



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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The report submitted to the Committee on the Elimination of Racial Discrimination was adopted on 19 February 2019 by the High Coordinating Committee for Human Rights, the national mechanism responsible for the preparation and submission of national reports on human rights in the Kingdom of Bahrain, which is chaired by Mr. Abdulla bin Faisal bin Jabur Al Doseri, Assistant Foreign Minister.

List of issues prior to submission of the combined eighth to fourteenth periodic reports of Bahrain

General information

Question 1

1. The most significant recent developments in the legal and institutional framework through which human rights are promoted and protected:

At the national level:

(a) The establishment of the National Institution for Human Rights, in accordance with the recommendation in paragraph 12 of the Committee's concluding observations as contained in document CERD/C/BHR/CO/7:

- Act No. 26 of 2014 on the establishment of the National Institution for Human Rights;
- Decree-Law No. 20 of 2016, amending certain provisions of Act No. 26 of 2014 on the establishment of the National Institution for Human Rights;
- Royal Order No. 17 of 2017 on the regulations for appointing members of the Board of Commissioners of the National Institution for Human Rights.

(b) The establishment of the High Coordinating Committee for Human Rights:

- Prime Ministerial Decree No. 50 of 2012 on the establishment of the High Coordinating Committee for Human Rights;
- Prime Ministerial Decree No. 14 of 2014 on the reorganization of the High Coordinating Committee for Human Rights;
- Prime Ministerial Decree No. 31 of 2017 on the reorganization of the High Coordinating Committee for Human Rights.

(c) The establishment of the Commission for the Rights of Prisoners and Detainees: Decree No. 61 of 2013 on the establishment and mandate of the Commission for the Rights of Prisoners and Detainees.

(d) The establishment of the independent Office of the Ombudsman within the Ministry of the Interior:

- Decree No. 27 of 2012 on the establishment of the independent Office of the Ombudsman within the Ministry of the Interior;
- Decree No. 35 of 2013 amending certain provisions of Decree No. 27 of 2012 on the establishment of the independent Office of the Ombudsman within the Ministry of the Interior;
- Royal Order No. 15 of 2018 on the establishment of the King Hamad Global Centre for Peaceful Coexistence.

The legal framework:

(a) Act No. 56 of 2006 on approval of accession by Bahrain to the International Covenant on Civil and Political Rights;

(b) Act No. 10 of 2007 on approval of accession by Bahrain to the International Covenant on Economic, Social and Cultural Rights;

- (c) Act No. 7 of 2006 on ratification of the Arab Charter on Human Rights;
- (d) Act No. 22 of 2011 on ratification of the Convention on the Rights of Persons with Disabilities;
- (e) Decree-Law No. 70 of 2014 amending certain provisions of Decree-Law No. 5 of 2002 on approval of accession to the Convention on the Elimination of All Forms of Discrimination against Women;
- (f) Act No. 18 of 2006 on social security;
- (g) Act No. 18 of 2013 amending article 9 of Act No. 18 of 2006 on social security;
- (h) Act No. 23 of 2018 on health insurance;
- (i) Act No. 30 of 2018 on the protection of personal data;
- (j) Act No. 31 of 2018 on promoting and safeguarding competition;
- (k) Act No. 1 of 2008 on combating trafficking in persons;
- (l) Act No. 58 of 2009 on the rights of older persons;
- (m) Minister for Social Development Decree No. 11 of 2011 promulgating the implementing regulations for Act No. 58 of 2009 on the rights of older persons;
- (n) The Children's Act, promulgated by Act No. 37 of 2012;
- (o) Act No. 18 of 2014 promulgating the Reform and Correctional Facilities Act;
- (p) Decree No. 131 of 2015 of the Minister of the Interior promulgating the implementing regulations of the Reform and Correctional Facilities Act (Act No. 18 of 2014);
- (q) The Private Sector Employment Act, promulgated by Act No. 36 of 2012;
- (r) Act No. 52 of 2012 amending certain provisions of the Criminal Code, promulgated by Decree-Law No. 15 of 1976;
- (s) Act No. 17 of 2015 on domestic violence;
- (t) The Family Code, promulgated by Act No. 19 of 2017;
- (u) Act No. 18 of 2017 on alternative penalties and measures;
- (v) Minister of the Interior Decree No. 14 of 2012 promulgating the Police Code of Conduct;
- (w) Minister of the Interior Decree No. 31 of 2012 promulgating the Code of Conduct for National Security Service Personnel.

Question 2

2. Article 37 of the Constitution of Bahrain regulates the status of treaties in the framework of the country's legal order. That article provides that: "The King shall conclude treaties by decree and shall promptly transmit them to the Consultative Council and the Chamber of Deputies, together with a statement. A treaty shall have the force of law once it has been concluded and ratified and published in the Official Gazette. However, peace treaties and treaties of alliance, treaties relating to State territory, natural resources, rights of sovereignty, the public and private rights of citizens, treaties pertaining to commerce, shipping and residence, and treaties involving the State Treasury in non-budgetary expenditure or which entail amendment of the laws of Bahrain, must be promulgated by law if they are to be valid." Article 37 thus expressly provides that, following their conclusion, ratification and publication in the Official Gazette, treaties enjoy the force of domestic law in Bahrain; the provisions of those treaties are applicable within the country and are binding on all parties therein. Bahrain acceded to the Convention on the Elimination of All Forms of Racial Discrimination of 1965 pursuant to Decree No. 8 of 1990 and endorsed the amendment to article 8 of the Convention pursuant to Decree No. 6

of 2000. The decrees were published in the Official Gazette and the Convention therefore has the force of law and may be invoked in national courts.

3. With regard to judicial decisions that have been issued based on the principle of non-discrimination, to which reference is made in international treaties, the Constitution provides that such treaties form part of the legislative order of the State. Numerous judicial decisions have been issued in Bahrain based on international treaties. The most important are, perhaps, rulings that have been handed down by the Constitutional Court of Bahrain based on the principle of non-discrimination, as set forth in the international treaties to which Bahrain has become a party pursuant to their ratification and publication in the Official Gazette. Such rulings include a decision issued by the Constitutional Court in relation to a royal case referral registered in the Court's record under No. AHM/1/2014, judicial year 12. In that case, the Constitutional Court found article 20 of a traffic regulation bill to be unconstitutional, because it banned foreigners from obtaining a driving licence or from driving motor vehicles. The Court based its decision on various legal sources and referred to a violation of article 26 of the International Covenant on Civil and Political Rights, which provides: "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, lineage or other status."

4. The Constitutional Court also invoked the principle of non-discrimination, as enshrined in the International Covenant on Civil and Political Rights, in its ruling in case No. TH/2011/1. The reasoning of the Court was: "The Kingdom of Bahrain has acceded to the International Covenant on Civil and Political Rights, as ratified on 12 August 2006 with the issuance of Act No. 56 of 2006 and its publication in the Official Gazette No. 2752 of 16 August 2006. Article 4 (1) of the Covenant provides: 'In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin'. Hence, in accordance with article 4 (3) of the Covenant, Bahrain informed the Secretary-General of the United Nations on 28 April 2011 that it was availing itself of the right of derogation envisaged under article 4 (1) of the Covenant. On 13 June 2011, Bahrain informed the Secretary-General of Royal Decree No. 39 of 2011, by which the national state of emergency was lifted."

5. Many authorities in Bahrain have sought to raise awareness of human rights and relevant international treaties. In 2013, in cooperation with the American Bar Association, the Judicial and Legal Studies Institute established the University of Bahrain Legal Clinic and Human Rights Centre in order to provide students at the University's Faculty of Law with hands-on experience and equip them with the legal skills needed in the labour market, to spread a culture of volunteering and team work, and to raise awareness of basic human rights principles among citizens and university students studying a range of disciplines. A mandatory course entitled "Human rights principles" must be taken by all students, regardless of their area of study, at all government and private universities in Bahrain. In addition, the Bahrain Institute for Political Development endeavours to disseminate a culture of democracy by offering training programmes and conducting constitutional and legal studies and research designed to support the work of parliament and municipal councils, entrench the rule of law, develop political awareness among citizens and support the work of human rights centres and associations.

6. To instil a culture of respect for human rights among its staff, the Ministry of the Interior has made human rights one of the main areas of study at the Royal Academy of Police, which even offers an advanced degree in human rights. The Academy is also committed to learning from international experience in that area, as demonstrated by the work it has done in close cooperation with the International Committee of the Red Cross to hold training courses that bolster the capacities of Ministry staff in the area of human rights. Numerous articles on the subject of human rights are also published in the magazine

“Security”, which is issued by the Ministry of the Interior and disseminated widely within the country free of charge. Local newspapers publish numerous articles related to the Convention in order to raise awareness of this instrument, while broadcast and print media in various languages are used to promote respect for human rights and disseminate a culture of love, tolerance and coexistence among all segments of society.

