnessed rapid population growth, with the total population rising from 1,039,297 in 2007 to 1,501,116 in 2017, representing an annual rate of increase of 4.4 per cent. However, this increase is basically a result of the increase in the number of expatriates. The rate of growth among citizens rose by 2.8 per cent, from 527,433 in 2007 to 677,506 in 2017, whereas the rate of growth of expatriates was 6.1 per cent in the same period; expatriates make up 55 per cent of the total population and 80 per cent of the workforce.<sup>3</sup>

## 12. Mother and child health

13. In the period 2005–2018, over 99 per cent of deliveries took place under professional medical supervision.

**Health Indicators in Five Years**

<i>Indicator</i>	<i>Years</i>				
	2013	2014	2015	2016	2017
Infant Mortality (less than one year)	151	218	156	137	133
Infant mortality rate/1,000 live births	7.6	10.4	7.4	6.6	6.5
under Five Mortality	181	252	196	164	162
Under 5 yrs mortality rate/1,000 live births	9.1	12.0	9.3	7.9	7.9
Maternal mortality	7	3	6	6	3
Maternal mortality rate/100,000 live births	35.0	14.3	28.6	29.0	14.6
Total fertility rate per women	2.2	2.1	2.1	2.0	1.9
Mean of life expectancy at birth	76.5	76.5	77.2	77.2	77.2
Woman Life Expectancy	77.4	77.4	78.1	78.1	78.1
Births	19 995	20 931	20 983	20 714	20 581
Deaths	2 569	2 805	2 860	2 886	2 902

Source: Ministry of Health.

14. Percentage of children suffering from anaemia, together with levels of breastfeeding and exclusive breastfeeding:

2017							
Exclusive Breastfeeding			Breastfeeding			Anemia	
Exclusive Breast-feeding until 6 months	Exclusive Breast-feeding until 4 months	Exclusive Breast-feeding until 2 months	Breast-feeding until 6 months	Breast-feeding until 4 months	Breast-feeding until 2 months	% of children 5–6 years with anemia	% of children 9th Month with anemia
10.7	19.2	21.6	56.5	65.5	78.0	19.7	44.2

<sup>3</sup> Kingdom of Bahrain: Voluntary National Review on Sustainable Development Goals 2030.

## 15. Growth indicators:

**Growth Indicators – Children under 5 Years Screened in Health Centres 2017**

Health Center	No. of Children under 5 Screened	Underweight (Low Weight for Age)			Length/Height for age			Weight for Length/Height			overweight/obese		
		Total %	Severely Under-weight %	Under-weight %	Total %	Severely Stunted %	Stunted %	Total %	Severely Wasted %	Wasted %	Total %	Obese %	Over-weight %
Bahraini	115 984	3.1	0.8	2.3	5.5	1.4	4.1	3.2	0.6	2.6	5.9	1.2	4.7
Male	59 185	3.3	0.9	2.5	6.0	1.6	4.5	3.5	0.7	2.8	6.2	1.3	4.8
Female	56 799	2.9	0.7	2.2	5.0	1.2	3.8	2.9	0.5	2.4	5.7	1.1	4.5
Non-Bahraini	40 857	3.0	0.7	2.4	6.3	1.4	4.9	3.6	0.8	2.8	7.1	1.6	5.4
Male	20 708	3.8	0.9	2.9	7.6	1.7	5.9	4.1	0.9	3.3	7.6	1.8	5.8
Female	20 149	2.7	0.7	2.1	5.4	1.3	4.2	2.9	0.6	2.3	6.5	1.5	5.1
<b>Total</b>	<b>156 841</b>	<b>3.2</b>	<b>0.8</b>	<b>2.4</b>	<b>5.8</b>	<b>1.4</b>	<b>4.4</b>	<b>3.3</b>	<b>0.7</b>	<b>2.6</b>	<b>6.2</b>	<b>1.3</b>	<b>4.9</b>
Male	79 893	3.4	0.9	2.6	6.4	1.6	4.8	3.7	0.8	2.9	6.5	1.5	5.1
Female	76 948	2.9	0.7	2.2	5.1	1.2	3.9	3.7	2.9	3.3	5.9	1.2	4.7

## 16. Births and deaths

**Births and deaths reported and registered**

Indicators	Reported			Registered		
	Male	Female	Total	Male	Female	Total
Live birth	10 593	10 390	20 983	10 534	10 323	20 857
Stillborn	54	49	103	-	-	-
Total	10 647	10 439	21 086	10 534	10 323	20 857
Death	1 667	1 120	2 787	1 661	1 114	2 775
Death (adjusted)	1 702	1 158	2 860	-	-	-

## 17. Life expectancy at birth

## 18. Average life expectancy at birth by gender (2000–2025)

Period	Males	Female	Total
2000–2005	74.2	75.9	75.0
2005–2010	75.2	76.7	75.8
2010–2015	75.8	77.4	76.5
2015–2020	76.5	78.1	77.2
2020–2025	77.2	78.8	77.9

Source: Information and eGovernment Authority.

**Language and religion**

19. Arabic is the official language of Bahrain. Article 2 of the Constitution states: “The religion of the State is Islam. Islamic sharia is a principal source for legislation. The official language is Arabic.” English is widely used in business.

20. Islam is the official religion and is embraced by the overwhelming majority of the population. The places of worship of other religions are to be found in Bahrain.

21. Bahrain is a model of coexistence and harmony between the followers of different religions, sects and cultures due to the atmosphere of freedom and openness cultivated by His Majesty the King as part of his comprehensive programme of reform. A number of initiatives have been launched in this regard, including the “Kingdom of Bahrain Declaration”, which is a document designed to promote religious freedom, tolerance and peaceful coexistence worldwide. Furthermore, the King Hamad Global Centre for Peaceful Coexistence, which represents a lasting historical legacy, has been established under the auspices of His Majesty.

22. The King Hamad Global Centre for Peaceful Coexistence epitomizes respect for cultural diversity, religious tolerance and rejection of extremism, hatred, tyranny, religious bigotry and discrimination on sectarian or religious grounds. Bahrain believes that peace can only be achieved through mutual understanding and dialogue and that it is important to create an environment to promote peace, dialogue and understanding between religions in order to combat the discourse of hatred and radicalization. Throughout history Bahrain has been and remains at the forefront of calls for peaceful coexistence between all religions and nationalities.

23. In November 2017, the King Hamad Chair in Interfaith Dialogue and Peaceful Coexistence was established at Sapienza University of Rome to teach dialogue, peace and mutual understanding. This initiative will give young people from around the world the opportunity to learn about the noble values which Bahrain proclaims, particularly rapprochement between different religions and sects, and the measures taken by Bahrain over the years to consolidate these values in society. It also offers the opportunity to teach students high moral values and mutual tolerance.

#### **Economic situation and human development**

24. The *Human Development Report (2018)*, published by the United Nations, ranked Bahrain 43rd globally and fourth among Gulf countries; 189 countries were covered by the report.<sup>4</sup> Furthermore, Bahrain was ranked 50th globally on the Index of Economic Freedom,<sup>5</sup> which covers financial, monetary and trade policy, government spending, capital flow, foreign investment and intellectual property rights.

25. In October 2008, as part of its development drive, Bahrain launched Economic Vision 2030, under the slogan “Sustainability, competitiveness and fairness”. This formed the basis for the National Economic Strategy (2015–2018), which was adopted as a road map for the national economy and governmental action.<sup>6</sup> The strategy focuses on strengthening the links between government policies and identifying key strategic initiatives to be implemented within the set time frame. It further identifies the bodies responsible for implementing these initiatives and the measures required. As a result, remarkable progress has been achieved in the sphere of sustainable development.

26. To achieve the goals of Bahrain Vision 2030, the Government has engaged in an ongoing process of strategic planning with a view to formulating national policies on the basis of a clear assessment of the existing situation in the country, taking into account both opportunities and constraints. The continuous planning process has enabled Bahrain to achieve the goal of making intelligent and prudent use of the country’s resources, push through economic reforms and improve government efficiency, while ensuring national development based on the core principles of sustainability, competitiveness and fairness.

27. Over the last ten years, Bahrain has chalked up a number of achievements affecting all aspects of political, economic and social life. Within the framework of the national reform programme launched by His Majesty the King, Bahrain has continued its march

<sup>4</sup> Human Development Report 2015: Work for Human Development, UNDP: <http://hdr.undp.org/en/2018-update>.

<sup>5</sup> Index of Economic Freedom, The Heritage Foundation, 2015: <http://www.heritage.org/index/country/bahrain>.

<sup>6</sup> National Development Strategy (2015–2018), Economic Development Board: <http://www.bahrainedb.com/ar/about/Pages/National-Development-Strategy.aspx#.WM5L2NJ96pr>.

toward building a brighter future for its people. It has made giant steps toward increased social well-being by improving health care, education, sports and social support, as well as boosting the national economy and creating jobs for Bahraini nationals.

28. The Bahraini economy relies basically upon oil, which makes up around 20 per cent of real gross domestic product (GDP). However, this figure conceals multiple links between the oil sector and other sectors. In particular, government spending on public sector projects and salaries is the fundamental driver of the economy, given that 85 per cent of the Bahraini workforce is employed in the public sector, which is a high proportion by global standards. Note that Bahrainis constitute 24 per cent of the total workforce. Oil revenues make up approximately 80 per cent of total public revenues and it is these revenues which finance public spending.<sup>7</sup>

29. According to preliminary 2017 estimates, GDP stood at approximately US\$ 33 billion at constant 2017 prices and average per capita share of GDP stood at US\$ 22,004, placing Bahrain among the high growth countries. The *Human Development Report (2016)* ranked Bahrain 47th globally out of 188 countries. Economic growth has seen some volatility over the past decade with the world economic and social crisis of 2008 bringing a slowdown, especially in construction. Furthermore, regional instability in the Arabian Gulf from 2011 onwards and a fluctuating oil price have had a negative impact on growth in Bahrain. In 2017, GDP stood at BD 12,419.47 million (US\$ 33 billion), with oil and gas making up 18.3 per cent of this figure. Exports stood at 65 per cent of imports.<sup>8</sup>

30. The Government has introduced a number of reforms designed to lower the deficit by reducing government spending and rationalizing subsidies. However, the oil price remains below the level required to balance the budget (US\$ 90 per barrel) and experts forecast that it will stay below this level in the coming years, noting that the price of a barrel has not yet broken through the US\$ 80 threshold.<sup>9</sup>

31. One bright spot on the economic front is the strong growth in the tourism sector, including regular events such as the Bahrain Formula One Grand Prix and Spring of Culture festival. Furthermore, new shopping malls have increased leisure options for Bahrainis, created jobs and stimulated the commercial and tourism sectors. Bahrain was named Arab Women Capital 2017. Furthermore, Manama was chosen as Arab Capital of Culture 2012, as part of the “Capitals of Culture” programme of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and, by the Arab Tourism Organization, as Capital of Arab Tourism 2013. Muharraq was chosen as Capital of Islamic Culture 2018.

32. The telecommunications sector has undergone reorganization, with liberalization of the telecommunications market, creation of the Telecommunications Regulatory Authority and development of new technologies to improve communications for Bahrainis, expatriates and businesses. New networks have been created, most significantly the eGovernment portal, which has helped speed up delivery of government services and reduce costs. The country’s labours have been recognized globally: over the last four years, Bahrain has been ranked among the ten best digital service providers by the United Nations Global E-Government Readiness Report. Furthermore, the country’s information and communications technology sector was ranked 29th in the world on the 2016 Global ICT Development Index published by the International Telecommunication Union, while retaining its number one position among the Arab countries for the fifth year in a row.

33. On the social front, Bahrain was ranked first among the Arab countries on the World Bank Human Capital Index<sup>10</sup> in 2018, reflecting the vitality of the Bahraini workforce. This success is due to the country’s policies and programmes, which are designed to ensure that citizens have access to advanced education and training in key investment areas to enable

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<sup>7</sup> Kingdom of Bahrain: Voluntary National Review of Sustainable Development Goals, 2030.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> <http://www.albankaldawli.org/ar/publication/human-capital>.

them to compete in the job market. Bahrain has made considerable progress in terms of the quality and delivery of education, which is comparable with international standards.

