



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

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Consideration of reports submitted by parties to  
the Convention under article 35

## Replies of Bahrain to the list of issues in relation to its combined initial and second reports<sup>\*</sup>, <sup>\*\*</sup>

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\* The present document is being issued without formal editing.

\*\* The annexes to the present report may be accessed from the web page of the Committee.



## Contents

	<i>Page</i>
I. Introduction .....	3
II. Replies to the list of issues (CRPD/C/BHR/Q/1-2).....	3
A. Purpose and general obligations (arts. 1–4).....	3
B. Specific rights (arts. 5–30).....	5
Equality and non-discrimination (art. 5).....	5
Women with disabilities (art. 6).....	7
Children with disabilities (art. 7) .....	7
Awareness-raising (art. 8).....	9
Accessibility (art. 9).....	11
Right to life (art. 10) .....	12
Situations of risk and humanitarian emergencies (art. 11).....	12
Equal recognition before the law (art. 12) .....	13
Access to justice (art. 13).....	14
Liberty and security of the person (art. 14).....	15
Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15) ....	16
Freedom from exploitation, violence and abuse (art. 16) .....	16
Protecting the integrity of the person (art. 17) .....	18
Living independently and being included in the community (art. 19) .....	18
Freedom of expression and opinion, and access to information (art. 21) .....	20
Respect for privacy (art. 22) .....	20
Respect for home and the family (art. 23) .....	22
Education (art. 24) .....	23
Health (art. 25) and habilitation and rehabilitation (art. 26) .....	24
Work and employment (art. 27).....	25
Adequate standard of living and social protection (art. 28) .....	26
Participation in political and public life (art. 29) .....	27
Participation in cultural life, recreation, leisure and sport (art. 30).....	28
C. Specific obligations (arts. 31–33) .....	28
Statistics and data collection (art. 31).....	28
International cooperation (art. 32) .....	29
National implementation and monitoring (art. 33) .....	29
Conclusion .....	31

## I. Introduction

## II. Replies to the list of issues (CRPD/C/BHR/Q/1-2)

### A. Purpose and general obligations (arts. 1–4)

#### Reply to paragraph 1 (a) of the list of issues

1. The Kingdom of Bahrain showed great concern for persons with disabilities, even before the Convention on the Rights of Persons with Disabilities was promulgated, via the enactment of legislation, laws and ministerial decrees to protect the rights of such persons. Indeed, Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities passed into law before the Kingdom of Bahrain had ratified the Convention on the Rights of Persons with Disabilities. That Act, therefore, was drafted on the basis of other frames of reference and did not take account of the Convention. Having then ratified the Convention in 2011, Bahrain took great pains to amend its legislation to bring it into line with the obligations arising from ratification. To that end, it formed a legislative review and development committee, which is part of the High Committee for the Welfare of Persons with Disabilities, with the participation of representatives from civil society institutions. The committee has submitted a bill consisting of 25 articles that addresses all aspects of disability and is consistent with the Convention, including in its revised definition of disability. The bill also contains provisions intended to guarantee certain civil and human rights for persons with disabilities, such as equality, non-discrimination and access to public facilities. The new bill, moreover, ensures equality with all members of society vis-à-vis access to education and health services and it promotes participation in public, political and cultural life as well as in sporting and recreational activities. The bill is still being discussed by the legislature.

2. In addition to this, a number of laws and ministerial decrees have been promulgated over the last decade to harmonize all legislation, policies and procedures with the Convention on the Rights of Persons with Disabilities (annex 1).

#### Reply to paragraph 1 (b) of the list of issues

3. The High Committee for the Welfare of Persons with Disabilities has worked in close cooperation with the Ministry of Social Development and the United Nations Development Programme (UNDP) in order to implement measures and policies aimed at fulfilling the obligations enshrined in the Convention on the Rights of Persons with Disabilities. To that end, the High Committee has launched a comprehensive and integrated national strategy based on a body of research and field studies regarding the situation of persons with disabilities in the country. The strategy includes a set of indicators with which to follow up on its implementation and to measure the quantitative and/or qualitative changes in the lives of persons with disabilities. Using a participatory methodology, efforts are being made on a national scale to collect and analyse data and to issue regular reports on the progress being made in the implementation of the strategy.

4. A committee – also part of the High Committee for the Welfare of Persons with Disabilities – has been formed to monitor and follow up on the implementation of the National Strategy for the Rights of Persons with Disabilities. It oversees the activities, programmes and projects that are being implemented as part of the Strategy's action plan then drafts a comprehensive report on what has been achieved and sends it to the relevant authorities, to ensure effective implementation.

5. Matters of concern to persons with disabilities have also been included in other national strategies, such as the National Plan for the Advancement of Bahraini Women, which is targeted at Bahraini women of all categories, ages and social conditions and seeks to promote and empower them to play their family and developmental roles as active and productive partners. The National Plan has given rise to other strategies and plans, such as the National Strategy for the Protection of Women from Domestic Violence, the Unified Framework for Family Counselling and Awareness-raising Services, a gender balance in science initiative and other strategies.

**Reply to paragraph 1 (c) of the list of issues**

6. Bahrain has acted to promote the effective participation of organizations of persons with disabilities. Some 17 civil society organizations operating in the field of rights and services for persons with disabilities have been established under Decree-Law No. 21 of 1989 promulgating the Act on social and cultural associations and clubs, private bodies working in the field of youth and sports, and private institutions. Each of those organizations has its own goals, which it seeks to achieve so as to provide optimal services to persons with disabilities, protect their rights and preserve their dignity. There is also a federation that brings together most of the organizations and considers issues of concern to persons with disabilities collectively. Given the importance of the role played by these organizations, three of their representatives have been nominated for membership of the High Committee for the Welfare of Persons with Disabilities.

7. The Government of Bahrain strongly believes in the prominent role played by these organizations and appreciates their effective involvement in the life of society and the fact that they help to run rehabilitation centres and care institutions, and to enhance development projects. The organizations therefore enjoy technical and financial support, which is provided in the form of financial grants for development projects. Annex 2 shows the financial grants allocated for various programmes and projects run by organizations of persons with disabilities.

8. Furthermore, with a view to promoting cooperation and active participation in development, civil society organizations have been involved in the formulation, drafting, implementation and monitoring of all aspects of the National Strategy for the Rights of Persons with Disabilities. This helps to guarantee the transparency of programmes and projects, to oversee their implementation and to ensure the involvement of those groups in developing capacities and promoting services for persons with disabilities. Indeed, the approach taken by the legislature in Bahrain is always to take account of the views of the categories concerned. It is important that women with disabilities should be involved in decision-making, and women therefore hold leadership positions in several of those organizations. Moreover, organizations of persons with disabilities are invited to participate in committee meetings, as required, and the principal organizations, as well as the Bahrain Federation for Persons with Disabilities make their views known to the Council of Representatives and the Consultative Council on disability-related draft legislation.

9. The Supreme Council for Women, via its various committees, also seeks to ensure that the views of the categories concerned are reflected in policymaking. In fact, a number of associations of persons with disabilities are represented on the committee that oversees cooperation between the Council and civil society organizations. Moreover, a member of the Council with disabilities sits on the committee that oversees the implementation of the national framework for the integration of women's needs.

10. Bahrain has developed a national gender balance report and a national observatory for gender-balance as mechanisms wherewith to produce measurements and indicators. These are then used to monitor the implementation of the national framework for the integration of women's needs into development – including those of women with disabilities – and thus achieve gender balance. The Supreme Council for Women came up with the report as a mechanism to measure progress in integrating women's needs and achieving equality of opportunity at the national level.

11. As regards the participation of children, Bahrain has always been greatly concerned for children, including children with disabilities, to which end it develops policies, legislation and programmes intended to promote the health and development of children while also protecting them and encouraging their participation. The National Strategy for Childhood (2013–2017), which was extended to 2022, provides a comprehensive and integrated vision and a framework for action that seeks to advance children's development in the light of certain guiding values and principles. According to the Children's Code (Act No. 37 of 2012): "The State is to guarantee children the enjoyment of the rights stipulated in the present Code without discrimination on grounds of sex, colour, disability, language, religion or belief." Chapter V of the Code focuses on the welfare, education and habilitation of children with disabilities, with article 31 stipulating that children with disabilities are to enjoy the same

rights as all other children. Under article 32, the State is required to provide support and assistance to the families of children with disabilities, while article 33 stipulates that, under no circumstances, may children be separated from their parents on the grounds of a disability in the child or in one or both of the parents. In addition, Act No. 4 of 2021 was issued promulgating the Act on restorative justice for children and their protection from ill-treatment. The Act embodies the international commitment of Bahrain arising from its accession to the Convention on the Rights of the Child and its two Optional Protocols. The Children's Code also gave rise to Decree No. 64 of 2013 for the formation of the National Committee for Childhood.

#### **Reply to paragraph 1 (d) of the list of issues**

12. The competent authorities in Bahrain are continuing to examine the possibility of ratifying the Optional Protocol to the Convention on the Rights of Persons with Disabilities. The State has multiple and effective systems for monitoring and following up on complaints, as will be explained below.

### **B. Specific rights (arts. 5–30)**

#### **Equality and non-discrimination (art. 5)**

##### **Reply to paragraph 2 (a) of the list of issues**

13. The principle of equality and non-discrimination is clearly and explicitly underscored in several articles of the Constitution of Bahrain which, for example, stipulates that equality between citizens before the law is a cornerstone of society and is guaranteed by the State. Article 4 of the Constitution reads: "Justice is the basis of governance. Cooperation and mutual respect create a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity and equality of opportunity for citizens are the mainstays of society and are safeguarded by the State." The State acts determinedly to implement this general principle regarding the equality of citizens in public rights and duties. For its part, article 18 stipulates: "People have equal human dignity and the same public rights and duties before the law. There shall be no discrimination on grounds of sex, origin, language, religion, or belief."

14. The principle of the equality of citizens before the law, as enshrined in the aforementioned constitutional provisions, is the mainstay of rights and freedoms, and a foundation for justice and social peace. The aim of the principle is to safeguard rights and freedoms in the face of all forms of discrimination that may affect or restrict them, be it on grounds of (as stipulated in the Constitution) sex, origin, language, religion, or belief, or under any other form of discrimination that has not been mentioned. The principle of equality is, in fact, a means of establishing equal protection in which there is no distinction between subjects of similar legal status.

15. These constitutional tenets have been reflected in various pieces of legislation, regulations, instructions and ministerial decrees intended to promote the right to equality and non-discrimination. Measures have been taken in the form of legislation and laws to facilitate the full and comprehensive access of persons with disabilities to their rights on an equal footing with others (annex 3).

##### **Reply to paragraph 2 (b) of the list of issues**

16. The Government of Bahrain considers any direct or indirect discrimination against persons with disabilities to constitute a form of discrimination criminalized by law. In fact, disability-related regulations and instructions envisage more severe penalties and punishments for offenders who, using any form of discrimination, ill-treat persons with disabilities.