7. Efforts by the Ministry of Education to promote human rights and civic values are reflected in its implementation of the “School for Civics and Human Rights” project, which supports action taken in Bahrain to promote civic values and human rights in schools. The Ministry started developing educational curricula on civic values for all educational levels in 2005/06, at a time when there was increasing student activity in that area. The Ministry has also taken steps to ensure that most courses address the concepts of tolerance, coexistence, national unity and respect for human rights directly or indirectly. The University of Bahrain has included a course on human rights in its general programmes for all students in order to disseminate and entrench the human rights principles enshrined in the country’s Constitution. In 2013, it established the Legal Clinic and Human Rights Centre, in collaboration with the American Bar Association, in order to provide students at the University’s Faculty of Law with hands-on experience and the legal skills needed to equip them for the labour market, to promote a culture of volunteering and team work, and to raise awareness of basic human rights principles among citizens and university students studying a range of disciplines. The Supreme Council for Women is implementing an ongoing legal literacy and family training programme and has rolled out what is known as the “School Awareness Kit”, which has been designed to provide male and female students in government and private middle and high schools with training that raises their awareness of concepts such as integration and social justice between the sexes. The training also provides information about the national model for addressing the needs of women and promoting equal opportunity. The purpose of the awareness kit is to change the stereotypical images of women portrayed in school curricula to reflect the progress made by Bahraini women, promote their participation and raise awareness of women’s issues in Bahrain. The National Institution for Human Rights, whose programmes address the full range of civil, political, economic, social and cultural rights, has held numerous conferences, seminars and educational and training courses and has conducted research and studies in the field of human rights.

8. Since its establishment, the National Institution for Human Rights has played a very active role in the promotion of human rights, in fulfilment of the duties entrusted to it under the Act by which it was established. These duties include, first and foremost, the use of various media to raise awareness of human rights and disseminate a human rights culture, a task that in turn involves the production of printed materials and educational brochures, the organization of seminars and talks and the signing of memorandums of understanding with civil society institutions.

Question 3

9. Bahraini society, which comprises citizens and foreign nationals who adhere to different religious denominations, is a tolerant society in which the members of different religions and faiths are allowed to practise their faith freely.

10. Approximately 80 per cent of the population is concentrated in the northern half of Bahrain Island, where government facilities and business incubators are located. In some parts of Bahrain, the population density is more than 1,800 inhabitants per square kilometre. In 2017, Bahrain had a total population of 1.5 million. Bahraini nationals accounted for 45 per cent of the total population and 64 per cent of them were of working age, i.e. between 15 and 64 years of age. Young people, i.e. those between 15 and 24 years of age, comprised approximately 12 per cent of the population, while some 31 per cent of the inhabitants were classified as dependents, with children under the age of 15 making up 25 per cent of that figure and persons over the age of 64 making up 6 per cent. Forty-six per cent of the population, including 58 per cent of Bahrainis and 36 per cent of non-Bahrainis, were persons under 30 years of age. The average age of Bahrainis was 7.76 years. Rapid population growth is a major concern for small countries, especially small island States with limited natural resources such as Bahrain, where population pressures are having an

increasing impact on all aspects of life. Bahrain has witnessed rapid population growth over the past few years. The total number of foreign residents increased from 1,039,297 in 2007 to 1,501,116 in 2017, equivalent to an annual growth rate of 4.4 per cent. This increase was mainly due to an increase in the number of migrant workers. The number of Bahraini nationals rose from 527,433 in 2007 to 677,506 in 2017, a growth rate of 8.2 per cent, while the number of migrant workers grew at a rate of 6.1 per cent over the same period, with migrant workers accounting for 55 per cent of the total population and 80 per cent of the total number of persons in employment in 2017. Although greater interaction among different nationalities in Bahrain is a positive and fruitful development that should be fostered, the rapid increase in numbers of migrant workers may have an impact on social and cultural relations and in-depth research into the repercussions of population growth in the future should be conducted.

Information and e-Government Authority (2017)

<i>1. Percentage of the citizens</i>	<i>2. Percentage of the non-citizens</i>
Muslim 99.67%	Muslim 50.88%
Christian 0.15%	Christian 17.36%
Jewish 0.01%	Jewish 0.20%
Other 0.18%	Other 31.56%

Article 1 of the Convention

Question 4

11. The principles of equality and non-discrimination are affirmed in articles 18 and 22 of the Constitution of Bahrain, which stipulate that there must be no discrimination among citizens on grounds of sex, origin, language, religion or creed and that the State must guarantee the inviolability of places of worship, as well as freedom to perform religious rituals and to participate in religious processions and meetings in accordance with the customs observed in the country. In that regard, the Legislative and Legal Advisory Commission received a letter (No. 516/2015) dated 6 September 2015 from the Deputy Prime Minister and Chair of the Ministerial Committee for Legal Affairs concerning the implementation of a decision that the Council of Ministers issued at its session (No. 2326) held on 31 August 2015. This concerned the submission of a bill on combating discrimination, hatred and sectarianism to the Ministerial Committee for Legal Affairs for its consideration. The Deputy Prime Minister asked for a legal advisory opinion on the bill and attached a note from the Minister of Interior to the Council of Ministers on the subject. The Commission drafted some wording for the bill on combating discrimination, hatred and sectarianism, which it annexed to note No. 118 /604/215 and sent to the Deputy Prime Minister on 11 November 2015. The bill contains the following definition of discrimination: "Any distinction, restriction, exception or preference between individuals or groups based on religion, belief, religious school, confessional community, sect, race, origin or ethnicity. This definition includes discrimination as follows: "Discrimination: any distinction, restriction, exclusion or preference between individuals or groups based on religion, creed, sect, race, ethnic origin or origin."

12. Article 19 of the Constitution stipulates: "People are equal in respect of human dignity and citizens are equal before the law in public rights and duties. There shall be no discrimination among them on the basis of sex, origin, language, religion or creed." In 1990, Bahrain acceded to the Convention on the Elimination of All Forms of Racial Discrimination of 1965 and to the International Convention on the Suppression and Punishment of the Crime of Apartheid of 1973. In 2002, Bahrain acceded to the Convention on the Elimination of All Forms of Discrimination against Women. Bahrain ratified its accession to those conventions, which thus became legally applicable in Bahrain, pursuant to decrees approving its adherence to them. Decree-Law No. 15 of 1976 promulgating the

Criminal Code and amendments thereto addresses the issue of incitement to hatred; article 172 of the Code provides: “A person who in any manner publicly incites hatred or contempt for a group of persons shall be liable to a penalty of up to 2 years’ imprisonment and/or a fine of up to 200 dinars if such incitement undermines public order.” Article 4 of Act No. 26 of 2005 on political associations provides that associations must not be based on social class or sectarian, factional, geographical or occupational criteria and must not engage in discrimination on grounds of sex, origin, language, religion or belief. Associations must not seek to incite animosity based on race, nationality or religion. In 2014, Bahrain established the Committee against Hatred and Sectarianism, which proposes and adopts policies and methodologies and develops effective programmes to tackle the problem of hate speech, which may be propagated through religious preaching, in books, through the media, communications and education or through political and societal forces. It seeks to instil a spirit of tolerance, reconciliation and coexistence and promote the unifying factors in Bahraini society.

Article 2 of the Convention

Question 5

13. The following legislation contains provisions on non-discrimination:

(a) The Children’s Act, promulgated by Act No. 37 of 2012, article 2 of which provides: “The State shall guarantee to the child the enjoyment of the rights provided for in this Act without discrimination on grounds of sex, origin, colour, disability, language, religion or creed, subject to the privileges and provisions of other applicable laws relating to Bahraini children”;

(b) Act No. 52 of 2012 amending certain provisions of the Criminal Code, promulgated by Decree-law No. 15 of 1976, the first article of which provides: “Articles 208 and 232 of the Criminal Code, promulgated by Decree-law No. 15 of 1976 shall be amended to read as follows:

- Article 208: A penalty of imprisonment shall be imposed on any public official or person charged with providing a public service who intentionally inflicts severe pain or suffering, whether physical or mental, on a person he or she has detained or who is under his or her control for the purpose of obtaining information or a confession from that person or another individual, or as punishment for an action that that person or another individual has taken or is suspected of taking, or in order to intimidate or coerce that person or another individual, or for any other discriminatory reason;
- A penalty of imprisonment shall be imposed on any public official or person charged with providing a public service who threatens a person he or she has detained or who is under his or her control with any of the acts set forth in the first paragraph of this article, or who instigates, consents to or acquiesces in the commission of such acts by a third party;
- The penalty shall be life imprisonment when the torture leads to the death of the victim;
- This article shall not apply in cases of pain or suffering resulting from or arising in connection with prosecution proceedings or lawful penalties;
- There is no statute of limitations for the offences of torture referred to in this article.”

(c) The Private Sector Employment Code, promulgated by Act No. 36 of 2012:

- Article 29 provides: “Subject to the provisions of that section of the Act, female workers shall be subject to all of the provisions governing the employment of male workers in equivalent working conditions.” Article 187 stipulates: “A person who breaches any of the provisions contained in

Chapter V and the decisions issued pursuant thereto shall be liable to a fine of between 200 and 500 dinars.”