34. The Government is committed to providing decent housing for limited income families and between 2002 and 2012 built 9,416 new housing units. Furthermore, 648 housing vouchers and 2,608 apartments for sale were allocated in the same period. Additionally, 25,292 housing loans were made to citizens.

35. The Government is anxious to ensure that all sections of society have access to proper welfare support to enable them to enjoy a decent life. To this end, a number of social assistance programmes have been introduced, providing direct material support and high quality care to address the social needs of persons with special needs. Social assistance programmes provide a range of services, including financial support for widows and orphans and home care services and financial assistance for the elderly.<sup>11</sup>

36. Government agencies play a prominent role in the care of persons with disabilities, providing health, education and habilitation services in the attempt to integrate them in society. The Ministry of Labour and Social Development and Ministry of Health have important roles to play in this regard, in accordance with the function of each and the availability of resources, centres and qualified staff. The following table shows key social indicators:

<i>Reason for assistance</i>	2012	2013	2014	2015	2016	2017
<b>Amount of assistance (Bahraini dinars (BD))</b>						
Unable to work	449 540	404 780	291 640	126 610	153 865	181 500
Elderly	7 070 390	7 205 400	8 123 855	6 921 990	6 498 220	6 298 200
Disabled	95 480	91 410	60 750	11 170	7 280	13 640
Widow	1 330 880	1 377 350	1 146 545	921 830	763 615	713 600
Divorcée	2 989 050	3 379 790	4 525 200	4 075 555	3 743 020	3 616 535
Orphan	169 890	168 610	161 355	78 970	69 450	72 450
Family	4 096 570	4 642 520	6 608 315	5 903 705	5 809 995	6 262 925
Family of prisoner	171 630	142 965	181 665	238 130	319 870	341 820
Abandoned	215 160	213 730	227 655	179 945	174 635	162 715
Unmarried daughter	764 040	755 775	711 980	529 945	609 485	669 945
Son	192 090	204 740	137 155	135 775	164 125	190 470
<b>Total</b>	<b>17 544 720</b>	<b>18 587 070</b>	<b>22 176 115</b>	<b>19 123 625</b>	<b>18 313 560</b>	<b>18 523 800</b>
<b>No. of households</b>						
Unable to work	388	310	899	126	176	189
Elderly	6 005	6 825	4 112	5 901	5 613	5 553
Disabled	79	64	466	5	11	17
Widow	1 058	1 137	235	861	732	756
Divorcée	2 868	3 461	5 870	3 381	3 217	3 304
Orphan	139	141	3 337	70	75	81
Family	2 893	4 010	37	4 136	3 963	4 411
Family of prisoner	116	94	152	157	196	212
Abandoned	159	152	99	130	129	120
Unmarried daughter	742	741	119	564	634	688

<sup>11</sup> Information available on the website of the Ministry of Labour and Social Development: <http://www.social.gov.bh> Act No. 18 (2006), amended by Act No. 18 (2013), on social security.

<i>Reason for assistance</i>	2012	2013	2014	2015	2016	2017
Son	157	171	119	128	155	192
<b>Total</b>	<b>14 604</b>	<b>17 106</b>	<b>15 445</b>	<b>15 459</b>	<b>14 901</b>	<b>15 523</b>
No. of individuals						
Unable to work	1 567	525	1 792	129	203	225
Elderly	10 059	12 511	20 778	10 474	9 917	9 795
Disabled	288	136	553	5	11	21
Widow	2 360	2 509	288	1 831	1 464	1 485
Divorcée	4 658	6 093	10 518	6 150	5 807	6 081
Orphan	254	254	6 026	134	129	129
Family	14 246	18 488	59	22 222	21 379	21 611
Family of prisoner	384	123	381	462	577	613
Abandoned	593	387	182	311	325	297
Unmarried daughter	765	892	217	669	765	837
Son	226	333	301	238	294	367
<b>Total</b>	<b>35 400</b>	<b>42 251</b>	<b>41 095</b>	<b>42 625</b>	<b>40 871</b>	<b>41 461</b>

*Source:* Ministry of Labour and Social Development.

37. The High Commission for Disabled Affairs was established pursuant to Decision No. 62 (2007) to play a proactive, coordinating role between ministries, government bodies and civil society organizations. The establishment of the Commission underlines that care of the disabled is not the responsibility of only one specific government body but is the joint responsibility of all such bodies, in line with their respective functions and duties. These responsibilities include health and education services, employment, training, outreach, habilitation and housing.

## B. Constitutional, political and legal structure of the State

38. Bahrain obtained its independence in 1971. Seeking to establish governance on sound foundations of democracy and justice within a constitutional system that enshrines consultative government in a manner consistent with the circumstances of the country and its Arab-Islamic heritage, a constituent assembly was formed in 1972 to formulate a draft constitution. The assembly consisted of 22 elected members, eight members appointed by the Emir and 12 ministers, included by virtue of their position.

39. The first Constitution was promulgated in 1973, defining the powers of the Emir and regulating the relationship between the three authorities. The first of its fruits to emerge was the National Assembly, which enjoys wide legislative and oversight powers.

40. In 1975, a decree was issued dissolving the National Assembly and freezing the business of the legislature.

41. Since 1999, Bahrain has made rapid progress in consolidating its renaissance in all areas of national action in order to keep pace with developments both locally and internationally.

42. To promote national action, strengthen democracy and drive political development forward in order to achieve growth and prosperity for the Bahraini people, His Majesty King Hamad bin Isa Al Khalifa issued Royal Orders Nos. 36 (2000) and 43 (2000),<sup>12</sup>

<sup>12</sup> Royal Orders Nos. 36 (2000) and 43 (2000): <http://www.legalaffairs.gov.bh/Media/LegalPDF/O3600.pdf>, <http://www.legalaffairs.gov.bh/Media/LegalPDF/O4300.pdf>.

creating a higher national committee with a remit to draft a national action charter, designed to outline the future direction of the State and the role of State institutions and constitutional authorities.

### **National Action Charter<sup>13</sup>**

43. The National Action Charter represents the legal foundation underpinning the programme of reform initiated by His Majesty the King with a view to bringing about significant changes in the civil, political, economic, social and cultural life of the country. The Charter was adopted following a referendum in 2001, in which 98.4 per cent of the voters voted in favour. The referendum was the legal tool which enabled amendments to be made to the 1973 Constitution, resulting in the amended Constitution of 2002.

44. The preamble to the National Action Charter embraces the national, political and constitutional constants which affirm the identity of the country as a hereditary, constitutional and democratic monarchy in which the King serves his people and symbolizes their independent identity and aspiration for progress. It draws attention to the need to modernize the Constitution by learning from and incorporating the experiences of other democracies in expanding popular participation in governance and administration.

45. The national constants affirmed by the Charter are enshrined in the Constitution, which may only be amended by the joint will of the people and monarch.

### **Amendment of the Constitution (2002)**

46. In implementation of the popular will, which unanimously affirmed the principles of the National Action Charter, and in the endeavour to secure a better future in which the nation and the people will enjoy increased well-being, progress, growth, stability and prosperity, the Constitution adopted on 6 December 1973 was amended in line with the National Action Charter and an amended Constitution adopted on 14 February 2002.<sup>14</sup>

47. The amendments give expression to the country's advanced, civilized thinking by establishing a constitutional monarchy based on consultation and popular participation in the exercise of authority. This is the system on which modern political thought is based. The King appoints citizens with expertise to form the Consultative Council and the people elect the members of the Council of Representatives. Together, as the National Assembly, the two councils represent the popular will.

48. The Constitution stipulates that Bahrain is a fully sovereign, independent Arab State. The system of governance is democratic; sovereignty belongs to the people, the source of all authority. The system of governance is that of a hereditary constitutional monarchy based upon popular participation in the exercise of authority. A bicameral rather than a unicameral system has been adopted. Following amendment, article 1(e) of the Constitution stipulates that citizens, both men and women, have the right to participate in public affairs and enjoy political rights, including the right to vote and stand for election, in accordance with the Constitution and the terms and conditions set out in law. No citizen may be deprived of the right to vote or stand for election save by law.

### **Amendment of the Constitution (2012)**

49. His Majesty the King invited the executive and legislative authorities to convene a National Consensus Dialogue without preconditions. Dialogue began in July 2011, with all sections of society taking part. A number of ideas were put forward and accepted, including proposed constitutional amendments. On 15 February, within the framework of His Majesty's reforms, the King referred a proposal for a number of constitutional amendments to be made pursuant to these ideas to the Consultative Council and Council of Representatives. The following amendments were approved:

<sup>13</sup> National Action Charter: <http://www.nuwab.bh/wp-content/uploads/2016/08/Methaq.pdf>.

<sup>14</sup> Amended Constitution (2002): <http://www.legalaffairs.gov.bh/102.aspx?cms=iQRpheuphYtJ6pyXUGiNqq6h9qKLgVAb>.

- The King has the right to dissolve the Council of Representatives by decree, stating the reasons for dissolution, after consulting the speakers of the Consultative Council and Council of Representatives and president of the Constitutional Court; the Council of Representatives may not be dissolved for the same reasons twice;
- The Consultative Council is to be composed of 40 members appointed by royal order, in accordance with the procedures, rules and method to be determined by royal order;
- At the signed request of at least five members of the Council of Representatives, any minister may be questioned on matters within his/her area of competence;
- Hearings are to be conducted in accordance with the terms and conditions set out in the rules of procedure of the Council of Representatives;
- Hearings are to be conducted in the Council unless a majority of members decide to hold them in committee; hearings are to be conducted at least eight days after submission of the application, unless the minister asks for the hearing to be brought forward;
- A hearing may result in the Council of Representatives holding a vote of confidence in the minister, in accordance with article 66 of the Constitution;
- If a two-thirds majority of members of the Council of Representatives decides it is not possible to work with the prime minister, the matter will be brought before the King for decision: the prime minister may be dismissed and a new prime minister appointed or the Council of Representatives may be dissolved;
- Meetings of the National Assembly shall be chaired by the speaker of the Council of Representatives or in his absence by the speaker of the Consultative Council, followed by the first deputy speaker of the Council of Representatives then the first deputy speaker of the Consultative Council.

### **Regulation of the legislative, executive and judicial authorities**

50. As noted above, the Constitution states that sovereignty belongs to the people, the source of the three authorities. The system of governance is based on the principle of separation of powers between the legislature, executive and judiciary and cooperation between them in accordance with the provisions of the Constitution.

### **Legislative authority**

51. Pursuant to the constitutional amendments of 2002, the King and the National Assembly (i.e. the Consultative Council and Council of Representatives) exercise legislative authority. The King and the legislature have the right to propose constitutional amendments in accordance with the procedures stipulated in the Constitution. The system is a bicameral parliamentary one; adoption of a unicameral system may not be proposed. During the last series of constitutional amendments in 2012, a review of the powers of the Council of Representatives was conducted and the possibility of increasing its oversight powers was considered. The relationship between the two legislative chambers and the executive was reorganized with a view to achieving greater balance between them and enhancing the role of the Council of Representatives in terms of oversight and accountability. More of the parliamentary features upheld by the existing Constitution were adopted alongside the stipulated presidential features.