17. Equality and non-discrimination on grounds of disability in the enjoyment of all fundamental civil, political, economic, social and cultural rights and freedoms is one of the basic principles recognized in article 18 of the Constitution of Bahrain. The same principle

is upheld in international human rights instruments. The State effectively achieves equality by taking measures, enacting legislation and adopting policies based on the principle that persons with disabilities are equal to all other persons, while at the same time affording them effective legal protection of their rights and freedoms.

18. As concerns the civil rights of persons with disabilities, the Supreme Judicial Council, the Ministry of Justice, Islamic Affairs and Endowments and the Public Prosecution Service have taken measures to make it easier for persons with disabilities to enjoy their right to equality before the law and access to justice. In that connection, sign language interpreters have been made available for persons with hearing disabilities, while judges or other court officials have the possibility of travelling to the place of residence of persons who, due to a disability, are unable to attend court, in order to conduct proceedings or seek documentation. For its part, the Ministry of Information broadcast news bulletins during the coronavirus (COVID-19) pandemic, and it disseminates awareness-raising messages in sign language in order to reach out to persons with hearing disabilities. Sign language interpretation is also provided at all sessions of the Council of Representatives and of the Consultative Council.

19. In this regard, the National Institution for Human Rights has launched a campaign (#Let's\_assist\_their\_access) to promote and protect the right to equality for persons with disabilities. The campaign aims to monitor and report public facilities or private facilities intended for public use where either the design or the physical environment prevents persons with disabilities from enjoying their right to access and use such facilities on an equal footing with others. The Women's Support Centre at the Supreme Council for Women has been equipped so as to enable persons with disabilities to access available services easily and without hindrance, while staff at the Centre have been trained in the use of sign language.

### **Reply to paragraph 3 of the list of issues**

20. The Constitution of Bahrain is the cornerstone underpinning safeguards for the rights of all groups in society. Article 20 of the Constitution states: "The right of recourse to justice under the law is guaranteed for all persons in the Kingdom of Bahrain, without discrimination." Bahraini legislators have envisaged a system to assist persons with disabilities in court, which includes communication via the written word and sign language. Article 52 of Act No. 7 of 1986 promulgating the Custodianship of Assets Act admits the appointment of a judicial assistant for persons with disabilities, either at their own request or at the request of a relative. Under Bahraini law, moreover, only persons with intellectual disabilities are considered as incapacitated, while all other persons with disabilities enjoy full capacity to exercise their legal rights and face no obstacles that deprive them of their right to take action before the courts.

21. The Constitution of Bahrain seeks to combat and prohibit any discrimination affecting any of the rights of persons with disabilities. In fact, discrimination on grounds of disability attracts administrative or criminal penalties. Moreover, it is prohibited to impair the capacity of persons with disabilities or to prevent them from disposing of assets, taking legal action or entering contracts, save in accordance with the law. The prohibition covers both direct and indirect discrimination.

22. The Public Prosecution Service in Bahrain investigates any incident that constitutes a crime punishable by law, whether under the Criminal Code or under other criminal laws. In the investigation of crimes, it is necessary to take the statement of victims, to interrogate accused persons and to gather physical evidence while seeking to clarify the factual and personal circumstances and to identify any aggravating factors, including the personal circumstances of the victim. In that connection, article 75 of the Criminal Code envisages several possible aggravating factors, including that of taking advantage of a victim's inability to resist or of circumstances where others would be unable to intervene in the victim's defence. On a separate front, a special child prosecution office has been established, which handles and investigates cases involving juveniles under the age of 15 as well as cases that come under the Children's Code. The new office was created in order to fulfil the legal requirement to provide children with special treatment consistent with their youth while at the same time reforming them and correcting their behaviour.

## **Women with disabilities (art. 6)**

### **Reply to paragraph 4 (a) of the list of issues**

23. Bahrain has made certain legislative and legal advances that have contributed to the stability of Bahraini families. The Supreme Council for Women and the Ministry of Social Development have played a prominent role in this regard by submitting proposals for amendments to existing legislation affecting women; expressing views on draft laws, regulations and decrees; and proposing bills and decrees intended to improve the status of women, including those with disabilities.

24. The Constitution of Bahrain is vital for persons with disabilities, particularly women and girls with disabilities, as it guarantees them equal rights without discrimination on grounds of disability or sex. Article 5 (b) of the Constitution stipulates: “The State shall ensure that women are able to reconcile their family responsibilities with their work in society and shall guarantee their equality with men in political, social, cultural and economic life, without prejudice to Islamic sharia.” The Supreme Council for Women, which came into being under Amiri Order No. 44 of 2001, seeks to promote women as they play their role in public life and to integrate them into comprehensive development programmes, while seeking to ensure that they are not discriminated against. Act No. 74 of 2006 envisages positive discrimination for female workers with disabilities in the form of an entitlement to a special retirement pension and recognition of their right to paid leave, in connection with their disability.

25. The relevant agencies in Bahrain have taken strategic measures to improve the services available to women with disabilities, foremost among them that of allowing young persons with disabilities to exercise their right to marry and form a family. In concrete terms, this takes the form of a body of awareness-raising programmes provided by the Ministry of Health, the Supreme Council for Women, the Ministry of Information and the family guidance offices run by the Ministry of Social Development with the aim of correcting certain concepts and educating society about screening and early detection methods.

### **Reply to paragraph 4 (b) of the list of issues**

26. The Act on social and cultural associations and clubs, private bodies working in the field of youth and sports, and private institutions, promulgated by Decree-Law No. 21 of 1989 as amended, is a fundamental piece of legislation that grants citizens in Bahrain – including women in general and women with disabilities in particular – the freedom to establish, register and represent disability rights associations, in accordance with the conditions set forth in the Act. Up to now, some 17 such civil society organizations have been established, in addition to the Bahrain Sports Federation for Persons with Disabilities. Persons with disabilities play an important role in these associations, be it as founders, members or administrators. All these organizations, moreover, provide opportunities for women with disabilities to claim their rights and to reach decision-making positions. It should be noted in that regard that the Bahrain Deaf Society was headed by a woman with hearing disabilities, while the Vice-President of the Bahrain Association of the Blind is a woman with visual disabilities. In addition to this, women with disabilities act as administrative members of many other civil society associations not directly involved in the field of disability, most of which have women’s committees. Women with disabilities are also represented on the committee that oversees cooperation between the Council and civil society organizations. Annex 4 includes statistics regarding the involvement of women as members of civil society organizations in 2020.

## **Children with disabilities (art. 7)**

### **Reply to paragraph 5 (a) of the list of issues**

27. Bahrain attaches great importance to the rights of children with disabilities and remains determined to provide comprehensive and sustainable services to ensure their welfare and preserve their rights while also ensuring that they receive the special care they require to meet their needs, free of charge, from official, charitable and private bodies. Indeed,

Bahrain is considered to be a pioneering country in terms of guarantees for the rights of children, including children with disabilities, and the Children's Code (Act No. 37 of 2012) protects all the rights for children enshrined in the Constitution, such as the right to education, to good health, to leisure, to the care of a family and to many other aspects of life.

28. Chapter V of the Children's Code focuses on the welfare, education and habilitation of children with disabilities, with article 31 stipulating that children with disabilities are to enjoy the same rights as all other children, as well as to additional rights as required by their condition. The State, for its part, is under an obligation to provide children with disabilities with social, health and psychological care as well as with education and to open ways for them to achieve self-reliance so as to facilitate their integration and participation in society. The State, furthermore, is to guarantee their right to habilitation and of access to social, psychological and medical services, as well as education and vocational support, to enable them to overcome the effects of their disability.

29. The National Strategy for Childhood (2013–2017) was developed with a view to translating the Children's Code into practice. The Strategy aims to help childcare authorities develop and promote projects to advance children's rights. By focusing on all issues and activities related to childhood, the Strategy also seeks to provide legislative protection for children in different fields and to promote educational, cultural and psychological growth at every stage of childhood. The Strategy also envisages cooperation with Arab and international organizations and agencies that operate in the field of childhood, drawing from their experiences and their programmes in order to achieve the goals of the Strategy, which has four principal elements: the right to health and survival, the right to development and capacity-building, the right to protection and the right to participation and non-discrimination. The operative mechanisms associated with these four elements take account of the various circumstances children may face, such as those with learning difficulties, with emotional disturbances or with special needs. The Strategy is implemented by the National Committee for Childhood.

30. Article 3 of Education Act No. 27 of 2005 explains the objectives of education in Bahrain, which include developing an awareness of human rights principles and including them in school curricula; diversifying educational opportunities in line with students' varying individual needs; caring for and inspiring gifted and talented students; and ensuring the welfare of slow learners and children with special needs by monitoring their progress and integrating them, if possible, into school.

#### **Reply to paragraph 5 (b) of the list of issues**

31. Bahrain makes every effort to guarantee the right of children with disabilities to be fully integrated into all areas of life. In chapter V of the Children's Code (Act No. 37 of 2012), which focuses on the welfare, education and habilitation of children with disabilities, it is written that: "Children with disabilities are to enjoy the same rights as all other children, as well as to additional rights as required by their condition." The Ministry of Education strives to ensure the integration and inclusion of this category of persons, in the light of article 5 (1) of the Education Act, which reads: "Educational opportunities are to be made available to all individuals in order to build their abilities and skills with a view to their self-realization and the development of their lives and of society." On this basis, the Ministry has sought to include persons with disabilities in the educational process and to provide them with appropriate opportunities for learning and for developing their abilities, thereby helping them express their views and communicate with others in everyday life. In fact, the Ministry of Education has provided care and services to facilitate the inclusion of children with visual, auditory and physical disabilities, mild intellectual disabilities, Down syndrome and autism disorder.

32. Article 3 of Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities states: "Ministries and other competent bodies, in coordination with the Ministry, are to provide systematic, integrated and regular services to persons with disabilities, particularly, inter alia, medical, social, educational, cultural, sporting, habilitation, employment transportation and housing services." In order to put that provision into effect, centres run by the Ministry of Social Development, as well as charitable and private centres, provide welfare, habilitation, social, health and vocational services to



children with disabilities, thus preparing them for full integration and facilitating their lives in different areas. In all, 1,498 students with disabilities annually benefit from the services offered by those centres (annex 5).

33. The Ministry is currently working to complete construction work on a comprehensive disability complex in A'ali, the first of its kind in the region. The complex will provide, in a single geographical location, services of all kinds to persons with disabilities, including integrated care and habilitation. The project is being developed on a plot of land of 20,105 square metres, of which 17,642 square metres are being built on. The complex will have capacity for an estimated 1,500 persons, in addition to 160 administrators in the main administration building. The complex is made up of 10 buildings: the Abdullah bin Ali Kanoo Centre for the assessment and diagnosis of disability, a learning resource centre, a shelter and welfare centre, a habilitation therapy centre, the Salwa Club for persons with disabilities, an administrative building, an autism habilitation centre, a day care rehabilitation centre, a health and sports club for persons with disabilities and an exhibition area for products made by persons with disabilities.