- Article 39 provides: “Wage discrimination on grounds of sex, origin, language, religion or creed is prohibited.”
 - Article 104 (a) provides: “The termination of an employment contract shall be considered to be arbitrary dismissal if the termination is motivated by any of the following considerations: sex, colour, religion, creed, marital status or family responsibilities, pregnancy, childbirth or the nursing of a child.”
- (d) Act No. 58 of 2009 on the rights of older persons:
- Article 3 stipulates that protection and care of older persons must be assured based on the following basic principles:
 1. Addressing all forms of discrimination and exclusion faced by older persons in their social and family environments;
 2. Decree No. 1 of 2011 of the Minister for Social Development promulgating the implementing regulations for Act No. 58 of 2009 on the rights of older persons;
 - Article 2 provides that the authorities providing care must work with the National Committee for Older Persons to draw up and implement programmes and projects that help to address all forms of discrimination and exclusion faced by older persons in their social and family environment.
- (e) The Reform and Correctional Facilities Act, promulgated by Act No. 18 of 2014:
- Article 5 stipulates: “The rules set forth in this Act shall apply to inmates and pre-trial detainees, as the case may be, without any discrimination among them on grounds of sex, origin, language, religion or creed.”
- (f) Prime Ministerial Decree No. 72 of 2011 concerning the terms of reference of the National Examinations Unit:
- Section IV, article 2(h) of the terms of reference provides: “The paper shall contain no material that is prejudicial or injurious to any group; the diversity of students in terms of their sex and their ethnic and religious backgrounds shall be taken into account.”
- (g) Minister of the Interior Decree No. 14 of 2012 concerning the Police Code of Conduct:
- “Police officers affirm that, in carrying out their duties, they shall provide police services of the highest standard, adopting a disciplined approach that promotes stability and the interests of citizens and residents. They shall also take all legal, preventive measures to combat crime and arrest criminals, in keeping with the full range of human rights standards established in the Constitution, the law and relevant international treaties that enshrine human dignity without distinction as to colour, sex, race or creed. They also affirm that they will carry out the tasks entrusted to them under the Constitution and the law in a manner consistent with human rights standards and they shall deal with persons in conflict the law in accordance with the law and in a manner that does not compromise their human dignity”.
- (h) Minister of the Interior Decree No. 31 of 2012 promulgating the Code of Conduct for National Security Personnel:
- Article 5 on the treatment of citizens and residents:
 1. “In their interactions with citizens and residents, national security personnel shall at all times respect citizens’ and foreign residents’ rights and interests, and treat them with respect, courtesy, tact, impartiality, neutrality

and objectivity; there shall be no discrimination among them on the basis of race, sex, religious or political belief, social status or any other grounds@.

(i) Act No. 1 of 2017 on protecting society from HIV/AIDS and protecting the human rights of people living with the disease.

- Article 2 provides: “Persons living with the virus shall enjoy all the rights guaranteed by the Constitution, the international conventions ratified by the State and the laws in force. Any act or omission that constitutes an act of discrimination against them, undermines their dignity, curtails their rights or leads to their exploitation by virtue of their disease is prohibited, irrespective of their race or age.”
- Article 23 stipulates: “A person who, in his or her interactions with an individual living with the virus, commits any act or omission that constitutes an act of discrimination against that individual, undermines their dignity, curtails their rights or leads to their exploitation by virtue of their disease shall be liable to a penalty of up to 6 months’ imprisonment or a fine of up to 500 dinars.”

14. Acting in accordance with the voluntary commitments that the Kingdom of Bahrain made during the discussion of the third periodic report submitted by the State Party under the Convention on the Elimination of All Forms of Discrimination against Women, the King of Bahrain ratified Act No. 19 of 2017 promulgating the Family Code, which deals with the regulations on family relations. The Code replaced the Family Provisions Act (Section 1) promulgated in 2009. It contains provisions that are designed to unify the rules on the legal status of the Bahraini family, facilitate access to legal proceedings and help put an end to the disparities between different judgments handed down in similar cases. Pursuant to the promulgation of the Code, Bahrain regulates personal status by means of legislation that fully protects the legal status and interests of all members of the same family. The Code, which contains 141 articles rooted in the Islamic sharia, regulates family life from engagement to marriage and also contains provisions on maintenance, custody, guardianship and filiation.

15. With regard to the Citizenship Act, Bahraini legislation enshrines equality between men and women, particularly in terms of the right of women to acquire and retain nationality and with regard to the renunciation and loss of nationality. Women must meet the same criteria and standards as men in order to acquire Bahraini nationality. A Bahraini woman who marries a non-Bahraini man or whose husband changes his nationality while they are married is not obliged to change her nationality. She does not lose her nationality and does not become stateless. Neither is she obliged to adopt the nationality of her husband, although she may choose to do so. Moreover, if the marriage ends, she can regain her Bahraini nationality provided that she declares her wish to do so and that she resides in Bahrain or returns to take up residence there. The draft of the Bahraini Citizenship Act states that Bahraini nationality will be granted to the children of a Bahraini woman in certain cases in order to avoid them becoming stateless. This confirms that Bahraini law does not discriminate against women but is, in fact, based on the recognized principles of international law. The bill amending the Citizenship Act has been approved by the Council of Ministers and referred to the legislature. The bill allows the children of a Bahraini woman married to a foreign man to acquire Bahraini nationality subject to certain conditions designed to ensure respect for the Constitution, safeguard the rule of law and uphold the fundamental principles on which citizenship legislation is based. Interim measures have been taken pending the adoption of amendments to the Citizenship Act that provide for children of Bahraini women married to foreign nationals to be treated on an equal footing with Bahraini nationals when it comes to access to government health services, education fees and residence fees and also to permit any children with disabilities born to such women to have access to the same benefits, welfare services and facilities as Bahrainis with disabilities.

16. The Government Programme of Action 2015–2018 entitled “Towards the justice, security and well-being of society”, is designed to: protect the democratic political system; promote comprehensive development; strengthen the country’s relations with other

countries; boost the State's defence and security capacities; combat terrorism; counter all forms of extremism; promote the adoption of policies, curricula and programmes to combat hate speech; strengthen the cohesiveness of Bahraini society; create an enabling environment for national political, trades union, human rights and professional associations; and eliminate polarizing tendencies based on sectarian or group identification. Through the Programme of Action, the Government is endeavouring to create a society in which justice, security, stability and prosperity prevail. It hopes to build upon previous achievements in a framework that ensures sustainable development, provides the necessary services to citizens, diversifies the elements of the national economic base, enhances competitiveness, improves the investment climate and strengthens the role of the private sector and human resources, recognizing that Bahrainis are the pivot, essence and engine of development. Constitutional amendments adopted in response to the wishes of the people, as expressed in the outcomes of the National Consensus Dialogue, empower the Chamber of Deputies to approve, reject or amend the Government Programme of Action, which focuses on six thematic areas, namely sovereignty, the economy and finance, human development and social services, infrastructure, and government performance. The Government Programme of Action contains a set of priorities and projects that are funded through the regular budget of the State. Associated indicators are used to measure performance and achievement and emphasis is placed on the principles of sustainable development, justice and competitiveness, as reflected in Bahrain Economic Vision 2030. Notable outcomes of the Government Programme of Work 2015–2018 include the following:

- A 158 per cent increase in investment in Bahrain between 2016 and 2017;
- A 12.82 per cent increase in the number of tourists between 2016 and 2017;
- The allocation to date of 15,655 housing units by the Government;
- The adoption by the Government of a national tourism strategy;
- The identification by the Government of priority projects costing \$32 billion that will establish a solid foundation for development;
- Cooperation between the executive and legislative authorities that facilitated the promulgation of 102 decree-laws and Act during the most recent legislative term;
- Cooperation between the Government and the legislative authorities that facilitated the adoption of the Real Estate Regulation Act;
- The adoption by the Council of Ministers of the National Renewable Energy Action Plan that sets a national renewable energy target of five per cent of total electricity production;
- The adoption by Council of Ministers of the National Energy Efficiency Action Plan;
- The adoption by the Council of Ministers of the National Health Plan.

17. The Government Programme of Action 2019–2022, entitled “Achieving Long-term Social and Economic Security and Maintaining Financial Equilibrium”, was adopted in January 2019. The Programme is designed to promote sustained social and economic growth and monetary stability and the provision of high-quality, sustainable social, health, educational and housing services and development projects within a secure and stable society, in view of the fact that security and stability underpin the development process. The Programme is also designed to promote justice, which supports the democratic process and respect for human rights, and to strengthen political and rights-based activities.