52. The National Action Charter underlined the need to adopt a bicameral system commensurate with global democratic and constitutional developments. The two chambers were organized under the existing Constitution in a manner consistent with these prevailing trends. However, this does not prevent review of the constitutional organization of the two chambers in line with political, economic and social changes, within the framework of guidelines formulated by the Charter. The most important of these are that each council must have the same number of members; the Council of Representatives shall be constituted by direct, free election; and the Consultative Council shall be appointed by royal order. Thus the Constitution stipulates that the National Assembly shall consist of two

chambers: the Consultative Council and Council of Representatives.<sup>15</sup> The Consultative Council shall be composed of 40 members appointed by royal order.<sup>16</sup> The Council of Representatives shall consist of 40 members elected by direct, secret, public ballot.<sup>17</sup> No law may be promulgated unless approved by both the Consultative Council and Council of Representatives or the National Assembly as the situation demands, and ratified by His Majesty.<sup>18</sup>

53. The Consultative Council and Council of Representatives participate jointly in the legislative process, at least in terms of their right to propose, approve or reject bills. The constitutional amendments of 2012 seek to promote the oversight role of the Council of Representatives with a view to making it solely responsible for this function. The Council of Representatives alone exercises by far the greatest degree of oversight of the executive, such as scrutiny, vote of no confidence in ministers, formation of scrutiny committees and formation of committees to consider citizens' complaints. It also has the right to question ministers and to discuss, approve or reject programmes submitted by the Government; approval indicates that the Government has gained the confidence of the Council. Furthermore, the Council of Representatives has the right to propose a general topic for discussion. This corresponds with the approach taken by a number of constitutions worldwide, which have adopted a bicameral system under which the elected chamber exercises oversight of the executive.

### **Executive authority**

54. The King, prime minister and ministers are in charge of the executive authority. The executive is responsible for formulating and implementing general policy, supervising the conduct of government business and looking after State interests. The Constitution sets out the duties, powers and responsibilities of the King, prime minister and ministers.

55. Pursuant to the Constitution and the principles enshrined in the National Action Charter, the system adopted by Bahrain is a hybrid one, in the middle between a parliamentary and presidential system. Its legitimacy is based on the political will expressed at the ballot box through parliamentary elections and referendums called by the King to decide certain laws and important issues that concern the higher interests of the country. Constitutional amendments are not designed to introduce an absolute parliamentary system but to ensure the adoption of further parliamentary features, within the framework of the Charter, under "System of government", which stipulates: "He [the King] is the head of State. His person is inviolable. He is the supreme commander of armed forces, the symbol of national independence and the foundation on which the system of governance of the State is based. He exercises his powers through ministers who are accountable to him. He appoints the prime minister and ministers and dismisses them from their posts in accordance with his powers as set out in the Constitution."

56. Pursuant to the charter, the Constitution devotes a full section to the King, according him a privileged position. He is the supreme representative of the State, the symbol of national unity and protector of the faith and the homeland. He safeguards the legitimacy of the system of governance and the sovereignty of the Constitution and law and watches over the rights and freedoms of individuals and organisations. As head of the executive authority, he exercises his powers either directly through royal orders or by decree through his ministers.

### **Judicial authority**

57. The judicial authority is responsible for the State judiciary and courts. It is responsible for ensuring justice. Furthermore, it is responsible for the process and conventions of the judicial system and the credibility of the laws it applies. It is independent of the other State authorities. The Supreme Judicial Council oversees the

<sup>15</sup> Article 51 of the Constitution (2002).

<sup>16</sup> Article 52 (amended 2012).

<sup>17</sup> Article 56 of the Constitution (2002).

<sup>18</sup> Article 70 of the Constitution (2002).

business of the courts and auxiliary agencies. The law sets out the different degrees and types of court and explains their jurisdiction and functions.

58. The right of litigation is one of the key rights and fundamental principles provided for in the Constitution. Thus article 20(f) guarantees this right for everyone – man and woman – on a basis of equality and without discrimination on grounds of race, gender or religion.

59. Articles 104–106 of the Constitution deal with the judiciary, guaranteeing its impartiality and the equality of all before the law. The Constitution further affirms the impermissibility, on pain of punishment, of any person or authority interfering with judicial business or influencing the course of a lawsuit.

60. The Constitution is based upon the principle of separation of the legislative, executive and judicial authorities: each carries out the role assigned to it without interference or influence from another authority. In view of the special nature of the judiciary and in the belief that justice is the foundation of governance in all countries, the legislature accords it maximum attention. This is stated explicitly in article 4 of the Constitution: “Justice is the basis of government. Cooperation and mutual respect provide a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity and equality of opportunity for citizens are pillars of society guaranteed by the State.”

### **Independence of the judiciary**

61. The year 2012 witnessed a significant development regarding independence of the judiciary in Bahrain. Judicial independence was guaranteed by the National Action Charter and subsequently confirmed by the first constitutional amendment in 2002 and the second in 2012. In terms of domestic legislation, the Judiciary Act was promulgated in 2002 to regulate judicial business.

62. During the National Consensus Dialogue in summer 2011, a set of ideas was put forward to promote judicial independence, resulting in amendments being made to several provisions of the Judiciary Act. These were promulgated by His Majesty pursuant to Legislative Decree No. 44 (2012).<sup>19</sup>

63. It should be pointed out that the most recent amendments to the Judiciary Act focused largely on the financial independence of the judiciary, stipulating that the Supreme Judicial Council has an independent annual budget commencing at the beginning of the financial year and concluding at the end thereof.

64. The president of the Court of Cassation prepares a draft budget in good time before the start of the financial year and discusses it with the minister of finance. Revenues and expenditures are included as a single figure in the draft budget. Once the State budget has been adopted, the president of the Court of Cassation further coordinates with the minister of finance on the distribution of budget allocations to the Supreme Judicial Council, as itemized in the State budget.

65. The new amendments to the Judiciary Act require the salary, allowances and benefits system for judges and members of the Public Prosecution Service to be regulated by royal order at the suggestion of the Supreme Judicial Council. The Council shall issue a bylaw regulating the affairs of judges and members of the Public Prosecution Service without being tied to the financial and administrative provisions stipulated in the Civil Service Act.

66. The new amendments to the Judiciary Act promote judicial independence by ensuring maximum financial and administrative autonomy for the judiciary without oversight or interference from the executive and legislature, in accordance with the principles of the separation of powers stipulated in the Constitution. These amendments are

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<sup>19</sup> Legislative Decree No.44 (2012, amending certain provisions of the Judiciary Act, promulgated by Legislative Decree No. 42 (2002): <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4412.pdf>.

consistent with the core principle of the independence of the judiciary affirmed by the United Nations.

## **II. General framework for the protection and promotion of human rights**

### **C. Acceptance of international human rights norms**

#### **1. Status of international human rights conventions in the Bahraini legal system**

67. Article 37 of the Constitution explains the mechanism for concluding and adopting international treaties, together with a statement of their legal value, as follows: “The King shall conclude treaties by decree and shall communicate them to the Consultative Council and the Council of Representatives forthwith accompanied by the appropriate statement. A treaty shall have the force of law once it has been concluded and ratified and published in the Official Gazette. However, peace treaties and treaties of alliance, treaties relating to State territory, natural resources, rights of sovereignty, the public and private rights of citizens, treaties pertaining to commerce, shipping and residence and treaties which involve the State treasury in off-budget expenditure or entail amendment of the laws of Bahrain, must be promulgated by an act to be valid. Under no circumstances may a treaty include secret clauses which conflict with those openly declared.”

68. The amended Constitution divides international treaties and conventions into two groups:

- i. International treaties and conventions adopted in the Bahraini legal system by virtue of royal decree, with the proviso that the Consultative Council is advised thereof;
- ii. International treaties and conventions that, to be adopted in the Bahraini legal system, require the approval of the Consultative Council and Council of Representatives and promulgation of an act bringing them into force, pursuant to article 37 of the Constitution.

69. The constitutional legislature states explicitly that international conventions have the same force of law in terms of status and obligation as operative domestic law. As such, when an international convention is ratified or acceded to and published in the Official Gazette it becomes, under the Constitution, part of the domestic legal system.

70. Conventions which Bahrain has ratified or acceded to have the same status as domestic law following adoption.

71. Pursuant to the constitutional provision which holds international conventions to be a part of the legislative structure of the State, there have been many instances of judicial application of international conventions. Perhaps the most significant of these are the rulings delivered by the Constitutional Court on the basis of the International Covenant on Civil and Political Rights, particularly its ruling in respect of Royal Referral No. RR/1/2014 (judicial year no. 12). In this case, the Court concluded that article 20 of the Traffic Bill was incompatible with the Constitution because it prohibits a foreigner from obtaining a driving licence or driving a vehicle. The court gave several reasons for its ruling, including violation of articles 12(1) and 26 of the International Covenant on Civil and Political Rights.

72. Conventions are published in Arabic in the Official Gazette, pursuant to articles 37 and 122 of the Constitution, whereupon the legal status of a convention as a law of the land is fully established, as noted above. Copies are available to legal professionals, government bodies, citizens and others at nominal cost. All Bahraini laws may be found on the website of the Legislation and Legal Opinion Commission and other websites.

**2. International human rights instruments to which Bahrain has acceded**

73. Bahrain has acceded to a number of international instruments adopted by the United Nations, principally:

1. Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948) to which Bahrain acceded pursuant to Legislative Decree No. 4 (1990);
2. Slavery Convention (adopted 25 September 1926), as amended by the Protocol of 1953 and the Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery of 1956, to which Bahrain acceded pursuant to Legislative Decree No. 7 (1990);
3. International Convention on the Elimination of All Forms of Racial Discrimination (1965), to which Bahrain acceded pursuant to Legislative Decree No. 8 (1990);
4. International Convention on the Suppression and Punishment of the Crime of Apartheid (1973), to which Bahrain acceded pursuant to Legislative Decree No. 8 (1990);
5. Convention on the Rights of the Child (adopted 20 November 1989), to which Bahrain acceded pursuant to Legislative Decree No. 16 (1991);
6. Two Optional Protocols to the Convention on the Rights of the Child, to which Bahrain acceded pursuant to Legislative Decree No. 19 (2004):
  - (a) Protocol on the involvement of children in armed conflict (2000);
  - (b) Protocol on the sale of children, child prostitution and child pornography (2000);
7. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted by United Nations General Assembly on 10 December 1984), to which Bahrain acceded pursuant to Legislative Decree No. 4 (1998);
8. Amendment of article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination (1965), to which Bahrain acceded pursuant to Legislative Decree No. 8 (1990) and Legislative Decree No. 6 (2000);
9. Convention on the Elimination of all Forms of Discrimination against Women (adopted by United Nations General Assembly on 18 December 1979), to which Bahrain acceded pursuant to Legislative Decree No. 5 (2002), amended by Legislative Decree No. 70 (2014);
10. United Nations Convention against Transnational Organized Crime (2000) and two Protocols Supplementary thereto, to which Bahrain acceded pursuant to Act No. 4 (2004):
  - (a) Protocol against the Smuggling of Migrants by Land, Sea and Air (2000);
  - (b) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000);
11. International Covenant on Civil and Political Rights (1966), to which Bahrain acceded pursuant to Act No. 56 (2006);
12. International Covenant on Economic, Social and Cultural Rights (1966), to which Bahrain acceded pursuant to Act No. 10 (2007);
13. Convention on the Rights of Persons with Disabilities (2006), to which Bahrain acceded pursuant to Act No. 22 (2011);
14. Arab Charter on Human Rights, pursuant to Act No. 7 (2006);
15. Arab Women Organization Convention, pursuant to Decree No. 24 (2002);

16. Convention on the Elimination of all Forms of Discrimination Against Women, to which Bahrain acceded pursuant to Decree No. 8 (1990);

17. United Nations Convention on the Rights of the Child, to which Bahrain acceded pursuant to Legislative Decree No. 16 (1991).

### **3. International Labour Organization (ILO) Conventions to which Bahrain has acceded**

1. Weekly Rest (Industry) Convention, 1921 (No. 14), ratified by Decree No. 5 (1981);

2. Forced Labour Convention, 1930 (No. 29), ratified by Decree No. 5 (1981);

3. Labour Inspection Convention, 1947 (No. 81), ratified by Decree No. 5 (1981);

4. Night Work (Women) Convention, 1948 (No. 89), ratified by Decree No. 5 (1981);

5. Abolition of Forced Labour Convention, 1957 (No. 105), to which Bahrain acceded pursuant to Decree No. 7 (1998);

6. Minimum Age Convention, 1973 (No. 138), to which Bahrain acceded pursuant to Act No. 1 (2012);

7. Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159), to which Bahrain acceded pursuant to Legislative Decree No. 17 (1999);

8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111), ratified by Decree No. 11 (2000);

9. Worst Forms of Child Labour Convention, 1999 (No. 182), to which Bahrain acceded pursuant to Legislative Decree No. 12 (2001);

10. Occupational Safety and Health Convention, 1981 (No. 155), to which Bahrain acceded pursuant to Act No. 25 (2009);

11. Arab Convention on the determination and protection of wages, 1983 (No. 15), to which Bahrain acceded pursuant to Legislative Decree No. 3 (1984).