#### **Reply to paragraph 5 (c) of the list of issues**

34. The Bahrain Child Protection Centre was set up by the Ministry of Social Development in 2007 with a view to providing constant protection for children and raising awareness about their rights, including for children with disabilities, and specifically girls with disabilities. The Centre's vision is "that all children in Bahrain, including those with disabilities, should grow up safely and peacefully in a family environment supportive of natural socialization and physical and emotional development", while its mission statements says that it "protects children against all forms of abuse and neglect". Another purpose behind the establishment of the Centre is to raise awareness about children's rights, and to meet the needs of child victims of abuse in a child-friendly environment that protects them and provides them with the necessary support. The Centre also plays an important awareness-raising role by organizing numerous meetings, seminars, conferences and workshops.

35. The High Committee for the Welfare of Persons with Disabilities has formed a subcommittee to monitor media activities and awareness-raising. Its responsibility is to prepare and run community education activities and programmes aimed at raising awareness about disability and preventing discrimination against children with disabilities. The subcommittee also drafts and publishes guides and manuals, secures media coverage for activities and projects run by the High Committee and runs workshops to educate the media about disability issues.

36. The National Institution for Human Rights is also involved in raising awareness about the rights of persons with disabilities, in which regard it carried out a campaign for the proper treatment of children and adolescents of both sexes with disabilities. The campaign also sought to combat all the forms of discrimination to which they are exposed. The National Institution has also used its own media channels to run a campaign entitled: "Ten principles to protect me, as a child or adolescent with disabilities, and to ensure my well-being and development".

#### **Awareness-raising (art. 8)**

##### **Reply to paragraph 6 of the list of issues**

37. Ministries and other bodies in Bahrain, as well as charitable and civil society institutions have a joint responsibility to educate and raise awareness about disability issues and to combat and prevent discrimination against persons with disabilities. There can be no doubt that great efforts have been and continue to be exerted via the media in Bahrain and that these have led to greater attention being paid to the issues of concern to persons with disabilities. However – apart from using available channels to disseminate a culture rooted in the human-rights model of disability – awareness-raising also requires legislative action to uphold the status of persons with disabilities while taking account of their rights and their circumstances and those of their parents and families, of relevant professional groups and of

government functionaries at all levels. In that connection, Bahrain has enacted several laws and decrees, notably:

- Decree No. 8 of 2007, which concerns the circumstances and procedures whereby functionaries may tender their resignation for health reasons, on grounds of a life-threatening illness or because a relative with special needs requires full-time care;
- Decree No. 24 of 2013 of the Minister of Labour, which concerns the reduction of maximum working hours for certain categories of worker and for certain industries and activities the nature of which so requires;
- Decree No. 80 of 2018 of the Minister of Labour, which concerns conditions and regulations whereby a two-hour rest period may be granted to a functionary or a worker who has a disability or who looks after a person with a disability;
- Civil Service Bureau Directive No. 2 of 2019, which concerns the granting of a two-hour rest period to a functionary who has a disability or who looks after a person with a disability.

38. Merit rests primarily with civil society associations and organizations that operate in the field of disability, which have made great progress in the design, implementation, monitoring and evaluation of awareness-raising strategies. It is they who have provided the media with correct information giving a rights-based view of disability. This has been accompanied by efforts on the legislative front that led to the signing of the Convention. There are 17 civil society organizations operating in the field of disability, in addition to the Bahrain Sports Federation for Persons with Disabilities. They organize activities, programmes, conferences, workshops and lectures to raise awareness about disability and to demand the rights of persons with disabilities. Thanks to those organizations, persons with disabilities have been included in artistic activities such as theatre, music, poetry and short-story and novel writing.

39. Directives from the Government of Bahrain to safeguard freedom of opinion and expression in the press and the media while adhering to national values and the tenets of Islam, have been translated into reality by licensing several Arabic and foreign-language newspapers, magazines and publishing houses. The Ministry of Foreign Affairs in Bahrain communicates with government agencies and civil society organizations to inform them of the latest developments concerning human rights in general and the rights of persons with disabilities in particular.

40. Using its own audiovisual channels, the Ministry of Information plays a prominent role in spreading awareness and educating the community about disability issues (annex 6).

41. Alongside the Ministry of Information, other State agencies also play a role in drawing attention to disability issues, in order to combat discrimination against persons with disabilities. For example, the Ministry of Health seeks to raise awareness about disability prevention and Ministry-run health centres have early detection units for mothers and newborn infants and provide vaccinations and disability diagnosis tests free of charge. For their part, the Ministry of Social Development and the Ministry of Education also seek to draw the attention of the community to disability-related issues, to which end they organize regular conferences, workshops, seminars, programmes, events and activities and issue educational booklets and other printed matter. The aim is to change the image of persons with disabilities, prevent their marginalization and promote their integration into society.

42. The High Committee for the Welfare of Persons with Disabilities, in cooperation with the Ministry of Social Development and other stakeholders, has pursued a strategy aimed at producing qualified multidisciplinary media workers to promote a rights-based approach to disability, and has rolled out a permanent staff training programme to that end. Furthermore, it has cooperated closely with associations that deal with all categories of disability, the eventual aim being to produce focused awareness-raising campaigns on the rights of persons with disabilities and to intensify efforts to unify disability terminology in a manner consistent with the human rights-based approach to disability.

43. Not only do civil society associations have their own platforms, but telephone and telecommunication companies facilitate access for persons with disabilities to the Internet and to smart devices, including speaking devices for persons who are blind.

## **Accessibility (art. 9)**

### **Reply to paragraph 7 (a) of the list of issues**

44. The Constitution of Bahrain provides all citizens, including persons with disabilities, guarantees for the optimal exercise of their rights and freedoms. Accordingly, the State acts to empower citizens and to provide them with means whereby they can exercise those rights, including the right of access to all facilities and services open or available to the public, such as health care, education and transport, and to information and communications. Legislation aimed at achieving equality for persons with disabilities does not itself address the question of accessibility; however, by providing protection against discrimination, it does go some way to removing barriers, as the reason for discrimination against persons with disabilities often lies in the lack of accessibility.

45. In order to translate the principle of equality into practice, based on the National Strategy for the Rights of Persons with Disabilities, a committee was established within the High Committee for the Welfare of Persons with Disabilities to review and develop binding legislation on inclusive design and accessibility. The committee aims to produce a bill aimed at facilitating access and the use of transport by persons with disabilities, be it by placing signs and providing aids, be it through technology or information systems, be it by creating spaces with special specifications for persons with disabilities to facilitate their use of public transport (further information in annex 7).

### **Reply to paragraph 7 (b) of the list of issues**

46. In order to ensure that buildings and services meet the accessibility requirements for persons with disabilities, a task force has been formed to assess the extent to which public facilities fulfil those requirements and to develop a plan for their gradual refurbishment. The plan specifically targets vital facilities such as educational institutions, health centres, religious institutions and recreational centres.

47. In Bahrain there is a requirement, when designing and constructing buildings intended for public use, to ensure unhindered access. This includes educational institutions, institutions that provide services, venues for sporting events, commercial companies selling consumer goods, banks, places of worship, health- and social-care facilities, doctors' clinics, pharmacies, public toilets, etc. This goal is achieved through inclusive design, which envisages a barrier-free environment that allows equal access for all persons, including persons with disabilities. Thus, rather than having to be modified after they have been made, products and environments are designed from the very outset so as to be usable, to the maximum extent possible, by all groups in society.

48. When planning and designing roads, the roads department at the Ministry of Works, Municipalities and Urban Planning takes due account of the needs and rights of persons with disabilities, to ensure that they can feel safe and at ease, on an equal footing with other groups in society. The roads department, in fact, has taken a strategic initiative to issue a guide on how to design roads in residential areas while taking account of the needs of persons with disabilities. Some of the significant features of the guide include allocating spaces for person with special needs in public areas, lowering the curb near pedestrian crossings and putting up special traffic signage for persons with disabilities. Another feature is that of special traffic lights for persons with visual or hearing disabilities, including an audio signal to indicate when they have the right to cross, and new pavement surfacing near traffic lights.

49. The needs of persons with disabilities have also been taken into account in public transport at the local level, with vehicles designed in a manner that facilitates access and use.

50. The Minister of Works, Municipalities and Urban Planning issued Decree No. 212 of 2019 which concerns a green building guide and the right of persons with disabilities to accessibility, mobility and entry into buildings. According to article 22 of the Decree: "All

specified buildings are to comply with requirements regarding users with special needs, as set forth in the unified code of conditions for granting building permits. Such persons must be able to enter buildings, to move around inside them and to make use of their facilities, as set forth in the guide.” Efforts to ensure accessibility cover all publicly accessible buildings in Bahrain, such as health facilities, educational institutions, government buildings, places of worship, petrol stations, shopping centres, shops, post offices, museums, cinemas, theatres and historical and archaeological buildings, including free trade zones (annex 8).

## **Right to life (art. 10)**

### **Reply to paragraph 8 of the list of issues**

51. All persons have the right to life. That right, however, has to be protected and given concrete form through legislation and policies. Human rights treaties enjoy constitutional protection in the Kingdom of Bahrain and are duly applied by the authorities and the courts, which guarantee the right to life and to non-discrimination for persons with disabilities. The Criminal Code accords the same degree of protection to persons with disabilities as to persons without disabilities. According to Act No. 56 of 2006, by which the Kingdom of Bahrain acceded to the International Covenant on Civil and Political Rights, the country undertakes to ensure that – as stated in part II (art.6) of the Covenant – sentence of death is not imposed for crimes committed by persons below 18 years of age and is not carried out on pregnant women. No one is to be arbitrarily deprived of life. The same article states that all persons have an inherent right to life, a right that is protected by law, and that no one may be arbitrarily deprived of life.

## **Situations of risk and humanitarian emergencies (art. 11)**

### **Reply to paragraph 9 (a) of the list of issues**

52. The Government of Bahrain guarantees primary, secondary, tertiary public health services for all groups in society, without discrimination on grounds of disability, gender or age. This care is available all over the country, with facilitated access for persons with disabilities.

53. The Ministry of Health provided a mobile unit to increase community awareness and disseminate information on measures taken to prevent the spread of the COVID-19 pandemic among residents of Bahrain, including persons with disabilities. In the same connection, sign language, written material and audiovisual channels were also used in order to reach all groups in society. Vaccinations were offered to persons with disabilities and to older persons who so wished, in their own home. A solidarity campaign was run to support women and families in Bahrain as they faced the pandemic, which prioritized the supply of equipment such as sterilizers and masks to persons with disabilities.

54. Home health care is provided to persons with severe disabilities in partnership with civil society organizations. In that connection, a home health-care centre is being operated with support and funding from the Ministry of Social Development, which each month provides services to 69 persons with disabilities in their own homes.

55. Bahrain has also maintained State support for citizens, including disability allowances and monthly social security allowances, which have always and consistently been disbursed on time.

### **Reply to paragraph 9 (b) of the list of issues**

56. Relief is available for persons in need of assistance during disasters or emergencies, and in such circumstances the competent authorities are allowed to take the measures necessary to protect the population. In fact, Bahrain has a system of civil defence that is intended to meet people’s needs during disasters (which may God forbid) with plans that also envisage assistance for persons with disabilities.

57. The year 2003 saw the opening of the National Centre for Disaster and Crisis Management, which marks a step forward in disaster management, thanks to the use of advanced technology. The Council of Ministers has approved the formation of a national disaster-management committee led by the Director of the Public Security Forces and with representatives from ministries involved in disaster management.