Question 6

18. Bahrain remains committed to fulfilling the voluntary pledges it made to the Human Rights Council in April 2008 within the context of the universal periodic review, including the pledge that “Bahrain is committed to establishing a national human rights institution at the earliest opportunity, bearing in mind the relevant United Nations resolutions and, in particular, the Paris Principles. In fact, in November 2007, the Cabinet issued a decision on the establishment of a national human rights institution. Once the institution has been

established, it is expected to design a national action plan for the promotion and protection of human rights in the Kingdom.”¹ In 2009, Bahrain promulgated Royal Decree No. 46 of 2009 on the establishment of the National Institution for Human Rights with a view to establishing an institution that would serve as beacon of human rights awareness and expertise. In addition to its preamble, the Decree includes 15 articles that deal with the establishment of an independent institution to be called the “National Institution for Human Rights”, which shall exercise its functions with complete freedom, impartially and independence. In order to bring the National Institution into full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), Royal Decree No. 28 of 2012 amending certain provisions of Royal Decree No. 46 of 2009 on the establishment of the National Institution for Human Rights was promulgated. Pursuant to the amendments set forth in Royal Decree No. 28 of 2012, the number of members of the Institution was reduced to a maximum of 15 members, including the Institution’s Chairperson and Vice-Chairperson. The amendments also revoked the Institution’s mandate to develop an integrated national strategy for the promotion and protection of human rights in Bahrain and to propose means and mechanisms for its implementation, as well as its mandate to contribute to building capacities relevant to human rights, including technical development and training for staff working in national institutions concerned with public freedoms, political, cultural, social and economic rights and law enforcement. The amendments provided for the Secretary-General of the Institution to be appointed pursuant to a decision to that effect issued by the Chairperson, which must be approved by the majority of the Institution’s members. However, in view of the Government’s full commitment to supporting the work of National Institution, the foremost independent entity in Bahrain concerned with the promotion and protection of human rights, the Government and the National Institution agreed that a new law should be adopted in order to provide effective safeguards for the Institution and ensure its full autonomy, while also entrusting it with further competencies and powers in a manner consistent with the Paris Principles. In accordance with the constitutional procedures followed in that regard, on 24 July 2014, His Majesty the King issued Act No. 26 of 2014 on the establishment of the National Institution for Human Rights, which entered into force following its publication in the Official Gazette No. 3168 of 7 August 2014.² In continuation of the efforts exerted by His Majesty the King, which began with the establishment of the National Institution for Human Rights pursuant to Royal Decree No. 46 of 2009, which was amended by Royal Decree No. 28 of 2012, and the promulgation of Act No. 26 of 2014 on the establishment of the National Institution for Human Rights, which was issued in order to provide the Institution with effective legal safeguards and ensure its full autonomy and entrust it with further competencies and powers in a manner consistent with the Paris Principles, the National Institution for Human Rights sought to obtain membership of the Global Alliance of National Human Rights Institutions so that it could participate effectively in the sessions of the Human Rights Council and meetings of treaty bodies, special procedures, subcommittees and working groups, and to speak in its capacity as an official Bahraini institution concerned with the promotion and protection of human rights.

19. On 16 July 2015, the National Institution for Human Rights submitted an official request to the Global Alliance of National Human Rights Institutions Subcommittee on Accreditation, which considers and reviews applications for accreditation from national human rights institutions. The request was formally accepted on 25 November 2015 and the date of 9 May 2016 was scheduled for the examination of the application, during the official meeting of the Subcommittee. The Subcommittee asked the National Institution for Human Rights to submit a statement of compliance with the Paris Principles, which covers a number of points that relate to the establishment, independence, composition, organizational infrastructure, working methods and general competence and responsibilities

¹ The first national report of the Kingdom of Bahrain, submitted to the Human Rights Council during the first session, held from 7 to 18 April 2008, is contained in document A/HRC/WG.6/1/BHR/1.

² For the text of Act No. 26 of 2014 on the establishment of the National Institution for Human Rights, which was published in the Official Gazette, see the website of the Commission on Legislation and Legal Opinions, available at: www.legalaffairs.gov.bh.

of the Institution, and its relationship with relevant human rights stakeholders and other bodies.

20. The National Institution submitted a statement of compliance with the Paris Principles to the Subcommittee four months prior to the date scheduled for the examination of the application, in accordance with the procedures established for the submission of applications. The Subcommittee then issued a brief report on the statement of compliance in which it identified a number of important issues on which it believed particular focus was needed and which needed to be addressed in the laws in force in order to facilitate compliance. The Subcommittee then communicated by telephone with the Board of Commissioners of the National Institution on the date scheduled for the examination of the application in May 2016 in order to clarify a number of points.

21. In the light of the information provided by the National Institution for Human Rights and the discussions between the Board of Commissioners and the Subcommittee, the latter officially issued its final report and recommendations on 2 August 2016, giving the Institution a B classification.

22. The National Institution firmly believes that the law on its establishment, as currently in force, is a significant improvement on other laws on the establishment of similar institutions. The efforts of Bahrain to adopt a model law underscore the great importance given to human rights in the country and the leading role played by the Bahrain in that regard. The amendments proposed to the competent authorities reflect key elements of the reform process spearheaded by His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain, who has affirmed that the Kingdom of Bahrain will forge ahead its efforts to protect and promote human rights through its support of the National Institution for Human Rights so that Bahrain can take its natural place among its peers in the international community.

23. In essence, the recommendations of the Subcommittee on Accreditation, on the basis of which the Global Alliance of National Human Rights Institutions awarded the National Institution for Human Rights a B classification, stress that the Act on the establishment of the National Institution for Human Rights should incorporate language on the need to upgrade premises to ensure accessibility for persons with disabilities, that members of the judicial authorities must not constitute a majority of membership of the National Institution, and that, in order to avoid conflicts of interest between their political activities and their work with the National Institution, practices should be established to ensure that such persons are unable to undermine the National Institution's independence.

24. In its recommendations, the Subcommittee on Accreditation also underscored the need for the National Institution to adopt a broad and transparent consultation and recruitment process and establish clear and uniform criteria for assessing the merit of all eligible applicants. Furthermore, it noted the importance of formalizing the process for selecting and appointing members of the decision making body of the National Institution. The Subcommittee moreover stressed that the Act on the establishment of the National Institution for Human Rights should provide that members of its decision-making body include full-time members as that would strengthen the independence of the National Institution and ensure that it was free from actual or perceived conflicts of interest, provide a stable tenure for the members during their mandates, provide regular and appropriate direction for staff, and ensure the ongoing and effective fulfillment of the National Institution's functions.

25. With regard to the National Institution's mandate to promote and protect human rights, the Subcommittee on Accreditation recommended that the Act on the establishment of the National Institution for Human Rights should provide for the National Institution to conduct unannounced visits to places of detention or any other similar facilities in order to monitor, investigate and report on the human rights situation there in an effective and timely manner, and to conduct regular follow-up activities in that regard.

26. The Subcommittee also recommended that the National Institution should formalize its relationship with civil society organizations through regular and constructive engagement with all relevant stakeholders. The Subcommittee noted with appreciation the

efforts exerted by the National Institution in that regard and its interaction with such stakeholders.

27. On the other hand, the Subcommittee noted in its recommendations that the Act establishing the National Institution makes no reference to effective engagement with relevant ministries and parliamentary committees, and does not stipulate procedures for the submission and approval of the National Institution's budget, despite the importance of establishing modalities for financial oversight that do not compromise the Institution's independence. The Subcommittee also recommended that the annual reports on activities of the National Institution should include a statement on the human rights situation in Bahrain, as doing so would have a direct positive impact on efforts to promote and protect human rights by State institutions.

28. On 9 October 2016, in the light of his belief that it was crucial to strengthen and promote respect for human rights, His Majesty the King issued Decree-law No. 20 of 2016 amending certain provisions of Act No. 26 of 2014 on the establishment of the National Institution for Human Rights, in line with the recommendations of the Subcommittee on Accreditation. The aim was to strengthen the National Institution, give it greater powers to achieve the goals for which it had been established and raise its international classification, thereby embodying the commitment of Bahrain to protecting human rights.

29. Pursuant to Decree-law No. 20 of 2016 amending certain provisions of Act No. 26 of 2014 on the establishment of the National Institution for Human Rights, article 4 of the amended Act provides eligibility requirements to facilitate the selection of members of the Board of Commissioners of the National Institution for Human Rights from among members of the legislative authorities. Such members must not hold a majority of seats on the Board of Commissioners. Although such members may participate in discussions, they are not eligible to vote. The same article also provides that the mechanism, procedures and rules for the selection of members of the Board of Commissioners shall be issued by royal order with a view to enhancing the transparency of consultations and appointments.

30. With regard to the duties associated with membership of the Board of Commissioners, article 5 of the amended Act provides that the royal order on the appointment of members of the Board of Commissioners shall specify the full-time members, namely those members who shall have no other work or professional commitments during the period of their appointment, and the part-time members, namely those members who may have other work or professional commitments during the period of their appointment. Both the Chairperson and Vice-Chairperson shall be full-time members.

31. Article 12 of the amended Act stipulates that the National Institution for Human Rights shall carry out scheduled and unannounced visits to monitor the human rights situation at correctional institutions, detention facilities, workers' organizations, health and educational facilities or any other public location. The article also emphasizes the importance of cooperating, coordinating, consulting and holding joint meetings and activities with relevant civil society and non-governmental organizations, human rights defenders and other groups, of communicating directly with those who claim to have been subjected to any form of abuse, and of submitting reports in that regard to the Board of Commissioners.

32. Article 14 of the amended Act empowers the National Institution to request relevant ministries and agencies in Bahrain to provide it with any information, data or documents that it deems necessary to achieve its objectives or exercise its mandate. Those authorities are required to facilitate efforts by the National Institution to perform its duties and must comply with all its requests in that regard. They must also provide responses to and observations on the recommendations contained in reports by the National Institution, in accordance with the laws and regulations in force in those authorities. With regard to conflicts of interest, Article 5 bis of the Decree-law stipulates that, unless permitted to do so by virtue of the legally-prescribed rights and benefits enjoyed by members of the Board of Commissioners, members are prohibited from receiving any money from the National Institution for the performance of any service provided or work undertaken in their personal capacity, while article 10 provides that members of the Board of Commissioners are not

liable to dismissal, and that their membership shall expire only in certain cases and in accordance with the procedures provided by law.