## **D. Legal framework for the protection of human rights at the national level**

74. The most significant recent developments regarding the legal and institutional framework to promote and protect human rights are as follows:

- Creation of the National Institute for Human Rights, pursuant to the recommendation made in paragraph 12 of the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/BHR/CO/7);
- Act No. 26 (2014), creating the National Institute for Human Rights;
- Legislative Decree No. 20 (2016), amending certain provisions of Act No. 26 (2014), creating the National Institute for Human Rights;
- Royal Order No. 17 (2017), setting out the guidelines for appointing members of the board of commissioners of the National Institute for Human Rights;
- Creation of the High Coordinating Committee for Human Rights;
- Decision of the Prime Minister No. 50 (2012), creating the High Coordinating Committee for Human Rights;
- Decision of the Prime Minister No. 14 (2014), restructuring the High Coordinating Committee for Human Rights;

- Decision of the Prime Minister No. 31 (2017), restructuring the High Coordinating Committee for Human Rights;
- Creation of the Prisoners and Detainees Rights Commission, pursuant to Decree No. 61 (2013), creating and defining the powers of the Prisoners and Detainees Rights Commission;
- Creation of an independent Ombudsman Office in the Ministry of Interior;
- Decree No. 27 (2012), concerning the independent Ombudsman Office in the Ministry of Interior;
- Decree No. 35 (2013), amending certain provisions of Decree No. 27 (2012), concerning the independent Ombudsman Office in the Ministry of Interior;
- Royal Order No. 15 (2018), creating the King Hamad Global Centre for Peaceful Coexistence.

### **Legal framework**

- Act No. 56 (2006), approving accession of Bahrain to the International Covenant on Civil and Political Rights;
- Act No. 10 (2007), approving accession of Bahrain to the International Covenant on Economic, Social and Cultural Rights;
- Act No. 7 (2006), ratifying the Arab Charter for Human Rights;
- Act No. 22 (2011), ratifying the Convention on the Rights of Persons with Disabilities;
- Legislative Decree No. 70 (2014), amending certain provisions of Legislative Decree No. 5 (2002), approving accession to the Convention on the Elimination of all Forms of Discrimination Against Women;
- Act No. 18 (2006), on social security;
- Act No. 18 (2013), amending article 9 of Act No. 18 (2006), on social security;
- Act No. 23 (2018), on health insurance;
- Act No.30 (2018), on personal data protection;
- Act No. 31 (2018), on encouraging and protecting competition;
- Act No. 1 (2018), on combating trafficking in persons;
- Act No. 58 (2009), on the rights of the elderly;
- Decision of the Minister of Labour and Social Development No. 11 (2011), issuing the implementing regulation of Act No. 58 (2009), on the rights of the elderly;
- Children Act, promulgated by Act No. 37 (2012);
- Act No.18 (2014), promulgating the Reform and Rehabilitation Institution Law;
- Decision of the Minister of Interior No. 131 (2015), on the implementing regulation of the Reform and Rehabilitation Institution Law, promulgated by Act No.18 (2014);
- Private Sector Labour Law, promulgated by Act No. 36 (2012);
- Act No. 52 (2012), amending certain provisions of the Penal Code, promulgated by Legislative Decree No. 15 (1976);
- Act No. 17 (2015), on protection from domestic violence;
- Family Law, promulgated by Act No. 19 (2017);
- Act No.18 (2017), on alternative sentencing;
- Decision of the Minister of Interior No. 14 (2012), issuing the code of conduct for police officers;

- Decision of the Minister of Interior No. 31 (2012), issuing the code of professional conduct for members of the National Security Agency.

### Economic Rights

75. Under article 6(f) of the Constitution, the State shall provide suitable housing for persons with limited income. Article 10(a) states that the national economy is based on social justice and underpinned by fair cooperation between public and private business. Six articles in the Constitution are devoted to economic, financial and employment issues. The Constitution points out that the national economy is based on social justice, underpinned by fair cooperation between the public and private sectors to ensure economic development in accordance with the plans set out and, consequently, the well-being and prosperity of citizens under the umbrella of the law.

76. The Constitution holds that the right to work is essential and that citizens must be provided with employment. The State guarantees to provide citizens with job opportunities under fair conditions. The explanatory memorandum indicates that the reason for amending article 13(b) of the Constitution by addition of the word “opportunities” is to show that the State has a clearly defined duty and that no one can be forced to do a particular job except as required by law. The law regulates the relationship between employee and employer on economic bases, while observing social justice. The foregoing is covered in article 13. As regards the equal right of all citizens to hold public posts, article 16 of the Constitution stipulates: “(a) Public posts are a national service entrusted to the incumbents and State employees shall have the public interest in mind when performing their jobs; and (b) Citizens are equal in respect of the occupation of public posts, in accordance with the conditions specified by law.”

<i>Workers registered with the Civil Service Bureau</i>	2012	2013	2014	2015	2016
Bahraini	40 455	40 814	42 954	41 033	41 033
Male	19 902	20 092	21 195	19 299	19 299
Female	20 553	20 722	21 759	21 734	21 734
Non-Bahraini	6 970	7 781	8 148	8 260	8 260
Male	4 536	4781	4 895	5 044	5 044
Female	2 434	3 000	3 253	3 216	3 216
<b>Total</b>	<b>47 425</b>	<b>48 595</b>	<b>51 102</b>	<b>49 293</b>	<b>49 293</b>

*Source:* Information and eGovernment Authority report (2016).

<i>Private sector workers registered with Ministry of Labour and Social Development</i>	2012	2013	2014	2015	2016	2017
Bahraini	94 469	95 608	99 219	101 198	102 167	103 802
Male	68 880	69 353	70 929	71 170	71 235	71 380
Female	25 616	26 254	28 290	30 028	30 932	31 972
Non-Bahraini	384 777	400 482	412 857	445 374	509 062	495 912
Male	359 051	371 669	381 579	411 093	473 169	459 024
Female	25 726	28 813	31 278	34 281	35 893	38 888
<b>Total</b>	<b>479 273</b>	<b>469 090</b>	<b>512 076</b>	<b>546 572</b>	<b>611 229</b>	<b>599 714</b>

*Source:* Ministry of Labour and Social Development (2018).

77. Workforce size and trends

Year		2012	2013	2014	2015	2016
Workers	(000s)	690.0	718.9	734.7	769.6	812.3
	Percentage of workforce to total working age population (15+)	71.0	71.2	70.3	70.0	71.2
<b>Total workforce</b>	<b>(000s)</b>	<b>696.7</b>	<b>727.4</b>	<b>742.1</b>	<b>766.6</b>	<b>820.7</b>
	<b>Rate of participation (%) in workforce to total population aged 15+</b>	<b>71.7</b>	<b>72.1</b>	<b>71.0</b>	<b>71.6</b>	<b>72.0</b>

Source: Information and eGovernment Authority (2018).

78. The right of ownership as stipulated in article 9(a) of the Constitution is an individual right with a social function. Private ownership is protected and no one shall be prevented from disposing of his/her property within the limits of the law (art. 9(c)). Public funds are inviolate and their expropriation is forbidden (art. 9(d)). All natural wealth and resources are State property (art. 11). The State guarantees to take the measures necessary to conserve agricultural land (art. 9(h)). The relationship between landlords and tenants shall be regulated by law on economic bases (art. 9(e)).

79. The State guarantees the joint liability of society in bearing the burdens arising from public disasters and ordeals and for compensating those who have sustained damage resulting from war or in the course of performing their military duties (art. 12).

### Social rights

80. One of the principles stipulated in the Constitution is that the family is the basis of society, deriving its strength from religion, morality and love of the homeland. The law upholds the family as a lawful entity, strengthens its bonds and protects it from exploitation and neglect. The State cares in particular for the physical, moral and intellectual development of the young. The State guarantees to reconcile women's duties toward family with their work in society (art. 5(a)). The State guarantees the right of inheritance in accordance with Islamic sharia law (art. 5(d)).

81. The State is responsible for providing social security for its citizens in old age, sickness, disability, orphanhood, widowhood or unemployment. It also provides them with social insurance and health care services. It strives to safeguard them from ignorance, poverty and fear (art. 5(c)).

82. The Constitution gives every citizen the right to health care. The State ensures the means of prevention and treatment by establishing a variety of hospitals and health care institutions (art. 8(a), (b)).

### Cultural rights

83. The Constitution stipulates that education is compulsory and free at the early stages, as provided by law. The State sponsors the sciences, humanities and the arts and encourages scientific research. The State guarantees educational and cultural services for citizens. The law regulates all stages and types of religious and national instruction and is concerned with the development of personality and sense of allegiance. Individuals and bodies have the right to establish private schools and universities under the supervision of the State and in accordance with the law (art. 7 (a), (b) and (c)).

No. of schools	2011	2012	2013	2014	2015	2016	2017
Government schools	202	204	206	206	207	207	208
Private schools	267	71	72	73	74	73	72
<b>Total</b>	<b>269</b>	<b>275</b>	<b>278</b>	<b>279</b>	<b>281</b>	<b>280</b>	<b>280</b>

Source: Information and eGovernment Authority report (2016).

## 84. Number of students per teacher

<i>No. of students</i>	2011	2012	2013	2014	2015	2016	2017
Government schools	10	10	10	9	9	9.6	10
Private schools	15	14	14	14	14	13.5	13

*Source:* Information and eGovernment Authority report (2016).

## 85. Number of students per school

<i>No. of students</i>	2011	2012	2013	2014	2015	2016	2017
Government schools	623	632	628	639	647	663	670
Private schools	723	713	754	789	832	893	910

*Source:* Information and eGovernment Authority report (2016).

## 86. Proportion of registered female to male students in government schools

<i>Level</i>	2011	2012	2013	2014	2015	2016	2017
Primary	101.1	101.1	102.1	103.0	103.0	102.0	102.0
Preparatory	98.0	98.0	98.9	98.0	96.0	97.0	100.0
Secondary	111.6	99.6	104.2	103.0	106.0	105.0	101.0

*Source:* Information and eGovernment Authority report (2016).

## 87. Proportion of registered female students to male students in private schools

<i>Level</i>	2011	2012	2013	2014	2015	2016	2017
Primary	85.6	84.7	84.8	85.0	86.0	87.0	89.0
Preparatory	81.5	80.9	82.2	84.0	84.0	86.0	87.0
Secondary	81.7	81.6	81.1	82.0	83.0	85.0	89.0

*Source:* Information and eGovernment Authority report (2016).