58. The main role in this regard is played by the National Centre for Disaster and Crisis Management. Its most important tasks are to update objectives in order to confront and contain specific and large-scale risks; to appoint national focal points; to provide experts to join open-ended governmental and intergovernmental working groups to develop indicators and terminology; to review information on man-made and biological risks; to update national and local disaster risk reduction strategies; to define disaster risk reduction goals; to revise relevant national legislation; to update regional disaster risk reduction strategies; and promote local-level seminars on disaster risk reduction.

59. The executive office of the national disaster-management committee has acted to implement most of the provisions of the Sendai Framework for Disaster Risk Reduction, as follows:

- Updating the national template;
- Overseeing the drafting of a national strategy for crisis and disaster management;
- Drafting a guidebook of public safety procedures to address internal and external risks and threats;
- Coordinating and supervising national drills;
- Overseeing the national alert system;
- Updating contact points and strengthening disaster risk governance;
- Investing in disaster risk reduction in order to promote resilience;
- Holding periodic meetings of all members of the national disaster-management committee.

## **Equal recognition before the law (art. 12)**

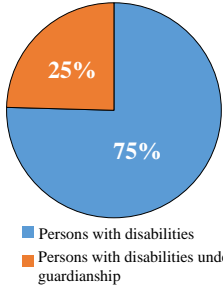
### **Reply to paragraph 10 (a) of the list of issues**

60. Legislation in Bahrain seeks to ensure that persons with disabilities are able to participate in life without restriction. Under the law, a guardian may be appointed for a person with disability if that person is at risk of harm and, in some cases, the courts can determine the legal capacity of the person concerned.

61. Article 52 of Act No. 7 of 1986 promulgating the Custodianship of Assets Act states: “If a person is blind and deaf, deaf and mute or mute and blind and, for that reason, is unable to express their wants, a judicial assistant may be appointed to help that person with the procedures envisaged in article 30 of the present Act. This can be done if there is a concern that a person with a severe physical disability who disposes of assets alone would find it difficult to understand contractual conditions. The judicial assistant is to be appointed at the request of the person requiring assistance or of a relative.”

### **Reply to paragraph 10 (b) of the list of issues**

62. The number and proportion of persons with disabilities under guardianship in Bahrain are shown in the following table.

<i>Number of persons under guardianship</i>				<i>Proportion of persons under guardianship</i>	
<i>Disability</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>		
Physical	342	271	613		
Hearing	161	167	328		
Visual	45	35	80		
Mental	1 191	495	1 686		
Multiple	186	150	336		
<b>Total</b>	<b>1 925</b>	<b>1 118</b>	<b>3 043</b>	■ Persons with disabilities ■ Persons with disabilities under guardianship	

### Reply to paragraph 10 (c) of the list of issues

63. The 2002 Constitution of Bahrain is the mainstay that guarantees the rights of all groups, including persons with disabilities. The principles of citizenship, equality, equal opportunity and non-discrimination are all enshrined in the Constitution, which also promotes the social role played by the State in the field of economic and social rights, as well as the guarantees it offers for civil and political public rights and freedoms.

64. The National Action Charter also underscores the importance of guaranteeing personal freedom, equality, justice and equal opportunity among citizens. The Charter, moreover, places on the State the burden of guaranteeing those rights for all citizens, without distinction, as part of a broader and more comprehensive principle, namely that of equality of human dignity among all persons.

65. Legislation in Bahrain seeks to ensure that persons with disabilities are able to participate in life without restriction. Under the law, a guardian may be appointed for a person with disability if that person is at risk of harm and, in some cases, the courts can determine the legal capacity of the person concerned. Residents of shelters, nursing homes, psychiatric facilities and facilities for persons with disabilities, are able to exercise the rights envisaged in the internal regulations of those establishments.

## Access to justice (art. 13)

### Reply to paragraph 11 (a) of the list of issues

66. The right of recourse to the courts is guaranteed for all persons without discrimination, including persons with disabilities, both men and women. The judicial authorities make every effort to provide technical and technological means to facilitate the exercise of legal rights on the part of all persons, including those with disabilities. This includes means of communication, reading and signage as well as interpretation in courts and governmental facilities and recognition of the right of persons with disabilities to use their own language and signs, notably before the courts and government offices.

67. The conduct of proceedings is facilitated through the use of modern technology, notably via a computerized case management system which ensures that all persons, especially those with disabilities, have straightforward access to the required information.

### Reply to paragraph 11 (b) of the list of issues

68. Legislators in Bahrain have established a system of judicial assistance for persons with disabilities, which includes communication via the written word or by sign language. Article 52 of Act No. 7 of 1986 promulgating the Custodianship of Assets Act admits the appointment of a judicial assistant for persons with disabilities, either at their own request or at the request of a relative. Under Bahraini law, moreover, only persons with intellectual disabilities are considered as incapacitated, while all other persons with disabilities enjoy full capacity to exercise their legal rights. No law exists in Bahrain that deprives persons with disabilities of any of their rights, although government agencies or the judiciary can, on the basis of medical reports, recommend that a person with a disability lose their capacity, thus

leaving the courts with the choice of placing that person under guardianship, in their own best interests. The person can, at any time, have recourse to justice.

69. The recent bill on the rights of persons with disabilities includes provision to promote such persons in the exercise of their legal capacity, on an equal footing with other citizens, particularly vis-à-vis the disposal of assets, the conclusion of contracts and recourse to justice. The bill also enjoins the use of technical and technological means to facilitate the exercise of that legal capacity, especially via communications media, reading and signage as well as interpretation in courts and governmental facilities, and it recognizes of the right of persons with disabilities to use their own language and signs, notably before the courts and government offices.

70. Most official institutions have also started using visual communication media and sign language, and the eGovernment Authority has launched a platform to streamline and facilitate access to information concerning persons with disabilities. At the same time, the Ministry of the Interior has launched a visual communication initiative as part of its emergency services, and sign language has become common in most official institutions and in the private sector.

71. As part of awareness-raising campaigns and training programmes for staff of government agencies, the Ministry of Social Development has offered a number of training courses and programmes on how to interact with persons with disabilities and how to define and protect their rights. A body of training programmes on sign language interpretation has also been made available in the Ministry of the Interior, the Ministry of Justice, the Ministry of Health as well as in other ministries and government agencies.

## **Liberty and security of the person (art. 14)**

### **Reply to paragraph 12 of the list of issues**

72. According to article 19 of the Constitution of Bahrain, personal liberty is guaranteed under the law, and no person may be arrested, detained, imprisoned or searched, or have their freedom of residence or movement restricted, except in accordance with the law and under the supervision of the courts.

73. There is no law or regulation in Bahrain that, on grounds of actual or perceived disability, prevents persons with disabilities from enjoying their right to freedom, or that allows persons with disabilities to be detained on grounds of their disability. In fact, Bahraini legislators have shown particular concern for that category of persons by providing guarantees for them to exercise their rights and freedoms like any other member of society, as well as means to facilitate their exercise of those rights and freedoms, in line with their disability.

74. In cooperation with judicial authorities, facilities for persons with disabilities are provided in courts and police stations. Moves are also afoot to strengthen legislation so as to protect persons with mental and intellectual disabilities whose circumstances or need for assistance may be exploited by persons exercising legal capacity on their behalf. In that regard, more severe penalties are envisaged for individuals who exploit persons with disabilities by exercising legal capacity to dispose of assets, enter into contracts, etc.

75. Persons with disabilities have the right to protection of their physical health and safety as well as protection against torture and ill-treatment. Article 20 of the Constitution stipulates that there can be no crime and no punishment except on the basis of a law, and that persons are innocent until proven guilty in a court of law and after having been provided with safeguards for their right of defence at all stages of investigation and trial, in accordance with the law. For its part, article 320 of the Criminal Code states: "Anyone who endangers a minor under the age of 7 or a person who, due to his physical or mental health, is unable to defend himself, or who causes others to do so, shall be liable to a term of imprisonment or a fine."

76. No one may be detained or forcibly placed in a psychiatric hospital or any other health facility in Bahrain. A mental health bill has been drafted and referred to the Council of Representatives under Royal Decree No. 80 of 2013, where it is still being discussed. The

bill includes provisions regulating entry into a psychiatric hospital whereby no one may be forcibly detained or placed there, except with their own free and informed consent.

## **Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

### **Reply to paragraph 13 of the list of issues**

77. The Kingdom of Bahrain is determined to protect the rights of its citizens, including those with disabilities, and the laws and decrees issued by the competent bodies all envisage protection against torture and inhuman treatment. Articles 208 and 232 of the Criminal Code, promulgated by Decree-Law No. 15 of 1976, envisage penalties for any public servant or person entrusted with public service who inflicts severe pain or suffering, whether physical or moral, on a person detained or under his control, for the purpose of obtaining information or a confession from that person or from a third party; of punishing that person for an act that he or a third party has committed or is suspected of having committed; of intimidating or coercing that person or a third party; or for any other reason based on discrimination of any kind. The statute of limitations does not apply to crimes of torture.

78. Measures have been taken to establish a complaints mechanism and to provide redress to victims, the aim being that all allegations of ill-treatment should be dealt with effectively, promptly and impartially, irrespective of whether or not the person concerned has a disability. In that regard, the Office of the Ombudsman was created as part of the Ministry of the Interior, pursuant to Decree No. 27 of 2012, as amended by Decree No. 35 of 2013. The Office, which enjoys full administrative and financial independence, is mandated to examine complaints against staff of the Ministry of the Interior if they commit an infraction during the conduct of their duties. It then communicates its findings to the competent body for it to take any criminal or disciplinary measures, should the complaint be verified. Subsequently, it informs the complainant and the defendant of the steps taken to examine the complaint and the findings.

79. Under Act No. 26 of 2014 as amended by Legislative Decree No. 20 of 2016, the National Institution for Human Rights has a broad mandate to receive individual complaints relating to civil, political, economic, social and cultural rights, including complaints relating to the rights of persons with disabilities. In order to achieve its objectives, the Institution is mandated to monitor violations of human rights, undertake inquiries, call the matter to the attention of the competent authorities and make proposals with a view to putting an end to any infraction. In case of need, the National Institution can also express its opinion on the position those authorities should take and how they should act. Furthermore, it receives and examines complaints of human rights violations and refers those it deems appropriate to the competent authorities. It then follows up effectively, or it informs the parties concerned of the procedures to be followed and assists them in that regard or helps them to reach a settlement with the relevant bodies. In addition to this, it undertakes field visits, in accordance with the rules, to monitor the human rights situation in prisons, detention centres, workers' villages and health-care and educational institutions, or any other public place where it is suspected that human rights violations might be occurring. In the period 2018–2020, the National Institution for Human Rights received 5 complaints from persons with disabilities, monitored 10 violations and provided judicial assistance in 15 cases.

## **Freedom from exploitation, violence and abuse (art. 16)**

### **Reply to paragraph 14 (a) of the list of issues**

80. Bahrain is determined to combat all forms of exploitation, violence and abuse, especially against children, persons with disabilities and older persons, who are most vulnerable to ill-treatment and torture. Article 8 of Domestic Violence Act No. 17 of 2015 states that instances of domestic violence may be reported by the victim or by any other family member. Moreover, anyone who – by virtue of their medical or educational profession – becomes aware of an instance of domestic violence is required to inform the Public Prosecution Service or the police.