33. Article 20 of the amended Act stipulates that the National Institution for Human Rights shall be provided with the financial resources necessary for it to continue to perform its duties and tasks in an optimal manner. Those resources shall be allocated in a separate budget line in the regular budget of the State, which shall be issued in accordance with the law. The National Institution shall manage and control its financial resources in a wholly independent manner and its financial accounts shall be subject to oversight by the National Audit Office.

34. Article 21 of the amended Act provides that the Board of Commissioners shall draw up an annual report on its efforts and activities. That report shall include a section on the progress that has been achieved in Bahrain in the area of human rights, suggestions and recommendations by the Board of Commissioners in its area of its competence, and an overview of challenges impeding the work of the National Institution together with the solutions identified for addressing those challenges. The Board of Commissioners shall submit its report to the King, the Council of Ministers, the Chamber of Deputies and the Consultative Council and shall, in parallel, make the report available to the public.

35. The Paris Principles underscore that “a national institution shall be vested with competence to promote and protect human rights” and that “a national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text ...”³ This is echoed in the General Observations of the Subcommittee on Accreditation, which emphasize that the text establishing the national human rights institution should entrust national institutions with specific functions to both “promote” and “protect” human rights.

36. The Subcommittee on Accreditation⁴ has underscored that the term “promote” covers the efforts made by national institutions to disseminate information and provide training, education and human rights advice to the general public or to specific target groups in order to instill a community-based culture that leverages knowledge of human rights to promote the development of practical skills that can be used in real-life situations, and that the term “protect” covers national institutions’ quasi-judicial authority to receive human rights complaints and to monitor all violations of individuals’ rights and public freedoms, as well as field visits conducted by those institutions to places where it is likely that human rights violations could occur. The mandate of the National Institution should be therefore be interpreted broadly and freely in order to promote a progressive definition of human rights that encompasses all the rights enshrined in international, regional and national human rights instruments.

37. Article 2 of Act No. 26 of 2014, as amended by Decree-law No. 20 of 2016, entrusts the National Institution with a broad mandate in the field of human rights, stipulating that: “An independent institution to be called the “National Institution for Human Rights” shall be established and shall be responsible for promoting and protecting human rights, inculcating and raising awareness of their values and ensuring that they are upheld. The headquarters of the National Institution, located in Manama, shall be made accessible to persons with disabilities. The National Institution shall enjoy legal personality and financial and administrative independence and shall exercise its functions with complete freedom, impartially and independence.”

38. Article 12 of the same Act provides that, in order to achieve its objectives, the National Institution for Human Rights is free to comment on any human rights issue, and to address any human rights situation as it deems appropriate. The National Institution performs the following duties:

(a) Participating in the development and implementation of a national plan for the promotion and protection of human rights throughout the country;

³ Principles relating to the Status of National Institutions (The Paris Principles) – Competence and responsibilities, paras. 1 and 2, p. 4.

⁴ Global Alliance of National Human Rights Institutions Subcommittee on Accreditation General Observation No. 1.2 (Human rights mandate), p. 9, adopted on 6 March 2017.

(b) Reviewing legislation and regulations on human rights in force in Bahrain, recommending what it believes are appropriate amendments in that regard, particularly with regard to the harmonization of that legislation with Bahrain's international human rights obligations, and recommending new legislation on human rights;

(c) Reviewing the appropriateness of legislative and regulatory provisions contained in regional and international instruments on human rights, and submitting recommendations to the competent authorities on all matters relating to the promotion and protection of human rights, including recommendations regarding accession to regional and international human rights instruments;

(d) Submitting parallel reports, contributing to the drafting and discussion of periodic reports submitted by Bahrain and commenting thereon, in application of regional and international human rights instruments, and disseminating those reports in the media;

(e) Monitoring cases of human rights violations, conducting necessary investigations in that regard, drawing the attention of the competent authorities to those violations, submitting proposals for initiatives to put an end to such violations and, where appropriate, expressing its views on the position adopted and steps taken by those authorities;

(f) Receiving, reviewing and investigating complaints concerning human rights, transmitting information in that regard that the Institution deems appropriate to the competent authorities and following up effectively on that matter, or informing those concerned of the necessary procedures to be followed and helping them to do so, or helping them resolve matters with the relevant authorities;

(g) Conducting scheduled and unannounced field visits to monitor the human rights situation at correctional institutions and detention facilities, workers' organizations, health and education facilities or any other public location at which it is suspected that human rights violations have taken place;

(h) Engaging with relevant cultural, public information and educational bodies and recommending actions that could help strengthen and promote a culture of awareness of the importance of human rights;

(i) Cooperating with national bodies, regional and international organizations and institutions in other countries working to promote and protect of human rights;

(j) Holding joint meetings and activities, cooperating, coordinating and consulting with relevant civil society and non-governmental organizations, human rights defenders and other groups, engaging directly with those who claim to have been subjected to any form of abuse, and submitting reports in that regard to the Board of Commissioners;

(k) Holding conferences and organizing seminars and educational and training courses on human rights, and carrying out studies and conducting research in that area;

(l) Participating in national and international forums and meetings of regional and international organizations concerned with human rights issues;

(m) Issuing bulletins, publications, statements and special reports and publishing these on the Institution's website; the Institution communicates directly with the public, as well as indirectly through the media.

39. Accordingly, the National Institution for Human Rights, established by Act No. 26 of 2014 and as amended by Decree-law No. 20 of 2016, enjoys a broad mandate in the area of human rights, including civil, political, economic, social and cultural rights, respect for which helps to promote and protect the human rights of both citizens and residents in Bahrain, irrespective of their legal status in the organization of the State and as reflected in relevant national, regional and international decisions.

40. The Paris principles and the General Observations on national human rights institutions that were issued by the Subcommittee on Accreditation⁵ empower national institutions to “hear and consider complaints and petitions concerning individual situations. Cases may be brought before it by individuals, their representatives, third parties, non-governmental organizations, associations of trade unions or any other representative organizations.”⁶ For national institutions to exercise those quasi-judicial competencies, they must be empowered to receive, investigate or resolve allegations of human rights abuses. National institutions must enjoy the powers and competencies necessary to carry out that mandate in an appropriate manner and ensure that complaints are dealt with in a fair, transparent, efficient, expeditious and consistent manner.

41. Article 12 (e), (f) and (g) of Act No. 26 of 2014, as amended by Decree-law No. 20 of 2016, addresses those quasi-judicial competencies and provides that, in order to achieve its objectives, the National Institution performs the following duties: “Monitoring cases of human rights violations, conducting necessary investigations in that regard, drawing the attention of the competent authorities to those violations, submitting proposals for initiatives to put an end to such violations and, where appropriate, expressing its views on the position adopted and steps taken by those authorities” as well as “receiving, reviewing and investigating complaints concerning human rights, transmitting information in that regard that the Institution deems appropriate to the competent authorities and following up effectively on that matter, or informing those concerned of the necessary procedures to be followed and helping them to do so, or helping them resolve matters with the relevant authorities” and “conducting scheduled and unannounced field visits, to monitor the human rights situation at correctional institutions and detention facilities, workers’ organizations, health and education facilities or any other public location at which it is suspected that human rights violations have taken place”. These provisions are fully in line with the Paris Principles and the General Observations on national human rights institutions issued by the Subcommittee on Accreditation in that regard, in accordance with its role in protecting human rights.

42. The National Institution for Human Rights enjoys a broad mandate to receive individual complaints regarding a wide range of human rights, civil, political and economic rights and social and cultural rights, including complaints relating to racial discrimination. Article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, to which Bahrain acceded under the terms of Decree No. 8 of 1990, defines the term “racial discrimination” as: “any distinction, exclusion, restriction or preference based on race, colour, lineage, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. This Convention shall not apply to distinctions, exclusions, restrictions or preferences made by a State party to this Convention between citizens and non-citizens.”

43. The National Institution endeavours to uphold human rights, including by receiving complaints and requests for assistance and by carrying out monitoring activities in connection with racial discrimination, and had received two allegations of racial discrimination by December 2017; one allegation, which was classified as a complaint, was lodged in 2013 and the other allegation, classified as a request for legal assistance, was filed in 2017.

44. The complaint included an allegation of discrimination at work on grounds of sex that had been perpetrated by a private-sector company. Following receipt of the complaint, the National Institution contacted the chairman of the company’s board of directors, who underscored that the company had adopted non-discriminatory policies, especially with

⁵ Global Alliance of National Human Rights Institutions Subcommittee on Accreditation General Observation No. 2.10, quasi-judicial powers of national institutions for human rights (consideration of complaints), p. 57, adopted on 6 March 2017.

⁶ Global Alliance of National Human Rights Institutions Subcommittee on Accreditation General Observation No. 2.10, quasi-judicial powers of national institutions for human rights (consideration of complaints), p. 57, adopted on 6 March 2017.

regard to its employees. The complainant also expressed her desire to withdraw her complaint, which was thus archived.