**Judicial and administrative bodies with responsibility for human rights issues**

88. The nature and independence of the judiciary were explained above. However, it is very difficult to list all the judicial and administrative bodies in Bahrain involved with human rights directly or indirectly. By way of example, we might note the following:

- The Public Prosecution Service is a division of the judiciary that represents society, fosters and protects private and public rights from criminal activity and defends human rights. The service initiates criminal cases and brings them to court. It acts in the role of impartial agent of society, whose interests it represents in criminal cases. It is also charged under the law with the execution of sentences and supervision of correctional institutions. The service enjoys independence and its members may not be dismissed. In their professional activity, they are subject to the oversight of the Attorney General, who has the power of appointment, transfer and promotion. All members of the service are affiliated to the Supreme Judicial Council, in the formation of which the Attorney General participates. Furthermore, through its membership of various national committees, the Public Prosecution Service takes part in fighting crime, formulating strategies and raising social awareness of crime. The number of deputy public prosecutors in the last five years has been as follows:

<i>Year</i>	<i>Total</i>
2013	47
2014	47
2015	40
2016	56
2017	66

- The Supreme Council for Women was established pursuant to Royal Order No. 44 (2001) and is the benchmark institution for all official bodies dealing with women's affairs. Article 3 of the order sets out some of the Council's powers.
- The Ombudsman Office of the National Security Agency was established pursuant to Decree No. 28 (2012), concerning the independent Ombudsman Office and Professional Standards Office of the National Security Agency. The Ombudsman Office receives and investigates allegations of abuse by members of the National Security Agency and other violations of the law and the conventions ratified by Bahrain. It conducts enquiries into alleged abuses committed in connection with, as a result of or during the performance of their official duties or cases in which the agency had a hand, in accordance with article 1 of the Decree.
- The High Coordinating Committee for Human Rights was created by Decision of the Prime Minister No. 50 (2012) and was restructured pursuant to Decision No. 31 (2017). The Committee's duties include formulating a coordination mechanism to ensure that the best policies for dealing with human rights issues are developed and compiling the reports which Bahrain is required to submit under the human rights conventions to which it has acceded.
- The Ombudsman Office of the Ministry of Interior is an agency with administrative and financial independence that seeks to ensure compliance with the laws of the land, the police code of professional conduct and the administrative regulations governing the professional performance of civil servants in the Ministry of Interior, within a broad framework of respect for human rights and the rule of law, the cultivation of justice and acquisition of public trust.
- The Special Investigation Unit of the Public Prosecution Service was created pursuant to Decision of the Attorney General No. 8 (2012). The Unit is responsible for determining the criminal responsibility of government officials who have broken the law by committing acts of murder, torture, abuse or mistreatment, including senior officials under the principle of command responsibility. In cases where the Unit concludes that there are grounds for a different form of accountability, the case documents are forwarded to the competent government directorate or authority for possible disciplinary action or other legal measures to be taken. The Attorney General may also have reason to refer other cases to the Unit for investigation, in accordance with articles 4 and 5 of the above Decision.
- The Prisoners and Detainees Rights Commission, created pursuant to Decree No. 61 (2013), is responsible for inspecting prisons, places of detention, juvenile reform centres, remand centres and other places where detainees may be held, such as hospitals and psychiatric clinics, in order to assess conditions and the treatment of inmates and ensure that no one is subject to torture or inhuman or degrading treatment. Article 3 sets out some of the Commission's powers.
- The National Institute for Human Rights, established pursuant to Act No. 26 (2014), seeks to promote, develop, protect and secure the values of human rights. It further seeks to spread awareness and ensure the exercise of human rights. Article 13 sets out some of the Institute's powers.

### Constitutional protection for the rights contained in human rights instruments

89. The Bahraini Constitution includes all the rights contained in the *Déclaration des droits de l'homme et du citoyen* (1789) and the Universal Declaration of Human Rights (1948). Indeed, the latter was one of the instruments on which the Government relied in discussions with the Constituent Assembly on the Constitution in 1973. Following amendment, the Constitution ensured a number of public rights and freedoms, especially third generation rights, such as the right of the environment. In other words the Constitution, after being amended, included first, second and third generation rights.

90. Some of the rights and freedoms contained in the Constitution are inherent, while others are essential to protect or uphold the right itself. The Constitution provides for 90 rights and freedoms. Some 30 rights and freedoms are provided for in the chapter entitled, "Rights and freedoms", while the remaining ones are mentioned elsewhere in the Constitution. We might note that a number of these rights are also provided for in the National Action Charter. These are shown in the following tables:

#### Right to participate in public affairs and enjoy political rights

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Right to participate in public affairs and enjoy political rights	<p>Art. 1(e) Applies to citizens, both men and women, in accordance with the Constitution and terms and conditions set out in law;</p> <p>No citizen may be deprived of the right to vote or to stand for election except by law;</p> <p>It is impermissible under any circumstances to suspend the Consultative Council or Council of Representatives or to infringe the immunity of their members during the declaration of martial law or declaration of a state of national security (art. 123).</p>	<p>Widening the scope of popular participation in the business of government and administration;</p> <p>The people look forward with full confidence and resolve to a bright future ... based on the participation of all sections of society in the responsibilities of government.</p>	<p>Citizens, both men and women, enjoy the right to participate in public affairs; they also enjoy political rights, including the right to vote and to stand for election, in accordance with the law.</p>
Sovereignty of the people	<p>Art. 1(d) Sovereignty shall be exercised as set out in the Constitution;</p> <p>The people are the source of all authority;</p> <p>Bahrain is an independent and fully sovereign ... Its sovereignty may not be relinquished (art. 1(a));</p> <p>Peace treaties and treaties of alliance, treaties relating to ... or rights of sovereignty ... must be promulgated by law to be valid (art. 37).</p>		
Right to vote	<p>Art. 1(e) In accordance with the Constitution and terms and conditions set out in law;</p> <p>No citizen may be deprived of the right to vote or to stand for election except by law;</p>	Stipulated	Same safeguards

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
	<p>The Council of Representatives comprises forty members elected by direct, public, secret ballot in accordance with the provisions set out in law (art. 56).</p>		
Right to stand for election	<p>Art. 1(e)</p> <p>In accordance with the Constitution and terms and conditions set out in law, no citizen may be deprived of the right to vote or stand for election except by law.</p> <p>A member of the Council of Representatives must meet the following requirements:</p> <ul style="list-style-type: none"> <li>• He/she must be Bahraini or have acquired Bahraini nationality at least ten years previously and not hold nationality of any other State except for a member State of the GCC with the proviso that he/she be originally of Bahraini nationality;</li> <li>• He/she must enjoy full civil and political rights and his/her name appear on an electoral register;</li> <li>• He/she must be not less than thirty Gregorian years of age on election day;</li> <li>• He/she must read and write Arabic fluently;</li> <li>• His/her membership of the Consultative Council or Council of Representatives must not have been withdrawn by decision of the council to which he/she belongs due to loss of confidence and honour or for violation of the duties of membership; a person whose membership has been withdrawn may stand as a candidate if the legislative session during which the decision to withdraw his/her membership was taken has ended or if the chamber of which he/she was a member resolves to revoke the impediment to standing entailed by withdrawal of membership after the end of the session (art. 57).</li> </ul>	Stipulated	Same safeguards

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
The King may hold a popular referendum on important laws and issues concerning the interests of the country.	Art. 43	The issue on which the referendum is held is considered to have been approved if affirmed by a majority of voters; the result of the referendum shall be binding and effective from the date on which it is declared; it shall be published in the Official Gazette.	N/A	
Any individual may address the authorities in writing over his/her signature.	Art. 29	Group approaches to the authorities may only be made by statutory bodies and corporate persons.		

### **Equality**

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Equality	Art. 4	Pillars of society guaranteed by the State	Affirmed in numerous areas;	
Equal opportunity among citizens	Art. 4	Pillars of society guaranteed by the State	Same provision	
Citizens are equal in respect of occupation of public posts in accordance with the conditions specified by law.	Art. 16(b)	In accordance with conditions specified by law; Foreigners may not hold public posts save in cases set out by law (art 16(a)).	N/A	
People are equal in respect of human dignity.	Art. 18	Citizens are equal before the law; there shall be no discrimination between them on the basis of sex, origin, language, religion or creed (applicable to all issues where equality is required).	Same provisions	
Citizens are equal before the law in respect of public rights and duties.	Art. 18		Same provision	

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Military service is an honour for citizens.	Art. 30(a) Regulated by law; Non-citizens are assigned such duties only in case of absolute necessity and as regulated by law (art. 30(b)).	Membership of the national security agencies is a duty and honour for every citizen.	

### Peace and security

<i>Relevant rights</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Peace and security	Art. 4 Pillars of society guaranteed by the State; The State strives to protect citizens from fear (art. 5(c)).	Same provision; National security is the stalwart protector of the country, its territorial integrity and its social, economic and political gains; it underpins sustainable development, particularly in changing regional and international circumstances.	Same protection
There shall be no crime and no punishment save pursuant to a law (principle of legality of punishment).	Art. 20(a) Save pursuant to a law	Same provision and safeguards	
There shall be punishment only for acts committed subsequent to the effective date of the law providing for the same (principle of non-retroactivity).	Art. 20(a) Save pursuant to a law	Same provision and safeguards	
Punishment is personal.	Art. 20(b)	Same provision	
An accused is innocent until proven guilty.	Art. 20(c) An accused person is assured in a court of law of the right of defence at all stages of investigation and trial in accordance with the law.		

<i>Relevant rights</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Laws are published in the Official Gazette within two weeks following adoption.	Art. 122	Laws come into force one month after date of publication; this period may be shortened or lengthened by special provision.	
The provisions of a law apply only to acts committed after the date on which the law comes into force and have no retroactive effect (principle of non-retroactivity).	Art. 124	In respect of non-criminal matters, a law may state that it shall have retroactive effect, subject to the agreement of a majority of members of the Consultative Council and Council of Representatives or, if circumstances require, the National Assembly.	

### Education and culture

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Knowledge	Art. 4	Pillars of society guaranteed by the State;  The State strives to protect citizens against fear (art. 5(c)).	Same provision and safeguard
The State sponsors the sciences, humanities and the arts.	Art.7(a)		Same provision
The State guarantees citizens educational and cultural services.	Art.7(a)	Education is compulsory and free at the early stages, as specified and set out by law.  The law regulates all stages and types of religious and national instruction and is concerned to develop the citizen's personality and pride in his/her Arab identity (art. 7(b)).	Same provision and safeguard
Eradication of illiteracy	Art.7(a)	The necessary plan is laid down by law.	
Encouragement of scientific research	Art.7(a)		Same provision
Establishment of private schools and universities	Art.7(c)	Individuals and bodies may establish private schools and universities under the supervision of the State and in accordance with the law.	Same provision  The State actively encourages private education and the establishment of private schools and universities.

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
				It supports scientific research and technology institutes.  The educational system is linked to the labour market with a view to meeting the country's present and future needs for qualified manpower.
The State guarantees the inviolability of places of learning.	Art.7(d)			

### Justice

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Social solidarity	Art. 4	Pillars of society guaranteed by the State;  The State strives to protect citizens against fear (art. 5(c)).	Same provision and safeguard	
Social security for citizens in old age, sickness, disability, orphanhood, widowhood or unemployment	Art. 5(c)	Guaranteed by the State	Same provision and safeguard	
Social insurance services	Art. 5(c)	The State provides.	Same provision and safeguard	
The State guarantees the common liability of society in bearing the burdens arising from public disasters and ordeals.	Art. 12	The State guarantees.	Same provision and safeguard	
Those who have sustained damage resulting from war or in the course of performing their military duties are to be compensated.	Art. 12	The State guarantees.	Same provision and safeguard	
The national economy is based on social justice.	Art. 10(a)	Within the limits of the law	Same meaning	
Provision of housing for citizens with limited income	Art. 9(f)	The State shall endeavour.		

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Taxes and public costs are based on social justice.	Art. 15(a)	<p>Payment is obligatory; public taxes may only be instituted, amended and abolished by law; there shall be full or partial exemption from payment only in certain cases prescribed by law; persons may only be required to pay other taxes, duties and costs within the limits of the law.</p> <p>Provisions governing the collection of taxes, duties and other public monies and the procedures for their disbursement shall be prescribed by law.</p>		
Exemption of persons with low incomes from taxes	Art. 15(b)	The law regulates exemption of persons with low incomes from taxes to ensure that a minimum standard of living is safeguarded.		