81. The Criminal Code envisages more severe penalties if the victim of an offence is a person with special needs. Article 21 of Act No. 74 of 2006 stipulates penalties of imprisonment or a fine for anyone who, having been entrusted with the care of a person with special needs, neglects to carry out their duties towards that person. In addition to this, Anti-Human Trafficking Act No. 1 of 2008 – which is consistent with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime – also envisages aggravated penalties if an offence is committed by a criminal gang, if the victim is under the age of 15, if the victim is female, if the victim has special needs, if the crime constitutes an transnational offence, if the perpetrator had responsibility or authority over the victim or if the incident causes the victim an incurable illness.

82. The Ministry of Social Development has also put oversight and prevention controls in place to ensure that centres and institutions that care for persons with disabilities treat them well and do not exploit them. To this end a monitoring team, whose members have the status of law enforcement officials, undertakes periodic field visits and canvasses the views of parents and of staff at disability habilitation centres (annex 9).

#### **Reply to paragraph 14 (b) of the list of issues**

83. As part of efforts to provide training for and raise awareness among persons with disabilities, their family members and staff within the health sector, the High Committee for the Welfare of Persons with Disabilities, the Ministry of Social Development, the National Institution for Human Rights and the Child Protection Centre run awareness-raising and training programmes on disability rights. The programmes also address violation monitoring mechanisms, the violence to which persons with disabilities can be exposed and the important role played by civil society associations and organizations.

84. Strategic guidance in this regard is provided by the High Committee for the Welfare of Persons with Disabilities, which drafts guidance manuals, secures media coverage for all the High Committee's activities and projects, and runs workshops to educate media outlets on disability issues.

85. A weekly programme for persons with disabilities was broadcast over three years (2012–2014) under the title “Hand in Hand”. It sought to raise awareness about all aspects of disability by inviting specialists from official and civil society institutions, explaining and seeking to resolve problems faced by families and throwing the spotlight on the activities and creativity of persons with disabilities. The presenters themselves had visual disabilities and the programme won a gold medal in the family programming category at the fourteenth Gulf Radio and Television Festival, which was held in Bahrain in March 2016.

86. The programme “Maujoudoun”, broadcast in 2015, dealt with the reality and perception of disability and the role of the family in creating a better environment for persons with disabilities. Another transmission dedicated to persons with disabilities in 2016 sought to throw light on the achievements of such persons and the positive experiences of their families. These efforts continue via social media platforms run by activists for persons with disabilities or civil society organizations. The press also plays an important educational role by continually covering disability-related subjects and bringing them to the attention of the public, demanding the rights of persons with disabilities and highlighting the problems they face.

87. The health education department at the Ministry of Health has contributed to these efforts by issuing booklets dealing with issues such as prevention, diagnosis and habilitation for persons with disabilities. The important role the Ministry plays is clearly reflected in the involvement of doctors and other specialists in conducting radio, television and press interviews, as well as in holding lectures and seminars at various educational institutions and social centres.

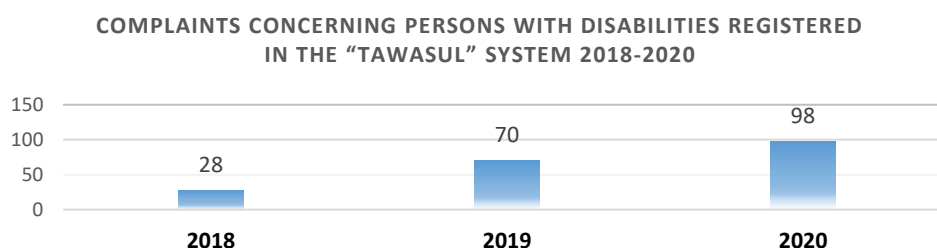
88. Workshops are being held for law enforcement officials working for government ministries thanks to ongoing coordination and cooperation between those ministries and the Bahrain Institute for Legal and Judicial Studies. In particular, the courses focus on monitoring and inspection at centres for children with special needs or older persons with special needs, to raise awareness and protect against violence, abuse and exploitation.

**Reply to paragraph 14 (c) of the list of issues**

89. Cooperation between the eGovernment Authority and a number of State agencies has led to the development of “Tawasul”, a national system for suggestions and complaints which allows individuals, by means of an online form, to submit proposals and grievances to the government bodies that participate in the scheme. The form is then sent directly to the department concerned where it can be examined by a group of specialists with experience in the field. This helps to ensure that the service is efficient and effective, and to facilitate follow up and oversight of the measures taken by the authorities to address the matter.

90. The chart below shows the number of complaints and comments concerning persons with disabilities that have been registered in the “Tawasul” suggestion and complaints system. These have then been referred to the social rehabilitation department at the Ministry of Social Development which, in coordination with the High Committee for the Welfare of Persons with Disabilities, is the body responsible for responding to and addressing such complaints.

	2018	2019	2020
Complaints and suggestions concerning persons with disabilities registered in the “Tawasul” system	28	70	98

**Protecting the integrity of the person (art. 17)****Reply to paragraph 15 of the list of issues**

91. Women in Bahrain are not allowed to have an abortion, even in cases of rape. The only case in which an abortion is admitted is if the continuation of pregnancy would pose a risk to the health and life of the woman concerned, in accordance with DPP, which explains the procedures for consenting to abortion in such cases.

92. Requests for sterilization of women with mental disabilities are examined by specialized consultants, who conduct a comprehensive review of the case in order to determine the patient’s best interests. Forced sterilization is forbidden. The question of abortion is regulated in article 19 of Decree-Law No. 7 of 1989 on the practice of human medicine, which states that no doctor has the right to prescribe medication with the intention of causing an abortion, or to perform an abortion, unless continuation of the pregnancy would place the life of the pregnant woman at risk. Such risk must be determined by three consultant physicians authorized to practise medicine in Bahrain. The abortion or the administration of prescribed abortion medication must take place in a licensed State-run or private hospital, under the guidance of a gynaecologist and with the consent of the guardian of the pregnant woman. In no case is it permissible to undertake any medical procedure or sterilization without the consent of the person with a disability or, if the person is a minor or lacks legal capacity, of their guardian.

**Living independently and being included in the community (art. 19)****Reply to paragraph 16 (a) of the list of issues**

93. In the context of the protection it provides for public freedoms, the Constitution of Bahrain also guarantees individual freedoms, which are seen as constituting an inherent part of being human. In Bahrain there is no discrimination on grounds of disability when choosing

a dwelling or place of residence; quite the contrary, government agencies provide support across all the governorates to facilitate access to services for persons with disabilities.

94. The Ministry of Housing makes special efforts to ensure that persons with disabilities can enjoy an adequate standard of living for themselves and their families. This is achieved via legal provisions, including ministerial decrees intended to guarantee equal rights and equal opportunities for persons with disabilities. In addition, such persons receive special services to help them obtain appropriate housing that is commensurate with the nature of their disability, as the Ministry takes care to ensure that the design of its housing units accommodates the degree of disability of the housing applicant or of a member of the applicant's family.

95. Persons with disabilities have the right to choose their place of residence on an equal footing with others. There are no special residential areas set aside for person with disabilities; rather they are allocated homes in the same areas as everyone else, but in homes that have particular specifications. Under Act No. 7 of 2004, the owner of a housing unit allocated to citizens with disabilities may apply to the Ministry of Housing for the unit to be fitted out in such a way as to accommodate his disability or that of a member of his family.

#### **Reply to paragraph 16 (b) of the list of issues**

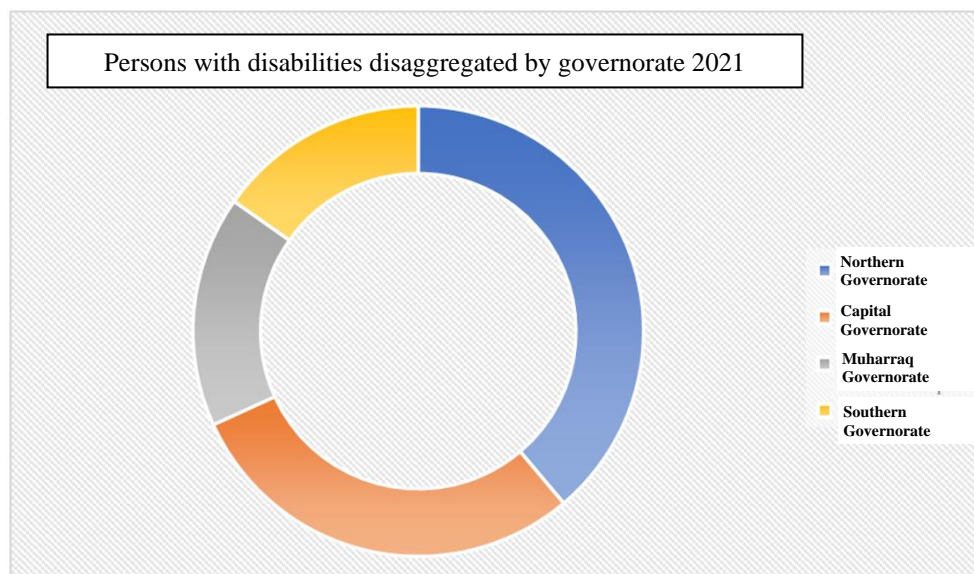
96. The institutionalization of persons with disabilities in Bahrain is carried out as part of habilitation programmes for persons with severe intellectual disabilities. Such persons undergo extensive tests beforehand including health, psychological and social evaluations, and their case is discussed by specialists who seek to identify their best interests in the light of a comprehensive assessment of the circumstances. Persons with disabilities cannot be forcibly placed in homes or specialized centres, except with the freely given consent of their relatives, in compelling sociopsychological conditions and after exhausting all means to keep the persons concerned in their own families. Save in very rare cases, placement is temporary and the person concerned is enrolled in intensive rehabilitation programmes and helped to become independent and reintegrate into the community. According to article 33 of the 2012 Children's Code: "Under no circumstances, may children be separated from their parents on the grounds of a disability in the child or in one or both of the parents, unless such separation is necessary in the best interests of the child."

97. In Bahrain, there is just one shelter affiliated with the Ministry of Social Development as well as a special department in a psychiatric hospital, and the number of cases of severe intellectual disability scarcely exceeds 50. Persons are accepted under very strict standards and criteria, notably if their disability-related rights have been infringed, if they have suffered ongoing violence and abuse, if they require continuous health care that cannot easily be administered at home, if they are of unknown parents, if they have no breadwinner due to bereavement or if the breadwinner is unable to play that role due to compelling health reasons.

98. Where possible, Bahrain uses an open placement system whereby the person concerned alternates between home and the institution, under certain rules and conditions and always taking account of the best interest of the child. In addition, families receive technical and material support via mobile home-health-care units for persons with disabilities.

#### **Reply to paragraph 16 (c) of the list of issues**

99. The diagram below shows the number of persons with disabilities in Bahrain, disaggregated by gender, disability and age. State services for persons with disabilities are distributed across the country's four governorates (see annex 10).