45. The request for legal assistance was made in connection with an allegation of discrimination at work on grounds of ethnicity. That request was lodged by an Omani national belonging to one of the coastal tribes in Oman who was employed in that country. As the National Institution is not competent to receive complaints or requests for legal assistance from outside Bahrain relating to allegations of human rights violations, the individual in question was advised to lodge his complaint with the Oman Human Rights Commission.

Questions 7 and 8

46. Legal redress is one of the public rights that the Constitution guarantees to all. The judicial authority, which is one of the State's three authorities, is dealt with in articles 104 to 106 of the Constitution, which stipulate that the honour of the judiciary and the integrity and impartiality of judges are the basis of Government and a guarantee of rights and freedoms, and that, in their judgments, judges may be subject to no interference from any quarter. The law guarantees the independence of judges and provides safeguards for the administration of justice, in which no interference is permitted. Since the International Convention on the Elimination of All Forms of Racial Discrimination has been incorporated in national legislation, pursuant to article 37 of the Constitution, it is binding on all the authorities and hence, any failure to comply therewith constitutes a breach of law and entails liability under the law. In all cases, the person responsible is held liable for any damages to which his fault might give rise. Article 29 of the Constitution provides that "Any individual may address the public authorities in writing and under his signature. Only duly constituted organizations and bodies corporate may address the authorities collectively." Any citizen can also lodge a complaint against administrative authorities with their senior officials, including the competent ministers, and, in accordance with time-honoured customs and traditions, any Bahraini citizen can submit his complaint in person to the Prime Minister during the weekly audiences at which he receives citizens and others or to the Ombudsman's Office attached to the Royal Court of Complaints. A citizen can also appeal to the Complaints Committee of the Chamber of Deputies.

47. A number of mechanisms are available for filing complaints and accessing the courts, be it via embassies, trade union organizations or civil society groups such as the National Institution for Human Rights, or directly via the Ministry of Labour and Social Development. The Constitution of Bahrain enshrines the right of all individuals to express and propagate their opinions, orally, in writing or by any other means in a manner that is consistent with the relevant professional and ethical rules enshrined in the Constitution and provided that this is not prejudicial to the precepts of the Islamic faith or to national unity, does not give rise to discord or sectarianism and does not incite racial or confessional hatred, jeopardize national security and public order, threaten the rights, reputation and dignity of others, breach public morals or violate any of the principles of human rights. Pursuant to that constitutional text, numerous national legislative instruments have been enacted to guarantee freedom of expression. These include Decree-law No. 47 of 2002 on the regulation of the press, printing and publishing, under which everyone has the right to express and propagate his opinion, orally, in writing or by any other means, in accordance with the conditions and procedures specified therein, provided that this is not prejudicial to the precepts of the Islamic faith or to national unity and does not give rise to discord or sectarianism, and Act No. 34 of 2014, amending certain provisions of the Political Associations Act No. 26 of 2005, under which associations are permitted to publish periodic bulletins expressing their principles, objectives and programmes in conformity with the concept of freedom of opinion. Furthermore, article 69 bis of the Criminal Code stipulates that the restrictions imposed therein, or in any other legislative enactment, on the right to freedom of expression must be interpreted within the context needed to promote a democratic society in conformity with the National Action Charter and the Constitution. Exercising the right to freedom of expression in that context is considered grounds for exemption from punishment. This is consistent with the provisions of international instruments, including the International Covenant on Civil and Political Rights under which everyone has the right to freedom of expression, with the proviso that its exercise may be

subject to certain restrictions, provided that these shall only be such as are provided by law and are necessary for respect of the rights or reputations of others or for the protection of national security or of public order or of public health or morals. The International Covenant also requires States parties to prohibit by law any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. The competent authorities in Bahrain have not taken criminal action against any natural or legal person for engaging in political, rights-related or social activities. As criminal liability is determined in accordance with the law, nobody is charged unless there is clear evidence that he or she has committed an offence defined by law. Furthermore, no retaliatory steps are taken against any group and there is no targeting of human rights defenders. Indeed, national laws and legislation protect everyone and national remedies have been established to ensure the protection and promotion of human rights.

48. It should be mentioned that discussions are currently taking place regarding a new law on civil society organizations and, at a third consultative meeting, held at the Ministry of Foreign Affairs on 25 January 2018, the Deputy Foreign Minister, asked the Chairman of the High Coordinating Committee for Human Rights for the views of civil society associations on the new law so that these could be reflected in its text.

Article 3 of the Convention

Question 9

49. Article 1, paragraphs (a), (c) and (e) of the Constitution of the Kingdom of Bahrain clearly affirm that the people of Bahrain are one united people and that all citizens of Bahrain are united by the bonds of citizenship. All citizens, both men and women, are entitled to participate in public affairs and to enjoy political rights, including the right to vote and to stand for election to the Chamber of Deputies, in accordance with the regulations established by law. Therefore, certain terms contained in the question, namely “Ajam” and “Baharna”, are extraneous to the constitutional, political and legal order in Bahrain. There is absolutely no basis to, or even mention of, these terms in the Constitution or in any legal texts, including those applicable to administrative practices. This is because, although they belong to numerous sects and denominations, Bahrainis constitute one single people made up of citizens who are equal in terms of their rights and duties. Hence, Shia citizens are an integral part of the fabric of Bahraini society who live together and share a common religious and social life with their fellow citizens from other sects. This relationship is based on the principles of love, fraternity and social harmony and is unsullied by any form of discrimination. This is attested by the fact that the members of the Shia community have been appointed to the highest positions in the State, as well as to the Consultative Council and the Chamber of Deputies. Members of the community hold senior public positions and have even been appointed to the presidency of the Consultative Council and have served as ministers and deputy ministers. It is unfortunate that such allegations have been raised for narrow political motives by a very limited number of individuals intent on advancing foreign agendas. This social, political and legal reality is clearly reflected in the basic principles enshrined in the Constitution, the most important of which is the principle of full equality of all citizens before the law. Article 8 of the Constitution stipulates explicitly that people are equal in respect of human dignity and citizens are equal before the law in public rights and duties; there shall be no discrimination among them on the basis of sex, origin, language, religion or creed. Article 22 of the Constitution guarantees freedom of conscience, the inviolability of houses of worship and freedom to perform religious observances and hold religious meetings, in accordance with the laws and customs of the country. Article 23 of the Constitution also guarantees all citizens the right to freedom of opinion and expression on a non-discriminatory basis. That article stipulates that everyone shall have the right to express and propagate his opinion, orally, in writing or by any other means, in accordance with the law, without prejudice to the precepts of the Islamic faith or to national unity and in a manner that does not give rise to hatred, discord or sectarianism. These articles build on the mainstays of society set forth in article 4 of the Constitution, namely justice, freedom, equality, security, trust, social solidarity and equality of opportunity for all citizens, which are all safeguarded by the State.

In fact, article 4 provides: “Justice is the basis of Government. 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.”

50. As for the query in question 9 concerning migrant workers, Bahrain uses the term “residents” for those who are permitted by law to work in the country, where they enjoy their full rights as provided by law.

51. With regard to education, article 7 of the Constitution stipulates that the State shall safeguard the sciences, the humanities and the arts and shall also guarantee educational and cultural services to its citizens, that education shall be compulsory and free in the initial stages as determined and provided by law, that the law regulates delivery of religious and national instruction, and that individuals and organizations may establish private schools and universities. In that connection, Act No. 27 of 2005 on education affirms that all citizens without distinction shall enjoy the right to education, and that efforts shall be made to develop their awareness of human rights principles. Indeed, articles 2 and 3 of Act No. 27 of 2005 provide that education is a right guaranteed by the State to all citizens and, pursuant to that Act, the Ministry of Education has exerted considerable efforts to provide educational services to all citizens and residents. This is evidenced by the Bahrain’s high rankings in terms of progress towards the achievement the six Education for All goals set out in the United Nations Educational, Scientific and Cultural Organization (UNESCO) Education for All Global Monitoring Report. Between 2003 and 2016, Bahrain was ranked among the best performing countries in terms of its achievement of the goals. In particular, it achieved 100 per cent primary school enrolment and a score of 96 per cent for gender parity. Bahrain is, moreover, committed to establishing public schools for all levels of study in all governorates in the country, and to providing all necessary human and material resources in that regard on an equitable basis. It also provides free transportation for students that require it. In terms of housing, Bahrain fulfills its obligations to provide shelter to citizens and upgrade homes and neighbourhoods. In order to reduce the incidence of homelessness among Bahraini citizens, Bahrain upholds its responsibility to provide legal safeguards to ensure security of tenure and equitable land ownership rights, including the right of all citizens to inherit and own property.

52. The Ministry of Housing in Bahrain provides citizens on limited incomes with appropriate housing services so that they can lead stable and decent lives. For many years, Bahrain has provided housing for citizens, and particularly for citizens on low incomes. In fact, the overall aim of the housing system is to provide accommodation for low-income citizens, a goal that is enshrined in the Constitution, article 9, paragraph (f) of which provides that the State shall endeavour to provide housing for citizens with limited income. The Ministry of Housing also enforces regulations and rules governing the provision of housing services, in accordance with Decree-law No. 10 of 1976 on housing and Ministerial Decree No. 909 of 2015 on housing.