#### **Family (rights of children, adolescents and youth)**

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Family	Art. 5(a)	<p>The foundation of society;</p> <p>The law upholds the family as a lawful entity and strengthens its values bonds.</p>	<p>Same provision and safeguards;</p> <p>Enactment of laws to protect the family and its individual members;</p>	
Motherhood and childhood	Art. 5(a)	The law provides a protective umbrella for the family.	<p>Same provision and safeguards;</p> <p>Enactment of laws to protect the family and its individual members;</p>	
Adolescent welfare	Art 5(a)	The State nurtures the young, protects them from exploitation and safeguards them against moral, bodily and spiritual neglect.	<p>Same provision and safeguards;</p> <p>Enactment of laws to protect the family and its individual members;</p>	
Youth	Art. 5(a)	The State is particularly concerned with the physical, moral and intellectual development of the young.	<p>Same provision and safeguards;</p> <p>Enactment of laws to protect the family and its individual members;</p>	
Inviolability of the home	Art. 25	Homes may not be entered or searched without the permission of the occupants except in cases of absolute necessity as laid down and in the manner provided by law.	Same provision	Same safeguards plus new safeguard: under the supervision of the judiciary

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Right of inheritance	Art. 5(d)	Inheritance is a guaranteed right governed by Islamic sharia law.	

### **Rights of women**

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Reconciliation of the duties of women toward the family with their work in society	Art. 5(b)	The State guarantees; without prejudice to the provisions of Islamic sharia; the explanatory memorandum to the amended Constitution (2002) seeks to enable women to reconcile their duties toward their families with their work in the community within the framework of Islamic sharia law.	The State seeks to support the rights of women (the text makes specific mention of the term “women’s rights”).  Enactment of laws to protect the family and its individual members
Equality with men in political, social, cultural and economic life	Art. 5(b)	The State guarantees ... without breaching the provisions of Islamic sharia.	

### **Health**

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Health care	Art. 5(c)	The State provides health care; all citizens are entitled to health care (art. 8(a)).	Same provision
Prevention and treatment	Art. 8(a)	Guarantees the establishment of a variety of hospitals and health care institutions.	
Public health	Art. 8(a)	The State promotes	Same provision plus: The State promotes health policies designed to achieve the goals of health for all.
Establishment of hospitals, clinics and treatment centres	Art. 8(b)	Individuals and bodies may establish private hospitals, clinics or treatment centres under the supervision of the State and in accordance with the law.	

### **Economic justice**

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Property and capital	Art. 9(a)	In accordance with the principles of Islamic justice, property and capital are basic constituents of the social entity of the State and national wealth; they are individual rights with a social	The same safeguards and provisions apply to property and capital;  New safeguards in the charter concerning property and capital: The law determines the safeguards ensuring balanced relationships between the parties to the

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
		function regulated by law.	production process as well as balanced contractual relationships on economic bases and on bases of social justice. The law regulates the enjoyment and exercise of rights and the freedom of capital to invest (only in the charter).
Inviolability of public funds	Art. 9(b)	Inviolability; It is the duty of every citizen to protect public funds.	Same provision plus new safeguard: The authorities must take all measures to ensure that private property is protected.
Private property is safeguarded.	Art. 9(c)	Private property is safeguarded; no one shall be prevented from disposing of his/her property save within the limits of the law; no one shall be dispossessed of his/her property except for the public good in the cases specified and the manner stated by law, provided that he/she is fairly compensated.	Same provision and safeguards
Prohibition of public expropriation of funds	Art. 9(d)	Public expropriation of funds is prohibited; private expropriation shall be penalized only by judicial ruling in those cases prescribed by law.	
Relationship between landlord and tenant	Art. 9(e)	Regulated by law on economic bases with due regard to economic justice.	
Exploitation of land suitable for productive agriculture	Art. 9(g)	The State shall take the necessary measures to ensure that land is properly conserved and utilized.	
Raising the living standards of farmers	Art. 9(g)	The State shall take the necessary measures; the law sets out how small farmers can be helped to acquire their own land.	
All natural resources and wealth are the property of the State.	Art. 11	With due regard to the demands of State security and the national economy, any exploitation of natural resources or public utilities shall be regulated by law and for a limited period of time; preliminary measures shall facilitate research and exploration and ensure openness and competition. Monopolies shall only be awarded by law and for a limited period of time (art. 117).	Same provision plus new safeguard in the charter: The State seeks to protect natural resources and ensure their optimum economic utilization.

**Employment**

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Employment	Art. 9(a) In accordance with the principles of Islamic justice, work is a basic constituent of the social entity of the State and national wealth; it is an individual right with a social function regulated by law. Work is the duty of every citizen, required by personal dignity and the public good, in accordance with public order and decency (art. 13(a)).	Similar provisions, plus new safeguards in the charter:  Citizens are given continuous training and transformative training designed to bring new skills and blood into the labour market. The law regulates the enjoyment and exercise of rights on economic and social justice bases. The law determines the rules ensuring balanced relationships between the parties to the production process.	
Every citizen has the right to work and to choose the type of work.	Art. 13(a) In accordance with public order and decency	Same provision and safeguards	
Providing job opportunities for citizens	Art. 13(b) The State guarantees fair terms.	Same provision and safeguards	
No one may be subjected to forced labour.	Art. 13(c) Except in cases defined by law for the national good and for a fair recompense or in implementation of a judicial ruling	Same provision and safeguards	
Relationship between employee and employer	Art. 13(d) Regulated by law on economic bases, with due regard to the rules of social justice	Same provision;  New safeguard in the charter: The law determines the safeguards ensuring balanced relationships between the parties to the production process.	

**Environment**

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Environment and wildlife	Art. 9(h) The State shall take the necessary measures to protect the environment and conserve wildlife.	New safeguards in the Charter: <ul style="list-style-type: none"> <li>• The State seeks to make optimum use of natural and development resources in a way that will not damage the environment or the health of citizens;</li> <li>• A national strategy for the protection of the environment will be formulated;</li> <li>• Legislative measures and steps to be taken to limit pollution from all sources;</li> <li>• Industrial companies to be helped to convert to clean production;</li> </ul>	

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
			<ul style="list-style-type: none"> <li>• Environmental assessment studies to be conducted prior to project implementation;</li> <li>• The State seeks to preserve the plant and animal wildlife of the country's diverse natural environment by formulating plans for the utilization of land, the management of coastal areas and the creation of a system of nature reserves along the lines of the Hawar and Areen reserves and surrounding waters, which are of international importance given their rare animal and bird life.</li> </ul>

### Nationality

<i>Relevant right</i>	<i>Constitution Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Bahraini nationality	Art. 17(a) Determined by law; Holders may not be stripped of Bahraini nationality save in cases of high treason and other cases determined by law.		Same provisions and safeguards
Exile from Bahrain and prevention of return	Art. 17(b) Forbidden		

### Liberty

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Liberty	Art. 4	Pillars of society guaranteed by the State; Guaranteed in accordance with the law (Art 19(a))		Same provisions and safeguards
No one may be arrested, detained, imprisoned or searched.	Art. 19(b)	Except in accordance with the law and under judicial supervision		Same provision and safeguards
No one may be told where to live or have his/her freedom of residence restricted (freedom of residence);	Art. 19(b)	Except in accordance with the law and under judicial supervision		Same provision and safeguards

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
A person may not have his/her freedom of movement restricted (freedom of movement);	Art. 19(b)	Except in accordance with the law and under judicial supervision	Same provision and safeguards	
Freedom of postal, telegraphic, telephonic and electronic communication	Art. 26	Protected and confidentiality guaranteed. Correspondence may not be censored or subject to breach of confidentiality save in cases of necessity set out by law and in accordance with the stipulated procedures and safeguards.	Same provision and safeguards	
Extradition of political refugees	Art. 21	Forbidden		
Detention or imprisonment only in designated places	Art. 19(c)	In the laws concerning prisons; covered by health and social care; subject to judicial oversight		

### Right to bodily integrity

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
No person shall be subjected to physical or mental torture, inducement, or undignified treatment.	Art. 19(d)	The punishment for doing so shall be determined by law.  Any statement or confession proven to have been made under torture, inducement or similar treatment or the threat thereof shall be deemed null and void.	Same provision and safeguards;  New right: The law guarantees punishment for committing torture or physical or psychological abuse.	
Physical or mental abuse of an accused person	Art 20(d)	Forbidden	Same provision and safeguards	

### Litigation

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Right of litigation	Art. 20(f)	Guaranteed under the law: An accused person is assured of the right of defence at all stages of investigation and trial in accordance with the law (art. 20(c)).  No authority shall prevail over a judge acting in his/her judicial capacity and under no circumstances may the course	Same provision and safeguards	

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
		of justice be interfered with; the law guarantees the independence of the judiciary (art. 104(b)); court hearings shall be held in public except in exceptional cases prescribed by law (art. 105(c)).		
Right of the accused in a felony case to a defence attorney	Art. 20(e)	Obligatory, with his/her consent;	Same provision and safeguards	
Courts	Art. 105(a)	The various types and degrees of court shall be regulated by law, which shall state their functions and jurisdiction.  In a court of law, an accused person is assured of the right of defence at all stages of investigation and trial in accordance with the law (art. 20(c));  No authority shall prevail over a judge acting in his/her judicial capacity and under no circumstances may the course of justice be interfered with; the law guarantees the independence of the judiciary (art. 104(b)).  Court hearings shall be held in public save in exceptional cases as prescribed by law (art. 105(c)).	Same provision and safeguards	
Supreme Judicial Council	Art. 105(d)	Established by law to supervise the smooth running of the courts and auxiliary agencies. The powers of the Supreme Judicial Council in respect of the employment affairs of judicial personnel and Public Prosecution Service officials shall be prescribed by law.		
Public Prosecution Service	Art. 104(c)	The law shall set out the provisions.	N/A	

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
A constitutional court with jurisdiction to oversee the constitutionality of laws and regulations	Art. 106	To be determined and set out by law.  The law guarantees the right of the Government, Consultative Council, Council of Representatives, stakeholders and other parties to challenge the constitutionality of laws and regulations.		

### **Freedom of belief and religion**

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Freedom of conscience	Art. 22	Absolute	New right in the charter: The State guarantees freedom of belief.	
Places of worship	Art. 22	The State guarantees the inviolability of places of worship.	The State safeguards the inviolability of places of worship.	
Freedom to perform religious rites and hold religious processions and meetings	Art. 22	In accordance with the customs of the country	The State guarantees the freedom to perform religious rites and hold religious processions and meetings in accordance with the customs observed in the country.	

### **Freedom of opinion, the press, publication and scientific research**

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Freedom of opinion	Art. 23	Everyone has the guaranteed right to express his/her opinion and to disseminate it by word of mouth, in writing or otherwise under the terms and conditions laid down by law, provided that it does not violate the fundamental tenets of Islamic doctrine or jeopardize popular unity by stirring up discord and sectarianism.	Same provision;  ... or by any other means of expressing personal opinion or creativity;	
Freedom of scientific research	Art. 23	Everyone has the guaranteed right to express his/her opinion and publish it by word of mouth, in writing or otherwise under the terms and conditions laid down by law, provided that it does not violate the fundamental tenets of Islamic doctrine or jeopardize popular unity by	Same provision;  ... or by any other means of expressing personal opinion or creativity;  New safeguard: within the limits of the law;	

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
		stirring up discord and sectarianism.		
		The State encourages scientific research (art. 7(a)).		
Freedom of the press	Art. 24	Guaranteed under the terms and conditions laid down by law, provided that it does not violate the fundamental tenets of Islamic doctrine or jeopardize popular unity by stirring up discord and sectarianism (art. 23).	Same provision and safeguards;	New safeguard: within the limits of the law;
Freedom of printing and publishing	Art. 24	Guaranteed under the terms and conditions laid down by law, provided that it does not violate the fundamental tenets of Islamic doctrine or jeopardize popular unity by stirring up discord and sectarianism (art. 23).	Same provision and safeguards;	New safeguard: within the limits of the law;

#### **Freedom to form associations and unions and freedom of assembly**

<i>Relevant right</i>	<i>Constitution</i>	<i>Protection and safeguards</i>	<i>Charter</i>	<i>Protection and safeguards</i>
Freedom to form associations and unions	Art. 27	... on national principles, for lawful objectives and by peaceful means is guaranteed under the safeguards and conditions laid down by law, provided that the fundamentals of the faith and public order are not violated. No one may be forced to join an association or union or to continue as a member.		
Freedom of private assembly	Art. 28(a)	Individuals have the right to assemble privately without the need for permission or prior notice; no member of the security forces may attend such private meetings.		
Public meetings, processions and assemblies (freedom of public assembly)	Art. 28(b)	Public meetings, parades and assemblies are permitted under the terms and conditions laid down by law. The purposes and means of the meeting must be peaceful and not represent an offence to public decency.		