## Freedom of expression and opinion, and access to information (art. 21)

### Reply to paragraph 17 (a) of the list of issues

100. The Constitution of Bahrain guarantees freedom of opinion and expression for all persons, including those with disabilities. This right is further upheld by being enshrined in legislation which stipulates that State agencies are to support the means of communication chosen by persons with disabilities and to use available technology to as to guarantee their right to communicate with others, express their views and access publicly available information. A hotline has been opened in Bahrain which provides simultaneous interpretation in sign language via the government website and thus enables persons with hearing disabilities to interact with a number of public and private bodies. In addition to this, telecommunications companies and the Telecommunications Regulatory Authority have rolled out a package of visual communication tools for persons with disabilities, while the Ministry of the Interior provides emergency services for persons who are deaf and mute. At the same time other ministries and State agencies provide information for persons with disabilities by means of QR codes on posters and hoardings.

### Reply to paragraph 17 (b) of the list of issues

101. The Unified Sign Language Dictionary for the Arab World is used throughout the Arab world, and the Bahrain Deaf Society is currently working on developing a Bahraini sign language dictionary. For their part, the Ministry of Social Development, the High Committee for the Welfare of Persons with Disabilities and civil society organizations are developing legislation that would oblige government agencies to facilitate official transactions for persons with disabilities through the use of sign language, Braille, alternative methods of communication and modern technology. The legislation would also require Internet providers to offer facilitated access for persons with disabilities. Lastly, it should be noted that sign language and Braille are used as official languages in inclusive schools run by the Ministry of Education.

## Respect for privacy (art. 22)

### Reply to paragraph 18 (a) of the list of issues

102. The Constitution of Bahrain envisages special protection for the right to privacy, which includes guarantees of the inviolability of the home and the freedom of correspondence. Article 25 of the Constitution stipulates: "Homes shall be inviolable and shall not be entered or searched without the permission of the occupants, except in cases of extreme necessity and in the manner provided for by law." Article 26 states: "Freedom of postal, telegraphic

and telephone communications shall be safeguarded and their confidentiality shall be guaranteed. Correspondence shall not be censored nor shall its confidentiality be violated except in cases of necessity provided for by law and in accordance with the procedures and guarantees specified therein.”

103. Since it is the provisions of the Constitution that underpin the country’s legal system, it follows that national legislation must fall within the scope of the Constitution. For that reason, the rules and regulations applicable to persons who work in the field of disability underscore the importance of protecting data and handling it with great sensitivity. In that regard, article 83 of the Code of Criminal Procedure states that investigations and the outcome of investigations are to be treated as confidential and may not be disclosed. Moreover, private personal details that emerge during the course of an investigation, and any annexed documentation, are likewise confidential and may be disclosed only to the parties involved in the case. The Ministry of Social Development has an advanced computer network where it stores data on persons with disabilities; this ensures that cases of disability are taken in hand and that active assistance can be provided in a confidential manner that ensures respect for privacy.

#### **Reply to paragraph 18 (b) of the list of issues**

104. In order to ensure protection for the private life of individuals, as enshrined in the Constitution, the Criminal Code, promulgated by Decree-Law No. 15 of 1976, as amended, criminalizes acts that infringe privacy. Article 370 of the Code stipulates: “Anyone who, using any means, publishes information, pictures or comments related to the confidential private or family life of individuals, even if true, and if such publication causes harm to those individuals, shall be liable to a term of imprisonment of up to 6 months and/or payment of a fine of up to 50 Bahraini dinars (BD).”

105. Under the law, the penalty is redoubled if the offenders were entrusted with the confidential information by virtue of their profession, calling or status. An aggravated penalty is also applicable if the offender is a public servant or person entrusted with public service who learned the confidential information in the course of his duties.

106. Rules and regulations applied by the Ministry of Health, the Ministry of Social Development and other bodies dealing with persons with disabilities also envisage severe penalties for persons who fail to respect the privacy of such persons or who irresponsibly disclose their confidential information.

#### **Reply to paragraph 18 (c) of the list of issues**

107. In line with the constitutional provisions that protect the privacy of all citizens and residents, rules and regulations applicable to persons who work in the field of disability underscore the importance of protecting data and handling it with great sensitivity. They also envisage severe penalties for persons who fail to respect the privacy of persons with disabilities or who unjustifiably disclose their confidential information. This has been reaffirmed in the recent bill on the rights of persons with disabilities, which upholds their right to privacy and prohibits any arbitrary interference with that privacy or with their medical files and rehabilitation reports.

108. The Ministry of Health takes elaborate precautions to preserve the confidentiality of data and it forbids any third party from examining the information contained in a patient’s medical file. Article 26 of Decree-Law No. 7 of 1989 on the practice of human medicine and dentistry stipulates: “Doctors may not disclose any confidential information they have come by in the course of their profession, except with the authorization of the court or with the written consent of the patient concerned.”

109. The Medical Data Protection Act No. 30 of 2018 designates medical data as sensitive personal information, as defined in article 1 of the Act itself. Under article 5 of the Act, it is forbidden to handle sensitive personal data, including patient data, without the consent of the party concerned. For its part, article 370 of the Criminal Code, promulgated by Decree-Law No. 15 of 1976, states that anyone who, using any means, publishes information, pictures or comments related to the confidential private life of individuals, even if true, is liable to a term of imprisonment of up to 6 months and/or payment of a fine of up to BD 50.

110. Similar strict precautions are taken by Ministry of the Interior to protect information and data relating to persons with disabilities within the unified criminal justice system (the *Najm* project) where such data cannot easily be accessed by unauthorized persons. In its own electronic archives, the Ministry of Social Development also uses modern technology to protect and secure data concerning persons with disabilities.

## **Respect for home and the family (art. 23)**

### **Reply to paragraph 19 (a) of the list of issues**

111. The drafters of the Constitution of Bahrain recognized the family's leading and important position as one of the fundamental components of society. Thus, the principle of family protection starts with the right of persons to form a family once they have reached marriageable age and fulfilled the relevant conditions. These are set forth in the Family Code, which is directly derived from the provisions of sharia that regulate marriage. And if the Constitution does not explicitly stipulate the right of all persons to form a family, this may nonetheless be inferred from the text which states that the family is the foundation and essential component of society.

112. On this constitutional basis, Bahraini legislators guarantee all persons without discrimination the right to marry, form a family and have children, under the Family Code (Act No. 19 of 2017), which regulates marriage and its concomitant rights and obligations. Since legal provisions contained in laws are general and applicable to all persons, including those with disabilities, it follows that there is nothing in the Code that prevents persons with disabilities from marrying, and there is no discriminatory legislation that deprives such persons of their right to marry, form a family and have children. Even obligatory premarital screening does not prevent the persons concerned from marrying, irrespective of the outcome of the test. Family guidance offices run by the Ministry of Social Development provide advice and assistance intended to resolve domestic disputes, to help take decisions and to highlight modern child-rearing methods to assist families in dealing with their children. The Women's Support Centre at the Supreme Council for Women also provides counselling and awareness-raising services to marriage candidates, including those with disabilities.

113. The Code does envisage a number of restrictions for persons with intellectual disabilities, the aim being to preserve their well-being and interests without prejudicing their right to marry. The relevant provisions are contained in article 21 of the Code according to which, before authorizing the marriage of a person with an intellectual disability, the judge must verify that the other party to the marriage agrees to the union in full knowledge of the situation. The judge's consent is given at the request of the person's guardian and only if the marriage of the person with an intellectual disability is in that person's interest and if not marrying would entail negative consequences; moreover, the union must not occasion harm or danger to either party or to their progeny, as certified by an accredited medical committee.

114. Bahraini legislators have also guaranteed the right of persons with disabilities to have children. In that connection, article 33 of the Children's Code (Act No. 37 of 2012) states: "Under no circumstances, may children be separated from their parents on the grounds of a disability in the child or in one or both of the parents, unless such separation is necessary in the best interests of the child." Another relevant piece of legislation is the Act on restorative justice for children and their protection from ill-treatment.

115. The Supreme Council for Women has developed a unified framework for family counselling services (2019–2022), which aims to protect families and keep them united by developing communication and interaction skills and providing services to family members, with a view to maintaining high levels of social stability. This implicitly means providing all available services to persons with disabilities of both sexes.

### **Reply to paragraph 19 (b) of the list of issues**

116. Thanks chiefly to the Criminal Code, persons with disabilities enjoy the same protection from exploitation, violence and abuse as any other person. This is a matter of the utmost concern to Bahrain where legislators have established aggravated penalties for crimes

against persons with disabilities. Article 8 of Domestic Violence Act No. 17 of 2015 states that instances of domestic violence may be reported by the victim or by any other family member. Moreover, anyone who – by virtue of their medical or educational profession – becomes aware of an instance of domestic violence is required to inform the Public Prosecution Service or the police.

117. The Women’s Support Centre at the Supreme Council for Women receives and seeks to resolve complaints concerning issues that affect women and families, including women with disabilities. It receives requests and provides judicial and legal aid and psychological assistance. In addition, a website (“Takatouf”) has been launched with the Ministry of the Interior to monitor cases of violence against women, including against women with disabilities.

118. During the pandemic, the Women’s Support Centre at the Supreme Council for Women launched a new app where all its consultation and follow-up services – including those for persons with disabilities – could be easily accessed in a single place.

## **Education (art. 24)**

### **Reply to paragraph 20 (a) of the list of issues**

119. Responsibility for the education of persons with disabilities in Bahrain lies with the Ministry of Education, which pursues a policy of inclusive education. The Ministry provides education for all citizens and, within the limits of its competencies, attends to the needs of students with disabilities and includes them, where possible, in State-run schools. In doing so, it seeks to follow modern educational guidelines that tend towards inclusion rather than isolation in special institutes and centres. Inclusion is also pursued by the habilitation centres run by the Ministry of Social Development as well as by private habilitation centres run by civil society organizations, such as the Mobility International (Bahrain) Centre, the Saudi-Bahraini Institute for the Blind, the Friends of the Blind Association and other groups concerned with the education of persons with disabilities.

120. Article 5 of Education Act No. 27 of 2005 speaks of “diversifying educational opportunities in line with students’ varying individual needs; caring for and inspiring gifted and talented students; and ensuring the welfare of slow learners and children with special needs by monitoring their progress and integrating them, if possible, into school” (annex 11).

### **Reply to paragraph 20 (b) of the list of issues**

121. Specialized agencies in Bahrain organize training courses and programmes in the field of special education for personnel who work with persons with disabilities, in addition to special foundation programmes for new staff. Support staff in inclusive classrooms also receive training in the form of workshops organized for them at the beginning of their service. These also involve meetings to explain how staff are expected to act towards the students, an outline of the characteristics of persons with disabilities and advice on how to handle various different situations. With the beginning of the pandemic and the roll-out of distance learning, the competent departments within the Ministry of Education and the Ministry of Social Development made intense efforts to provide special courses for teachers of students with disabilities. The purpose of this was to facilitate online teaching and habilitation, via individualized daily plans for students with disabilities. The entire operation took place under the supervision of qualified specialists who oversaw the teaching programme and evaluated the outcomes.