53. In all the aforementioned legislation, which was issued in accordance with the regulations in force, considerable effort has been made to achieve equitable outcomes by ensuring that access to housing services is based on clear rules and standards applicable to all citizens without any distinction being made on the basis of their ethnicity, nationality, lineage, culture, or any other grounds. Furthermore, the Ministry of Housing employs multiple internal administrative oversight systems that facilitate the achievement of desired outcomes by ensuring compliance with the aforementioned rules and standards. Oversight and review of Ministry activities is carried out by external oversight bodies in accordance with the laws in force, as is the case with other government departments, in order to ensure that the Ministry complies with procedures established by those oversight mechanisms. As provided in the Acts on their establishment, the Office of Financial and Administrative Oversight and the Civil Service Bureau may provide oversight in that regard with a view to ensuring the achievement of equitable outcomes. The Ministry of Housing and the Government of Bahrain remain committed to the plans formulated within the context of the Government Action Plan, and the Government and the Chamber of Deputies have therefore continued to monitor the Ministry’s achievements. To promote objectivity, transparency and justice, the Ministry strives to ensure that it provides all housing services in a

transparent manner so that its actions can be reviewed by the public. The clearest evidence of this is provided by the housing assignment ceremonies held by the Ministry, and by the Ministry's use of newspapers, press releases and other means to publicize and raise awareness of its activities.

54. Because of increasing demand and lengthening waiting lists, the Ministry of Housing pledged to build 40,000 housing units within the context of the Government Action Plan 2015–2018. Accordingly, the Ministry is completing several projects throughout the country's governorates that will benefit all Bahraini citizens. The Ministry is implementing a number of major housing projects, which include projects to establish new towns and other large scale construction initiatives. These projects include the following:

- (a) The East Hidd project, which will provide 4,500 housing units;
- (b) The Northern City project, which will provide 15,600 housing units;
- (c) The Salmabad project, which will provide 3,500 housing units;
- (d) The Southern City project, which will provide 4,000 housing units;
- (e) The East Sitra project, which will provide 5,000 housing units.

Other projects in all the country's governorates will provide approximately 15,000 additional housing units. In the light of the outcomes of a housing policy study undertaken in 2002 by the Government of Bahrain in collaboration with the United Nations Human Settlements Programme (UN-Habitat), and the ambition of the Ministry of Housing to address the needs of various groups in Bahrain, the Ministry has implemented a social housing programme that helps middle-income families work with the private sector in order to purchase a housing unit that meets their needs in terms of location, size and layout. Financing of up to 81,000 Bahraini dinars is provided to applicants by the commercial and Islamic banks participating in the programme and the sum borrowed is paid back by the beneficiary of the programme in monthly installments that do not exceed 25 per cent of his monthly income. The Government pays the difference between the full monthly loan installment and the amount payable by the beneficiary. The Government of Bahrain, operating through the Ministry of Housing, does not determine where the home is located. Instead, the applicant enjoys complete freedom to decide which area he wishes to live in and the type of dwelling he wishes to own, provided that it meets the standards set for an application to be accepted. This comprehensive social housing support programme is a modern and remarkable system that compares well with the world's most advanced systems for financing the provision of affordable social housing. The Ministry strives to derive maximum benefit from its provision of housing services and ensure that those services are provided to beneficiaries who truly require them. The Ministry of Housing has therefore signed an agreement with UN-Habitat and is working with the United Nations to update its housing policies; it is expected that the eligibility criteria will be updated to ensure that the housing services are provided to the most deserving citizens.

Article 4 of the Convention

Question 10

55. In accordance with the Constitution of Bahrain, private rights and the exercise thereof are guaranteed to all without distinction of race or sex, and are based on the principle of private freedom of belief. Article 18 of the Constitution stipulates that: "People are equal in respect of human dignity and citizens are equal before the law in public rights and duties; there shall be no discrimination among them on the basis of sex, language, religion or creed." Article 22 of the Constitution stipulates that the State shall guarantee the inviolability of houses worship and freedom to perform religious observances." These principles have been incorporated into the country's laws, with a view to streamlining the legal parameters for all citizens regardless of their ethnicity or religious affiliation, regulating the practice of the rights enshrined in the Constitution and ensuring that those rights are protected under the country's criminal legislation. Among the clearest evidence of this is the criminalization of the following acts:

- Incitement to intercommunal hatred or contempt (pursuant to article 172 of the Criminal Code);
- Public defamation or disparagement of a religious sect (pursuant to article 309 of the Criminal Code);
- The printing or publishing of a religious book of a recognized religious sect in which the text thereof is deliberately altered in a manner that changes its meaning or disparages its principles and teachings, or insulting religious symbols or mimicking a religious ceremony with intent to ridicule it (pursuant to article 310 of the Criminal Code);
- Intentionally disrupting religious rituals, damaging, defacing or desecrating a building intended for the performance of religious rites or a religious symbol that is considered sacred (pursuant to article 311 of the Criminal Code).

56. Following the promulgation of the Declaration of the Kingdom of Bahrain, which calls for interfaith dialogue and peaceful coexistence, the King Hamad Global Centre for Peaceful Coexistence was established pursuant to Royal Decree No. 15 of 2018. The Centre aims to deepen awareness of shared values and communalities among civilizations and cultures, thereby enriching a culture of tolerance and peaceful coexistence, and to raise awareness of the importance of efforts to promote the convergence and integration of civilizations in order to achieve and promote global peace and a sense of the common heritage of humanity, as embodied in the communalities shared by different civilizations. The Centre also seeks to spur the emergence of a new enlightenment movement by promoting dialogue on the basis of the moral and human rights values shared by different civilizations and cultures, and to combat extremist ideologies that give rise to violence, hatred and terrorism, while highlighting how pluralism, diversity, coexistence and tolerance have enriched modern Bahraini society and its cultural heritage. The Centre has been a major success in terms of efforts to promote religious freedom, and one of the country's foremost achievements during the reign of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain. Bahrain is a haven of peace and coexistence among numerous sects and religions. In November 2017, a university chair named after His Majesty King Hamad bin Isa Al Khalifa was established at Sapienza University of Rome to teach dialogue, peace and interreligious understanding. That initiative will give young people from all over the world the chance to learn the noble values called for in the Kingdom of Bahrain, especially the rapprochement between the religions and doctrines. Students will also learn about the actions taken by the Kingdom since antiquity to entrench those values in Bahraini society and will undertake a study of values, ethics and tolerance among all.

57. Furthermore, Decree-law No. 47 of 2002 on the regulation of the press, printing and publishing enshrines the right of expression, provided that this does not give rise to discord or sectarianism, and criminalizes the publication of material that is insulting to or critical of a religion. Act No. 58 of 2006 on the protection of society from acts of terrorism provides for harsher penalties to be imposed for offences against a religion if those offences are perpetrated in the course of terrorist activity. Article 75 of the Criminal Code stipulates that aggravating circumstances include committing an offence for contemptible motives, which naturally includes discriminatory motives on grounds of ethnicity, religion, sex or colour. Bahrain has thus taken legislative measures to prevent the dissemination of racist ideology, and to combat discrimination and the resulting affront to religious values and the principle of equality enshrined in the Constitution.

58. Bahrain is committed to upholding the international standards relating to the Convention on the Elimination of All Forms of Racial Discrimination, as stipulated in Article 23 of the Constitution. Accordingly, the legislative authorities have ensured that Decree-law No. 47 of 2002 applies constitutional principles through the inclusion of provisions that guarantee all forms of freedom of expression, provided that this is not prejudicial to national unity and does not give rise to discord or sectarianism. This allows for the prohibition and confiscation of any publications that promote ideas based on racism and hatred or incite racist or hate-based acts. Decree-law No. 47 of 2002 also guarantees the right to a response and the right to a correction of information published in newspapers, including inaccuracies or ideas that may be based on racial superiority. The Decree-law

empowers the ministry to take the steps it deems appropriate if a newspaper fails to publish a response or correction in that regard. In 2015, the Ministry of Public Information sponsored and supported efforts by the Bahrain Journalists Association and the editors of local newspapers to adopt a press code of conduct, the provisions of which underscore the commitment of newspapers to refrain from publishing ideas or news that promote the concept of racial superiority or race-based hatred or incitement, as well as their commitment to ensure that the media is not used to sow divisions, promote sectarianism, propagate a spirit of social discord, undermine national unity, disseminate sectarian discourse or confessional divisions, or for any other purpose that would lead to sectarian strife, is prejudicial to a group within society, or would fan the flames of sectarianism with the aim of sowing divisions within society.

59. To reflect recent global developments, the Ministry of Information Affairs of the Kingdom of Bahrain, has endeavoured to ensure that a proposed draft law on the press and electronic media strengthens safeguards against racial or sectarian discrimination or hatred by increasing the penalties imposed for offenses related to incitement to racial or sectarian discrimination or hatred. The draft law also provides that penalties for those offences are doubled in the event of the declaration of a state of national safety or a state of emergency.