## **E. Framework within which human rights are promoted at the national level**

### **Role of the legislature in promoting and protecting human rights**

91. Through its oversight and legislative roles, the legislature helps to promote the status of human rights within the reform programme, ensuring sustained advancement pursuant to the constitutional amendments of May 2012. Based on the ideas developed by the National Consensus Dialogue, in response to the aspiration of all sections of Bahraini society for greater progress in this area, these amendments have led to the adoption of many new laws, helping to safeguard and protect human rights in Bahrain.

92. The legislature has an important role to play in overseeing the human rights-related business of the executive. It exercises this role directly by raising parliamentary questions and indirectly by proposing motions or discussing and responding to government programmes. Given the profound importance of human rights, both the Consultative Council and Council of Representatives form human rights standing committees each parliamentary session, charged with looking into rights-related topics and supporting public freedoms and human rights issues in Bahrain. Both committees have contributed to the promulgation of several laws designed to protect and promote human rights. These include Legislative Decree No. 70 (2014), amending certain provisions of Legislative Decree No. 5 (2002), approving accession to the Convention on the Elimination of all Forms of Discrimination against Women; Act No. 26 (2014), creating the National Institute for Human Rights; and Act No. 22 (2011), ratifying the Convention on the Rights of Persons with Disabilities. Furthermore, they collaborated with the Foreign Affairs, Defence and National Security Committee on the promulgation of Act No.18 (2017), on alternative sentencing, as well as other laws and legislation designed to develop a rights-based legislative system.

### **Labour Market Regulatory Authority**

93. The Labour Market Regulatory Authority was established in May 2006, with responsibility for all aspects of labour market regulation, including the licensing of foreign labour, foreign labour recruitment agencies, employment offices and foreign employers to ensure that human rights and the rights of society are safeguarded. The Authority works in coordination with a group of ministries and organizations to deliver a first-rate service that directly benefits the local economy. At the same time, it monitors the affairs of expatriate workers in an efficient and humane manner in order to ensure that their rights are safeguarded.<sup>20</sup> The most significant of the Authority's strategic projects in 2017 was the introduction of the flexible work permit, which represents an imaginative and comprehensive solution to the issue of unregulated and unregistered labour. The project has been backed by the international community and adopted by the United Nations as an example of best international practice.

### **High Coordinating Committee for Human Rights**

94. The High Coordinating Committee for Human Rights was formed pursuant to Decision No. 50 (2012)<sup>21</sup> and reconstituted by Decision No. 31 (2017).<sup>22</sup> Chaired by the Minister of Foreign Affairs, it has a membership consisting of representatives of the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice, Islamic Affairs and Waqf, Ministry of Labour and Social Development, Ministry of Education, Ministry of Health, Ministry of Information Affairs, Supreme Council for Women, Public Prosecution Service, Legislation and Legal Opinion Commission, National Security Agency, Ombudsman Office and Special Investigation Unit. Working in coordination with the above

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<sup>20</sup> Labour Market Regulatory Authority: <http://lmra.bh/portal/ar/page/show/56>.

<sup>21</sup> Decision No. 50 (2012), creating the High Coordinating Committee for Human Rights: <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB5012.pdf>.

<sup>22</sup> Decision No. 31 (2007), reforming the High Coordinating Committee for Human Rights: <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB3117.pdf>.

government bodies, the Committee examines rights-related issues within the respective areas of competence of each. In particular, the Committee is responsible for drafting a national human rights plan, preparing reports for submission to United Nations bodies and coordinating with international human rights organizations.

95. The above decision reflects the importance Bahrain attaches to human rights principles and underlines the desire to meet all its international obligations and undertakings in this area. There are many such obligations and undertakings and the State is keen to ensure that they are properly met by means of legislation passed by the legislature and regulations, measures and bylaws introduced by the executive. Furthermore, the judiciary is keen to ensure that its procedures are consistent with mandatory human rights standards. Both the Constitution and the National Action Charter guarantee respect for the principles of human rights.

96. Bahrain has signed many international human rights-related treaties and conventions linked to the United Nations system and, in recent years, has created a number of official organizations focused on human rights, including the National Institute for Human Rights, Ministry of State for Human Rights and, most recently, the High Coordinating Committee for Human Rights.

97. This system operates alongside an extensive network of actively engaged rights-based civil society organizations, reflecting the vitality, commitment and drive of civil society.

98. The High Coordinating Committee for Human Rights is responsible for coordinating the human rights-related activity of government bodies. The growing level of official concern with human rights requires that the efforts of these bodies be regulated to ensure the highest degree of coordination in order to achieve the Government's human rights goals.

99. To carry out its role properly, the High Coordinating Committee for Human Rights has a wide remit, including:

1. Formulating a coordination mechanism to ensure implementation of the optimum policies for dealing with human rights-related issues;
2. Preparing a government-level national plan for human rights to be submitted to the Council of Ministers for approval;
3. Coordinating the response to statements and questions from organizations and associations in Bahrain and abroad on human rights;
4. Coordinating the drafting of reports which Bahrain is required to submit under the human rights conventions to which it has acceded;
5. Examining applications from international human rights organizations wishing to send a representative to Bahrain;
6. Monitoring implementation of human rights recommendations and submitting periodic reports thereon to the Council of Ministers;
7. Formulating an annual human rights training plan;
8. Preparing studies on the compatibility of domestic laws with the human rights conventions to which Bahrain has acceded;
9. Submitting recommendations and ideas on human rights issues to the Council of Ministers.

100. Reviewing its crucial role and the responsibilities with which it is charged, it will be observed that the High Coordinating Committee for Human Rights provides key input to all human rights-related activities, including the formulation of a mechanism for coordinating the activities of government bodies and preparation of a government-level national plan for human rights. Furthermore, the Committee is the principal channel of communication between the Government and international human rights organizations. One of its key functions in this regard is submission of reports under the Universal Periodic Review process to the Human Rights Council of the United Nations.

**Spreading human rights awareness through education**

101. The Ministry of Education is actively engaged in spreading the culture of citizenship and human rights in schools by including in the curriculum values, concepts and skills that focus on liberty, respect for plurality, coexistence, acceptance of the other, mutual tolerance and citizens' rights and obligations. Trainers are instructed how to incorporate human rights in school curricula and textbooks. The main topics covered are: the history of human rights, universal entitlement to human rights, gender equality in domestic law and international instruments, freedom and responsibility, democracy as a way of life and form of governance, communications technology in the service of human rights and education for peace. Furthermore, the Ministry has implemented a media plan designed to introduce the culture of citizenship, human rights and coexistence in schools and a large number of related school programmes and activities have been organized. Since 2007, the Ministry of Education has been involved with implementing the UNESCO Associated Schools Network project, which seeks to spread the culture of peace and human rights and develop students' capacity for coexistence, mutual tolerance and acceptance of the other. Since 2005, the ministry has included citizenship and human rights as compulsory subjects at all grades.

102. The Ministry of Education curriculum teaches citizenship and human rights at all levels and grades on the basis of a guiding framework consisting of a set of key values and principles, namely coexistence (including diversity, difference, moderation, tolerance, consensus and dialogue), equal opportunity (including how to improve opportunities), protecting persons with special needs, combating stereotypes, the rule of law (including obedience to the law, supremacy of the law and equality before the law), equality before the courts, oversight, democracy (including democracy as a means of coexistence, method of decision-making and mode of governance), global peace and security (including international solidarity and cooperation) and peaceful conflict resolution.

103. The Ministry of Education provides guidance for teachers in how to teach citizenship and human rights at primary school level. In January 2012, a five-year memorandum of understanding was signed with the International Bureau of Education to review and develop school curricula with a view to promoting the values of citizenship and human rights. To implement the memorandum, the Ministry introduced a UNESCO-approved programme, involving an integrated raft of curricular and non-curricular activities designed to promote citizenship and human rights values, knowledge, skills and behaviours among students.

104. While the Ministry of Education has introduced the culture of citizenship and human rights in the curriculum at all levels, it concentrates on helping primary school students to grasp the concepts of freedom, justice and solidarity, the principles of democracy, tolerance, cooperation, dialogue and equal opportunity and awareness of rights and duties. At secondary level, the focus is largely on promoting political awareness and the culture of human rights among students.

105. A decision was issued in 2013 requiring institutions of higher learning to adopt human rights as a compulsory subject and a requirement for the award of a bachelor's degree.

**Spreading human rights awareness among government employees**

106. A code of conduct for police officers was adopted pursuant to Ministerial Decision No. 14 (2012) and has been included in training and educational courses. It has been sent to all agencies of the Ministry of Interior for distribution. The code is based on the Code of Conduct for Law Enforcement Officials, adopted by General Assembly resolution 34/169.

**Nationally recognized political associations**

107. Bahrain is proud of its prospects for democracy, plurality and political participation, within the frame of reference afforded by the Constitution and National Action Charter. To promote the path of dialogue between all shades of political opinion in Bahraini society, the Political Associations Act has permitted the formation of political associations. The Act provides wide scope for the free expression of opinion and 16 licensed political

associations, in addition to the Bahrain Institute for Political Development, are currently operating under the laws and regulations of the land. The Institute seeks to establish a political culture that, while premised on the national unity which is a feature of Bahraini identity, embraces openness to the other.

108. The number of political associations founded under the Political Associations Act, No. 26 (2005) currently stands at 16, as below:

<i>No.</i>	<i>Name</i>	<i>No. of members</i>
1	Asalah Islamic Society	319
2	Wasat Arab Islamic Democratic Society	208
3	Islamic Shura Society	132
4	National Action Charter Society	337
5	National Constitutional Assembly	408
6	Minbar National Islamic Society	359
7	Islamic League Society	303
8	Free Thought Society	122
9	National Democratic Assembly	325
10	Progressive Democratic Tribune	430
11	Nationalist Democratic Assembly	114
12	National Dialogue Society	366
13	National Justice Movement	59
14	Saf Islamic Society	343
15	National Unity Assembly	23 519
16	National Will for Change Society	301
<b>Total</b>		<b>27 645</b>

### **NGO grant programme**

109. There are 631 non-governmental organizations operating in Bahrain. In 2006, the Ministry of Labour and Social Development adopted a new approach to the award of grants that basically involves channelling financial support into development projects which NGOs are currently implementing or which they plan to implement. As such, the grants policy has shifted away from subsidizing NGOs toward providing financial support for projects that contribute in real and tangible ways to the development of society.

110. The Ministry established the Civil and Social Work Fund to manage several programs, including the grants programme, on the basis of the principle of social partnership. The programme relies upon the third party to the social partnership, namely the private sector, providing funding for NGO development projects. The board of directors of the Fund consists of representatives of the Ministry of Labour and Social Development, Bahrain Chamber of Commerce and Industry, Ministry of Islamic Affairs, as well as three members from local banks and three from local companies. In addition to formulating general policy, the board has a remit to monitor implementation of the grants programme. In recent years, the Fund has operated on the basis of the principle of social partnership. This means that, in addition to an annual State subsidy of approximately one hundred thousand dinars, the Fund calls upon the third party to the social partnership (the private sector) to provide donations, gifts and financial assistance to fund NGO development projects. An NGO seeking to obtain a grant must therefore link its application to a development project it manages or plans to manage, which meets the needs of the society it serves.

111. The National NGO Support Centre plays an important role in the grants program, beginning with the design of the application booklet, containing instructions on how to submit an application, the conditions which have to be met, the applicant NGO information form and the development project information forms (for long-term and short-term

projects). The Centre invites the submission of grant applications, encouraging NGOs to submit development projects with social or economic impact on the community. It also trains NGOs in project design and advises them how to complete the necessary paperwork. The Centre assesses projects and, lastly, organizes an award ceremony for successful NGOs.