122. According to Civil Service Bureau Directive No. 2 of 2014, which concerns allowances for personnel who work with persons with disabilities: “An allowance of DB 100 is to be disbursed each month to staff who work in special education. Such persons must hold a diploma in special education as well as a bachelor’s degree in another subject, or a bachelor’s degree in special education, or a bachelor’s degree in a subject related to special education or the welfare of persons with disabilities.” This serves as motivation to staff to enrol in special education programmes and to enhance their professional skills.

**Reply to paragraph 20 (c) of the list of issues**

123. The Constitution of Bahrain stipulates that education is to be provided for all groups. Article 5 (1) of the Education Act reads: “Educational opportunities are to be made available to all individuals in order to build their abilities and skills with a view to their self-realization and the development of their lives and of society.” Article 10 of the Act speaks of “diversifying educational opportunities in line with students’ varying individual needs; caring for and inspiring gifted and talented students; and ensuring the welfare of slow learners and children with special needs by monitoring their progress and integrating them, if possible, into school.”

124. Thus, the Ministry of Education has been applying the principle of inclusion to students with mild intellectual disabilities or Down syndrome since 2001, and to students with autism since 2010. Currently the number of students with mild intellectual disabilities or Down syndrome included in ordinary education stands at 475 and the number of students with autism at 152. In addition to this, all students with visual or physical disabilities are admitted into schools in Bahrain and provided with the necessary support. Students who cannot be accepted into inclusive education – an estimated 153 of both sexes in 2021 – are referred to State-run or charitable habilitation centres.

**Health (art. 25) and habilitation and rehabilitation (art. 26)****Reply to paragraph 21 (a) of the list of issues**

125. Primary health care services (cure, prevention and habilitation) are provided to all citizens and residents in Bahrain via 25 health centres distributed across all the country’s governorates, thus ensuring ease of access for the entire population. Citizens and residents are registered with a health centre in their own area, while physiotherapy is dispensed by mobile units for persons with disabilities and for older persons. Overall, all groups in society, including persons with disabilities, have access to health-care services. An online system has been rolled out for booking medical appointments and delivering medicines to patients in their own homes. There is also a monitoring service that provides remote counselling in certain cases, as well as mobile units for persons with disabilities and for older persons.

126. According to Ministry of Health statistics, diagnostic services and early detection of impairment in development and growth were provided to 176,578 children in 2018. Moreover, 25,480 children underwent comprehensive health examinations for the early detection of disability in Ministry-run health centres, 12,818 at the preschool level, 6,290 in middle-school education and 6,372 in secondary education.

**Reply to paragraph 21 (b) of the list of issues**

127. Services are provided to persons with disabilities under national laws, which stipulate that patients’ wishes must be respected and patients must consent to any treatment they are given. Persons with disabilities in Bahrain enjoy all the rights extended to patients in general as well as additional advantages envisaged in Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities, as amended. These include the requirement to obtain their free and informed consent to any treatment they receive.

**Reply to paragraph 21 (c) of the list of issues**

128. Primary health-care services include free services for all girls and women with disabilities. This covers antenatal services, family planning services, premarital services and ultrasound examinations for women. Free reproductive health services are also available as part of secondary health care, such as regular check-ups during pregnancy, testing and medical and surgical interventions and procedures, depending upon the health-care needs of the patient or the mother. Premarital medical tests – regulated by Act No. 11 of 2004 – serve to protect the reproductive health of both parties, and in particular the woman.



**Reply to paragraph 21 (d) of the list of issues**

129. Bahrain promotes various forms of habilitation and rehabilitation. These include habilitation programmes such as physiotherapy, occupational therapy and speech and language therapy, which are dispensed by mobile units in the context of both primary and secondary care. The Ministry of Health provides community health-care services at habilitation centres and via five mobile units that operate across Bahrain. A total of 2,828 persons with disabilities benefited from mobile health care in 2019, including 1,689 women.

130. The Ministry of Social Development provides basic habilitation services aimed at the social integration of persons with intellectual, hearing and multiple disabilities. The Department of Social Habilitation plays an important role in the welfare of such persons, ensuring that they are able to access services and guaranteeing their legitimate rights via its own homes and centres, which provide care, habilitation, education and shelter for persons with disabilities of different kinds, as well as a body of services intended to respond to their daily life needs. In addition, the centres provide training for persons with disabilities and counselling for them and their families, they also receive and seek to resolve complaints and provide assistive devices and disability cards.

131. Eager to pursue community partnerships, the Department of Social Habilitation cooperates with civil society organizations that operate in the field of disability. Such cooperation takes the form of a programme of financial grants and technical supervision, which the Ministry provides to those organizations in order to underscore the importance of community partnership, to expand the scope of habilitation services and to ensure that persons with disabilities are fully able to exercise their rights to education, training and employment. The Ministry also seeks to adapt the environment to suit the capacities and needs of persons with disabilities. Each year, the Ministry allocates BD 1.2 million to the habilitation centres.

**Work and employment (art. 27)****Reply to paragraph 22 (a) of the list of issues**

132. The Ministry of Social Development is the prime mover in Bahrain behind the development of training and employment policies for citizens of both sexes and has taken upon itself the responsibility of providing job opportunities for all Bahrainis. The Ministry seeks to support the habilitation, training and employment of persons with disabilities, in which regard it has adopted a “job empowerment” programme, which is an outstanding modern, pilot initiative that is rooted in the idea of promoting the recruitment of persons with disabilities. The programme – which envisages a specialized working group of professional trainers, employment specialists and psychotherapists – seeks to invest in the capabilities of persons with disabilities and to use those capabilities as an effective productive force in society. This is to be achieved through training, capacity-building and the acquisition of skills that will help such persons to find appropriate job openings. This, in turn, will help them to liberate their energies and to prove their worth as an effective force in several different fields. Another of the programme’s goals is to include persons with disabilities in the labour market and to provide them with opportunities for training, vocational development and career advancement, as well as the chance to achieve self-reliance, independence and job stability, eliminating difficulties in the working environment that hinder their capacity to adapt. The most significant measures and steps taken to develop job opportunities for persons with disabilities are:

- Providing appropriate opportunities for a broad range of persons with various kinds of disabilities and capacities, in cooperation with private sector institutions;
- Assigning a stand for persons with disabilities at employment fairs to facilitate their search for a job consistent with their disabilities and capacities;
- Employing women with disabilities on a part-time basis while taking account of their state of health and ensuring that their salary corresponds to the number of hours worked;

- Encouraging employers to employ persons with disabilities by according certain privileges, notably the privilege whereby an employee with a disability counts as two Bahraini employees in the required quota of national workers allocated to private sector facilities;
- Obliging companies with 50 or more workers to ensure that 2 per cent of their workforce is made up of persons with disabilities;
- Engagement on the part of civil society institutions, which have committees that look for suitable job openings for persons with disabilities;
- The Supreme Council for Women runs programmes aimed at involving women in the labour market; these include a national counselling programme for Bahraini women, known as “Irshad” and now in its second edition, which seeks suitable job opportunities for persons with disabilities.

133. The Civil Service Bureau, which concerns itself with the staffing of State institutions, rolled out a new online job application system in 2019. The new system is part of plans to develop an employment information unit in the Bureau. The job application system – which has been designed so that applications from persons with disabilities can be accommodated simply and easily – is helping to build up a database on persons with disabilities in the employment information unit. For its part, the Bureau has undertaken to achieve Sustainable Development Goal 10 on reducing inequalities, facilitating the participation of persons with disabilities in government work by making it easier for them to join the workforce in roles consistent with their capabilities.

#### **Reply to paragraph 22 (b) of the list of issues**

134. Measures are taken to ensure the provision of reasonable accommodation for staff with disabilities in the workplace. The Ministry of Social Development plays an important role in this regard, ensuring job stability for persons with disabilities via intensive monitoring, which is part of the “job empowerment” programme and which lasts 29 weeks. During that time, vocational trainers and psychotherapists undertake field visits to employees with disabilities at their place of work to monitor their situation, identify any difficulties that might hinder them in the performance of their duties, assist them in overcoming those difficulties and help them to achieve self-reliance and to develop their skills and abilities. At the same time, the visitors verify that the working environment is supportive and friendly for persons with disabilities and advises other staff on how to interact with such persons.

135. In view of the fact that the state of health of persons with disabilities can be affected by their working conditions, the Ministry of Social Development issued Decree No. 24 of 2013 to reduce maximum working hours by not less than one hour for certain categories of workers in certain industries and jobs where the circumstances so require, the industries and jobs concerned being identified in the Decree itself. The Ministry of Social Development issued Decree No. 24 of 2013 also issued Decree No. 80 of 2018 setting forth rules and conditions for granting a two-hour rest period to workers with a disability or who care for a person with a disability.

#### **Reply to paragraph 22 (c) of the list of issues**

136. Tables containing data for 2020 on persons with disabilities in formal employment in both the public and private sectors, disaggregated by disability, gender, age and professional qualifications is to be found in annex 12.

### **Adequate standard of living and social protection (art. 28)**

#### **Reply to paragraph 23 (a) of the list of issues**

137. Bahrain is greatly concerned to improve standards of living and social protection for the most vulnerable groups, including persons with disabilities. Measures taken by the Government in that regard aim to help persons with disabilities lead independent lives and to provide them with long-term support and social care services. In view of the fact that

disability can affect social and economic standing, persons with disabilities are explicitly identified as beneficiaries in Social Security Act No. 18 of 2006, which envisages social security and support for families and individuals on low incomes through the provision of material and in-kind social assistance. Given below are statistics concerning the number of persons with disabilities in all governorates who are registered with the Ministry of Social Development and who, in addition to a disability allowance, receive further support to improve their standard of living, as well as reductions on their electricity and water bills.

*Number of persons with disabilities registered with the Ministry of Social Development who, in addition to a disability allowance, receive further support (2021)*

<i>Beneficiaries of disability allowance</i>	<i>Beneficiaries of financial support</i>	<i>Beneficiaries of social security</i>
12 425	2 958	682

### **Reply to paragraph 23 (b) of the list of issues**

138. Persons with disabilities in Bahrain enjoy an adequate standard of living and social protection. Article 7 of the Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities stipulates that such persons are to be granted a monthly disability allowance under terms and conditions to be established by a decree of the Minister. The eligibility criteria are set forth in Decree No. 24 of 2006, subsequently amended under Act No. 40 of 2010, which states that disability allowance is to be increased to not less than BD 100 and that the disbursement of that allowance is not to affect any other disability-related rights or benefits. Persons with disabilities in Bahrain enjoy certain facilities and, once classified as having a disability in ministerial records, they benefit from discount rates on goods and services provided by ministries and national institutions in (annex 13).

### **Reply to paragraph 23 (c) of the list of issues**

139. The legislation and laws governing the rights of persons with disabilities in Bahrain cover citizens and the children of Bahraini women married to foreign men. Non-Bahrainis with disabilities who reside in the country enjoy fair treatment that guarantees them a decent life. Charitable organizations, civil society groups and private institutions operating in the field of disability run various initiatives aimed at providing assistance to individuals with disabilities and their families. At the same time, State ministries provide all the necessary facilities to specialized centres that deal with persons with disabilities from foreign communities resident on national territory.

## **Participation in political and public life (art. 29)**

### **Reply to paragraph 24 of the list of issues**

140. Article 23 of Decree-Law No. 14 of 2002 on the Exercise of Political Rights, as amended, stipulates: "Referendums and elections are to be held by direct secret universal ballot. In referendums and elections, voters are to express their choice by marking the ballot card at the polling station. Voters who are unable to read or write, who are blind or who have other special needs and cannot therefore mark the ballot card, can express their choice orally, and the head of the committee, in the presence of one of its members, is then to mark the elector's choice on the ballot card and place it in the ballot box."

141. As concerns measures taken to provide an accessible voting environment for persons with disabilities, the Constitution of Bahrain states that persons with disabilities are to exercise their political rights on an equal footing with others. This includes their right to vote and to stand as candidates in parliamentary elections. In order to facilitate the exercise of that right, legislation regulating political rights has been strengthened by requiring the competent authorities to take the following measures:

- Facilitating candidacy and voting procedures by making them easy to understand and accessible to persons with disabilities;

- Using assistive technology as much as possible and securing voting facilities by removing any physical barriers for ease of access;
- Guaranteeing the right of persons with disabilities to use their own language and signs, as well as Braille, and providing assistants to help them during candidacy and voting procedures;
- Guaranteeing the right of persons with disabilities to cast their vote confidentially, on an equal footing with others.

## **Participation in cultural life, recreation, leisure and sport (art. 30)**

### **Reply to paragraph 25 (a) of the list of issues**

142. The competent authorities in Bahrain are examining the possibility of ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

### **Reply to paragraph 25 (b) of the list of issues**

143. Bahrain has made determined efforts to promote the right of persons with disabilities to participate in cultural life and to engage with society. Scope exists to promote these rights still further by facilitating access to cultural products in simplified formats and by supplying information and communications technology devices. Other initiatives focus on facilitated entry to cultural arenas such as exhibition areas, theatres, cinemas and libraries, or on providing opportunities for persons with disabilities to express their own originality and enrich society with their creative endeavours. Efforts are also made to encourage their participation in sporting and recreational activities at all levels, also by providing assistive devices to allow them to take part in sports, and to make it easier, to the extent possible, for them to enter sports and entertainment venues.

## **C. Specific obligations (arts. 31–33)**

### **Statistics and data collection (art. 31)**

#### **Reply to paragraph 26 of the list of issues**

144. The Information and eGovernment Authority in Bahrain conducted the 2020 general census of population and housing, under Legislative Decree No. 7 of 1977 which grants statistical offices a mandate to collect and publish data for statistical and planning purposes. This is consistent with a recommendation of the Cooperation Council for the Arab States of the Gulf (GCC) to conduct a population census in 2020 using the body of data that GCC States are required to collect and drawing upon administrative registers as the source of information. The Information and eGovernment Authority carried out its census on 17 March 2020. The use of administrative records for statistical purposes is endorsed in principle 5 of the Fundamental Principles of Official Statistics of the United Nations Statistical Commission, which states: “Data for statistical purposes may be drawn from all types of sources, be they statistical surveys or administrative records.”

145. Since data about disability was also requested, the records of the Ministry of Social Development were used, as well as those of the Ministry of Health and of charitable and private disability centres. This data was then included in the 2020 population census. The main classifications used were those adopted by the Ministry of Social Development in its electronic “social assistance system”, which applies an open data policy wherein information and statistics on persons with disabilities are disaggregated by gender, age, nationality, type of disability, socioeconomic status, employment status and place of residence. A national health survey conducted by the Information and eGovernment Authority made partial use of the Washington Group short set of questions on disability, and the results of the survey have been published on the Authority’s website.

## **International cooperation (art. 32)**

### **Reply to paragraph 27 of the list of issues**

146. As part of ongoing efforts to enhance cooperation, the Bahrain Ministry of Foreign Affairs holds consultative meetings with civil society groups operating in the field of human rights, including those that concern themselves with persons with disabilities. The meetings aim to promote the role and impact of such groups and to raise awareness with a view to building a strategic partnership that helps to promote human rights in Bahrain, including those of persons with disabilities. The initiative is rooted in the belief that such organizations make a vital contribution as partners in the advancement of human rights in the country. Thus, the Ministry strives to pursue this constructive cooperation by involving civil society organizations in the process of drafting country reports for international and regional mechanisms, most recently the third voluntary report under the universal periodic review mechanism. It is also careful to involve such organizations in the broad consultation process for the preparation of a national human rights plan, so as to ensure that the plan is sufficiently comprehensive and takes due account of recommendations concerning the rights of persons with disabilities.

## **National implementation and monitoring (art. 33)**

### **Reply to paragraph 28 (a) of the list of issues**

147. The High Committee for the Welfare of Persons with Disabilities – which came into being under article 16 of Act No. 74 of 2006 – is headed by the Minister of Labour and Social Development and its membership includes representatives from the governmental sector, civil society and the private sector. The overarching task of the Committee is to examine and draft public policy, laws, rules, regulations and projects related to the care, habilitation and employment of persons with disabilities in Bahrain. It also determines what regulatory procedures are to be followed by official and civil society organizations to fulfil the obligations set forth in Act No. 74 of 2006, and it oversees and coordinates the implementation of the Convention on the Rights of Persons with Disabilities. Most notably, the High Committee:

- Monitors laws and regulations affecting persons with disabilities and follows up on their enforcement;
- Proposes draft laws and regulations related to the care, habilitation and employment of persons with disabilities;
- Drafts regulations regarding the payment of financial grants to persons with disabilities;
- Provides legal advice on disability-related matters;
- Monitors expenditure on the implementation of the High Committee's plans;
- Protects persons with disabilities and enhances their legal protection.

148. The High Committee's current concern is to update the National Strategy for the Rights of Persons with Disabilities for the next five years, while at the same time conducting intensive monitoring and follow-up of all parties involved in the implementation of the Strategy. This is part of an ambitious but practical plan of action that contributes to the effective achievement of the major goals enshrined in the Strategy. The High Committee has also been involved in responding to the issues raised in relation to the initial report of Bahrain under the Convention, in which regard it submitted questions to the relevant authorities. Moreover, in coordination with other State agencies and civil society groups, it is developing an ambitious national monitoring and follow-up framework that contributes to the advancement of persons with disabilities in various areas.

**Reply to paragraph 28 (b) of the list of issues**

149. Civil society organizations make every effort to provide advice, support, comments, assessments and evaluation. In this way, they constitute one of the most significant players in the drafting, implementation and follow-up of the National Strategy for the Rights of Persons with Disabilities. The Strategy includes a body of indicators wherewith to gauge achievements and appraise the quantitative and qualitative changes that have been brought about in the lives of persons with disabilities. In fact, using participatory methods, data is collected and analysed, and regular reports written and issued regarding the progress achieved in the implementation of the Strategy.

150. The Gulf Disability Society – one of the independent activist associations licensed to operate in Bahrain – seeks to unify disability-related activities among GCC States, in cooperation with other stakeholders. To this end, it works to ensure that persons with disabilities can administer their own affairs and participate on an equal footing with other members of society. In pursuit of this goal, the Society cooperates with several local and international organizations, coordinates their activities and seeks to involve persons with disabilities and to take account of their views as rights holders. The Society is also developing a disability database and it is coordinating with stakeholders to find optimal means to provide and develop disability services across GCC countries. In addition, the Society works with those countries to develop legislation and enact laws and regulations on the rights of persons with disabilities, provides disability-related consultation services and is involved in the development of institutions, associations and federations working in the area of disability.

151. Civil society organizations, in cooperation with the League of Arab States, also play a prominent role at the international level. They include organizations such as the Friends of the Blind Association, Mobility International (Bahrain) Centre, the Society for Parents of Persons with Disabilities and other activist groups. They participate actively as members of federations at the Arab and international levels, and they organize and attend international conferences and workshops where they exchange knowledge and technical expertise and train persons to work in the field of disability. In that connection, it should be noted that a Bahraini woman who is blind has, on more than one occasion, headed the administrative board of the Asian Blind Union.

**Reply to paragraph 28 (c) of the list of issues**

152. In compliance with the voluntary pledges it made before the Human Rights Council during the universal periodic review cycle of April 2008, Bahrain promulgated Royal Order No. 46 of 2009 for the creation of the National Institution for Human Rights, with a view to establishing an institution that would serve as a beacon of human rights awareness and expertise. Article 15 of the Order envisages the establishment of an independent institution to be called the “National Institution for Human Rights”, which is to exercise its functions with complete freedom, impartiality and independence.

153. The Government is fully committed to supporting the operation of the Institution as the principal independent body in Bahrain that works to promote and protect human rights. In that connection, the Government and the National Institution agreed on the need to issue a new law that would provide the Institution with authentic safeguards and complete independence, while also extending its functions and powers, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

154. Thus, in accordance with the relevant constitutional principles, Act No. 26 of 2014 was enacted to establish the National Institution for Human Rights. The Institution was created under the Act with the intention that it should become a permanent and active member of the Global Alliance of National Human Rights Institutions (GANHRI). In fact, having GANHRI membership would mean that the Institution can participate effectively in sessions of the Human Rights Council as well as in meetings of treaty bodies, special procedures, subcommittees, working groups and task forces, and that it can speak as an official national institution for the protection and promotion of human rights.

155. Act No. 26 of 2014 establishing the National Institution for Human Rights was subsequently amended by Decree-Law No. 20 of 2016, article 12 of which grants the National

Institution the authority to conduct regular and unannounced visits to monitor the human rights situation in prisons, detention centres, workers' villages and health-care and educational institutions, or any other similar public location. Under the new amendments, moreover, the National Institution can hold meetings and joint activities, coordinate and consult with relevant civil society institutions and communicate directly with anyone claiming to have suffered a violation of any kind and report thereon to the Board of Commissioners.

156. The amendments also altered article 21 of the Act, which now states that the Board of Commissioners is to draw up an annual report on the Institution's operations, which is to include a section explaining how much progress has been made in the human rights situation in Bahrain, accompanied by proposals and recommendations on matters that fall within the remit of the Institution. The report is also to identify any obstacles hindering performance and to offer solutions on how to avoid them. The Board of Commissioners is to submit its report to the King, the Council of Ministers, the Council of Representatives and the Consultative Council and, at the same time, to make it available to the public at large.

157. On 16 July 2015, the Institution submitted an official request for accreditation to the GANHRI Subcommittee on Accreditation, which receives applications for accreditation from national human rights institutions. In the light of the information provided by the Institution and the discussions that took place with the Board of Commissioners, the Subcommittee drafted a final report with its recommendations, which was officially published on 2 August 2016. Under the report, the National Institution has been accredited with B status.

## **Conclusion**

158. The third periodic report of Bahrain will describe the continuing efforts made by the State to guarantee the rights of persons with disabilities.

159. Bahrain is looking forward to the benefits it will derive from its cooperation with the Committee on the Rights of Persons with Disabilities, particularly with regard to best practices for the exercise of those rights.

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