### NGO best practice programme

112. It is evident from the programmes implemented by the National NGO Support Centre (including institutional evaluation visits, grant programmes, training workshops etc.) that there are many successful NGO programmes and practices. Believing that NGOs have an important role to play in Bahrain and that best practice should be cultivated and widely disseminated, the Centre has organized a programme of regular meetings for NGOs to allow organizations to exchange expertise among themselves.

113. Programme goals:

- Dissemination of best NGO practice;
- Exchange of expertise among NGOs;
- Cultivation of pioneering NGO experience and expertise;
- Encouragement of NGO staff, highlighting their service to Bahraini society.

114. Role of the National NGO Support Centre:

- Selecting organizations that wish to present their successful practice to other NGOs;
- Inviting candidate organizations to attend;
- Registration of attendees;
- Preparation of a meeting report.

115. Role of NGOs invited to showcase exceptional or successful practice:

- Selection of practice and preparation of documentation and presentations thereon;
- Selection of lecturer; delivery and administration of lecture.

116. Practices organized by the Centre (2012–2016):

<i>Year</i>	<i>Name of NGO</i>	<i>Activity</i>
2012	Good Word Society	Dissemination of culture of voluntary work in the community
	Samaheej Islamic Centre	Digital documentation of Samaheej village
	Markh Social Charity	Economic empowerment of women
	Bahrain Anti-Smoking Society	“Quit and be a winner” programme; free help on giving up
2013	Bahrain Diabetic Society	Outreach and training programme for diabetic children
	Noor Charity Welfare	Home weaving (fabric production at home)
	Karbabad Social Charity	Budgeting for charities
	Bahrain Association for Parents and Friends of the Disabled	Mobile unit providing home care for persons with disabilities
2014	Professional and Business Women’s Club (Bahrain Chapter)	Business incubators
	Future Society for Youth	Ibtisama initiative to support children with cancer

<i>Year</i>	<i>Name of NGO</i>	<i>Activity</i>
	Ahlam Society	“Making sick children’s dreams come true”
2015	Youth Pioneer Society	“Enterprise: idea and reality”
	Bahrain Young Ladies Association	Women-headed household support office
	Ayadi Relief Society	“Our house is your house” project
	Awal Women’s Society	MicroStart project
	Bahrain Deaf Society	Helping the deaf to enter the job market
	Islamic Society	Care for the elderly
	Bahraini Society for Women’s Development	Danat workshop
	Bahrain Voluntary Work Society	“Future volunteer” project
	Bahrain Youth Forum	Nasim initiative
	Contemporary Women’s Society	Voluntary social work training for girls
	Bahrain Agricultural Engineers Society	Centre for continuous agricultural training
2016	Taafi Drug Recovery Association	Amal centre
	YouthTech	Volunteer meeting point
	Bahrain Women’s Association	“Smart+” (protecting children on the internet)
	Karbabad Social Charity	“Passport to success”
	Kawthar Social Care Society	Governance, quality and risk management

117. The High Coordinating Committee for Human Rights is basically responsible for preparing reports, working in coordination with the Information and eGovernment Authority (the national centre for statistics) and stakeholders and making use of existing national reports. The Committee is chaired by the Minister of Foreign Affairs and has a membership consisting of representatives from 15 ministries and various agencies. Working in coordination with government bodies, the committee addresses human rights-related issues within the respective areas of competence of each. In particular, the committee is responsible for drafting a national human rights plan, preparing reports for submission to United Nations organizations and coordinating with international human rights organizations.

118. Once a draft report has been approved by the High Coordinating Committee for Human Rights, it is discussed with stakeholders, including civil society organizations, before being distributed nationally.

### **III. Information on non-discrimination, equality and effective remedies**

119. Article 18 of the Constitution states that people are equal in respect of human dignity and citizens are equal before the law in respect of public rights and duties; there shall be no discrimination among them on the basis of sex, origin, language, religion or creed. In 1990, Bahrain acceded to the International Convention on the Elimination of All Forms of Racial Discrimination (1965) and International Convention on the Suppression and Punishment of the Crime of Apartheid (1973). In 2002, it acceded to the Convention on the Elimination of all Forms of Discrimination against Women. Upon ratification by decree, these conventions came into effect with the same force as domestic legislation. Article 172 of Legislative Decree No. 15 (1976), promulgating the Penal Code (amended),

addresses the issue of incitement to hatred, stipulating that incitement to hatred or disparagement of a particular group of people by any overt means shall, if the purpose of such incitement is to disturb public order, be subject to punishment by a term of imprisonment of not more than two years and/or a fine of not more than 200 dinars. Article 4 of Act No. 26 (2005), on political associations, stipulates that no association may be formed on the basis of class, sect, faction, geographical region or profession or on a basis of discrimination on grounds of gender, origin, language, religion or creed. Associations may not incite ethnic, national or religious animosity. In 2014, Bahrain established a committee to combat sectarian hatred, with a remit to propose and adopt policies and methods and prepare effective programmes designed to combat the discourse of hatred emanating from mosques, books, the media, social media, schools and political and societal forces. The committee seeks to enshrine the spirit of tolerance, consensus and coexistence and to promote the forces of unity in Bahraini society. Note that internal investigations and inquiries have revealed no allegations of racially-motivated discrimination.

120. Bahraini society is a tolerant one, consisting of citizens and foreigners belonging to different faiths. The followers of these various religions and faiths are permitted to practice their rites in absolute freedom. Articles 18 and 22 of the Constitution stipulate that there shall be no discrimination among citizens on the basis of sex, origin, language, religion or creed and that the State guarantees the inviolability of places of worship and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs of the country.

#### **Legislative measures containing provisions on non-discrimination**

121. Article 2 of the Children Act, No. 37 (2012) stipulates that the State guarantees that children shall enjoy the rights set out in the Act without discrimination on grounds of gender, origin, colour, race, language, religion or creed, with due regard to the provisions of other laws and benefits pertaining to the Bahraini child.

122. Act No. 52 (2012), amending certain provisions of the Penal Code, promulgated pursuant to Legislative Decree No. 15 (1976):

- Article 1: The text of articles 208 and 232 of the Penal Code, promulgated pursuant to Legislative Decree No. 15 (1976), shall be replaced with the following:
  - A public servant or person entrusted with a public service who deliberately causes severe pain or grievous suffering, whether physical or mental, to a person in detention or under his/her control in order to obtain information or a confession from that person or another person or to punish him/her for an act that he/she or another person committed or is suspected of committing or to frighten or coerce him/her or another person, or for reasons of discrimination of any kind, shall be sentenced to a term of imprisonment.
  - A public servant or person entrusted with a public service who threatens a person in detention or under his/her control with any of the acts stated in paragraph 1 of this article, or if such acts are committed by another party at his/her instigation or with his/her approval or consent, shall be sentenced to a term of imprisonment.
  - If torture results in the victim's death, the penalty shall be life imprisonment.
  - This article shall not apply in cases of pain or suffering arising or resulting from or inherent in lawful measures or punishments.
  - The statute of limitations shall not apply to the crimes of torture stipulated in this article.

123. Private Sector Labour Act, No. 36 (2012):

- Article 29 stipulates that, with due regard to the provisions of this chapter, all provisions governing the employment of male workers shall apply to female workers in comparable work situations without discrimination;

- Article 39 stipulates that wage discrimination based on gender, origin, language, religion or creed is prohibited;
  - Article 104(a) stipulates that termination of an employment contract by an employer shall be deemed arbitrary dismissal if termination is due to any of the following: (1) Gender, colour, religion, creed, marital status, family responsibilities or, with regard to female employees, pregnancy, childbirth or breastfeeding.
124. Act No. 58 (2009), on the rights of the elderly:
- Article 3 stipulates that the care and protection of the elderly is based upon the core principle of opposition to all forms of discrimination and exclusion encountered by the elderly in the domestic and social environments.
125. Decision of the Minister of Labour and Social Development, No. 1 (2011), issuing the implementing regulation of Act No. 58 (2009), on the rights of the elderly:
- Article 2 stipulates that the Social Welfare Directorate shall work in coordination with the National Committee for the Elderly to prepare and implement programmes and projects to combat the forms of discrimination and exclusion encountered by the elderly in the domestic and social environments.
126. Reform and Rehabilitation Institution Act, No. 18 (2014):
- Article 5 stipulates that the rules set out in this Act shall apply to inmates and those on remand, as appropriate, without any discrimination between them on the basis of gender, origin, language, religion or creed.
127. Decision of the Prime Minister No. 72 (2011), adopting the National Examinations Unit regulation:
- Article 2 stipulates that ... the paper must not contain anything offensive or hurtful to any group, with due regard to student diversity in terms of gender and ethnic or religious background.
128. Decision of the Minister of Interior No. 14 (2012), issuing the code of conduct for police officers:
- Police officers affirm that, in the exercise of their duties, they shall undertake to deliver the highest levels of service in a disciplined manner in order to help bring about stability in the service of both citizens and resident aliens. They shall take all lawful measures to prevent the occurrence of crime and catch the perpetrators thereof, guided by the human rights norms set out in the Constitution, National Action Charter and international conventions and treaties, which enshrine respect for mankind without discrimination based on colour, gender, race or belief. They affirm, too, that they will carry out the duties with which they are charged under the Constitution and the law in a manner consistent with human rights norms and deal with lawbreakers resolutely and lawfully without violating their human dignity.
129. Decision of the Minister of Interior No. 31 (2012), issuing the code of professional conduct for members of the National Security Agency.

### **Judicial applications of the principle of non-discrimination pursuant to international conventions**

130. Pursuant to the constitutional provision which holds international conventions to be a part of the legislative structure of the State, there have been many instances of judicial application of international conventions. Perhaps the most significant are the rulings delivered by the Constitutional Court on the basis of the principle of non-discrimination enshrined in the international conventions to which Bahrain is a party, following ratification and publication thereof in the Official Gazette. These include the ruling by the Court in respect of Royal Referral No. RR/1/2014 (judicial year no. 12), where it concluded that article 20 of the Traffic Bill was incompatible with the Constitution because it prohibits a foreigner from obtaining a driving licence or driving a vehicle. The Court gave several reasons for its ruling, including violation of article 26 of the International Covenant on Civil and Political Rights, which stipulates: "All persons are equal before the law and are

entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any grounds such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

131. There is, furthermore, the ruling of the Constitutional Court in case no. IH/2011/1, where the Court cited the principle of non-discrimination stipulated in the International Covenant on Civil and Political Rights, reasoning: “Whereas the Kingdom of Bahrain has acceded to the International Covenant on Civil and Political Rights and accession was ratified on 12 August 2006 pursuant to Act No. 56 (2006) and published in the Official Gazette (issue 2752, 16 August 2006); and whereas article 4(1) of the Covenant stipulates: ‘In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin’; and pursuant to article 4(3) thereof, Bahrain informed the Secretary-General of the United Nations on 28 April 2011 that it sought to use the right of derogation referred to in article 4(1), above; and on 13 June 2011, Bahrain likewise informed the Secretary-General of Royal Decree No. 39 (2011), lifting the state of national security.”

132. Bahraini society is a tolerant one, made up of citizens and foreigners belonging to different faiths. The adherents of the various religions and faiths are permitted to practice their rites in absolute freedom. Articles 18 and 22 of the Constitution stipulate that there shall be no discrimination between citizens on the basis of sex, origin, language, religion or creed and that the State guarantees the inviolability of places of worship and the freedom to perform religious rites and hold religious parades and meetings in accordance with the customs of the country. Furthermore, Bahrain pledges to uphold the appropriate provisions in human rights conventions.

#### **Means of redress**

133. As noted above, there are numerous means of redress. By way of example, we might mention the right of resort to the courts, the Special Investigation Unit, the Ombudsman Office and the Prisoners and Detainees Rights Commission, as well as the National Institute for Human Rights. These agencies, which receive complaints and reports within their areas of competence, can be easily contacted in a number of ways.

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