The Ministry is also seeking to consolidate national unity, promote justice, equality and a sense of national affiliation and foster social stability with a view to realizing its strategic goal of creating a harmonious and tolerant society. In order to prohibit the dissemination of ideas based on racial discrimination, the Ministry has organized numerous workshops and lectures, both inside and outside the Ministry, aimed at eliminating various forms of racial or sectarian discrimination, hatred and discord, and raising awareness of the mechanisms and measures that can be used to achieve that goal. For example, between 2015 and the end of 2017, 59 workshops and lectures were held, attended by 461 individuals, including media professionals working for the ministry and other government bodies and journalists working in Bahrain. The Ministry strives to use the legal tools at its disposal to ensure the most appropriate application of the law. For example, 55 books and publications have been seized or confiscated, including those that advocate sectarianism or discrimination, incite hatred or favoritism, or promote those ideas. In fulfillment of its mandate to combat those ideas, the Ministry issued seven warnings in accordance with the law to three local newspapers between 2015 and 2017 while also engaging in amicable dialogue with those newspapers to facilitate the correction of information or news reports that could draw attention to or promote those ideas.

Question 11

60. Article 75 of the Criminal Code stipulates that aggravating circumstances include committing an offence for contemptible motives, which naturally includes discriminatory motives on grounds of ethnicity, religion, sex or colour. Bahrain has thus taken legislative measures to prevent the dissemination of racist ideology, and to combat discrimination and the resulting affront to religious values and the principle of equality enshrined in the Constitution.

Question 12

61. The statistics compiled by the Internal Investigations Department of the Ministry of the Interior contain no allegations regarding acts of racial discrimination. The Commission for the Rights of Prisoners and Detainees does not investigate or receive complaints regarding individual cases. It may, however, address specific issues related to the rights of prisoners and detainees if a concerning pattern or trend emerges. The Office of the Ombudsman disaggregates complaints by sex and age, but not by confession or belief. The following table shows the number of complaints received by the Office of the Ombudsman between 2013 and 2017:

2013–2017

<i>15–18</i>	<i>19–25</i>	<i>26–35</i>	<i>36–45</i>	<i>46–55</i>	<i>56–65</i>	<i>66–75</i>	<i>+76</i>	<i>Unknown (due to invalid identity card or resident identity number)</i>
25	275	831	782	884	289	30	72	61

62. The Special Investigation Unit received 70 complaints in 2018, including 66 from males and 4 from females, as detailed below:

Sex

No. of males: 66

No. of females: 4

*Age**No. of individuals*

14	3
15–20	12
21–26	23
27–32	9
33–40	17
41 and over	6

63. The Special Investigation Unit received complaints regarding victims who were nationals of five countries, namely Bahrain, Egypt, India, Saudi Arabia and the United States of America. The National Institution for Human Rights has not received any complaints or requests for assistance that fall within the scope of article 4 of the Convention.

Article 5 of the Convention

Question 13

64. Bahrain makes great efforts to combat discrimination in all its forms. Article 18 of the Constitution states: “People are equal in respect of human dignity and citizens are equal before the law in public rights and duties; there shall be no discrimination among them on the basis of sex, origin, language, religion or creed.” Domestic legislation provides legal protection for migrant workers by regulating labour relations in line with relevant international standards, and State bodies spare no efforts to monitor the implementation of established legal principles. At the same time, the inspection agencies of the Ministry of Labour and Social Development and the Labour Market Regulatory Authority seek to curb any malpractice or exploitation involving migrant workers. Mechanisms have been established whereby individual complaints may be submitted to the Ministry of Labour by migrant workers who suffer arbitrary treatment at the hands of their employers with a view to reaching an amicable settlement. At the same time, migrant workers have the right to take direct legal action and are exempt from court fees at all stages of the process. In addition, Bahrain has set up call centres operating in various languages at the Labour Market Regulatory Authority, and the Authority has cooperated with States with embassies in Bahrain to produce brochures in 14 different languages. The brochures explain migrant workers’ rights and duties and are distributed to the workers as they arrive at the airport.

65. Both the Director General of the International Organization for Migration and the Director of the United Nations Office on Drugs and Crime in the States of the Gulf Cooperation Council have commended the Expat Protection Centre in Bahrain as an invaluable example of best practices in the protection of the rights of expatriate workers. Bahrain had, moreover, been classified as a Tier 1 country in the June 2018 Trafficking in

Persons Report, issued by the United States of America, in recognition of its successes in combating that crime and its efforts to safeguard and uphold the rights of migrant workers.

66. Furthermore, on the basis of a survey of 68 countries conducted by the organization *InterNations*, Bahrain was ranked as the best country worldwide in which to live and work as an expatriate in both 2017 and 2018. According to the report on the survey, Bahrain's ratings among expatriate families are particularly high and it remains the most highly ranked country among expatriate women worldwide.

Question 14

67. With regard to the prevention of any discriminatory or racist statements by the media, Bahrain wishes to underscore that the Bahraini press is free and independent and that news and information published in the press is not subject to any censorship on the part of the State. Decree-law No. 47 of 2002 on the regulation of the press, printing and publishing provides that journalists are prohibited from disseminating racist propaganda or messages that imply contempt for or hatred towards religions, vilify other faiths or advocate discrimination against or the disparagement of the views of a confessional group. Offenders who violate the provisions of the Decree-law are subject to penalties ranging from a fine to a prison term of up to 6 months. It should be underscored, however, that no journalist has been imprisoned for violating the Decree-law.

68. The Civil Service Bureau also takes action against employees who violate the Code of Conduct and Professional Ethics for Public Sector Employees, by imposing a range of penalties, which may include termination of employment. Violations that result in dismissal include the use of obscene or degrading language, offensive, indecent or immoral behaviour, defamation, libel, slander, and vilification, racist or discriminatory behaviour, fomenting sectarian disputes, or using social media to denigrate people or religions. When using social media, public employees are prohibited from posting offensive, indecent or immoral content, behaving in a manner that contravenes the standards established for public employment, making statements that denigrate public service, and making any statement about the duties of public service to any media outlet unless written permission in that regard has been granted by a competent superior. They are also prohibited from divulging confidential government information to unauthorized persons or disseminating government information without permission. Civil Service Instruction No. 16 of 2016 on the Code of Conduct and Professional Ethics for Public Sector Employees provides that government agencies must design ongoing training programmes for their staff that include courses on civil service legislation, particularly with regard to professional conduct, and the appropriate use of social media tools in order to enhance employees' understanding of the benefits of those tools as well as their drawbacks. Action is taken by the Civil Service Bureau on the basis of article 34 of the implementing regulations of the Civil Service Act, issued pursuant to Decree No. 51 of 2012, on duties, violations and penalties, including, in particular, violation No. 91 in the list of violations and penalties set forth in those implementing regulations, namely "using social media to denigrate people or religions", and violation No 25, namely "behaviour, whether at work or outside the work environment, that contravenes the standards established for public employment."

69. As regards amendments to the Citizenship Act, the Family Code, which was promulgated by Act No. 19 of 19 July 2017 and entered into force on 1 August 2017, met with a wide-ranging positive response from Bahraini social groups. It complies with Bahrain's obligations under the Convention on the Elimination of All Forms of Discrimination against Women and represents a qualitative social advance in terms of familiarizing people with their rights and duties in respect of family affairs. Act No. 22 of 2017 amending article 2 of Act No. 74 of 2006 concerning the welfare, rehabilitation and employment of persons with disabilities, which was promulgated following its adoption by the Consultative Council and the Chamber of Deputies, provides for children with disabilities born of Bahraini women married to foreigners to enjoy the same rights, benefits, and privileges provided under Act No. 74 for Bahrainis with disabilities. Privileges include a monthly disability allowance, and the exemption from all duties and taxes imposed on rehabilitative, medical, educational, technical and assistive devices and equipment for persons with disabilities.

70. The Bahraini Citizenship Act stipulates that citizenship shall be granted to the children of Bahraini women in cases specified in article 4 of the Act. Article 4 (b) stipulates that: “A person shall be considered to be Bahraini if he or she was born in Bahrain or abroad, and his or her mother was Bahraini at the time of birth, provided that the father is unknown or fatherhood has not been substantiated by law.” This provision demonstrates beyond doubt that Bahraini law is not based on nationality provisions that discriminate on any grounds against women. Accordingly, the proposed amendment to the Citizenship Act, which was approved and submitted to the legislature pursuant to a decision adopted by the Council of Ministers on 11 January 2014, and is currently being discussed by the legislature, permits children of a Bahraini woman married to a foreigner to obtain Bahraini citizenship pursuant to rules that respect the Constitution, safeguard the State’s sovereignty and take into account the principles on which the legislation governing nationality is based. As it establishes a legal and political link between the State and the individual, the State is obliged to guarantee the rights of the individual, and the individual owes it allegiance and affiliation in return. Interim measures have been taken pending adoption of the amendments to the Citizenship Act that provide for equality with Bahraini citizens for children of Bahraini women married to non-Bahraini men in respect of government health service and education charges and residence fees and to permit children with disabilities born of Bahraini women married to foreigners to have access to the benefits, welfare and facilities established for Bahrainis with disabilities.

71. With regard to steps taken to uphold freedom of expression, the Constitution of Bahrain guarantees all freedoms, providing for the right to security of person, the freedom to choose one’s residence, freedom of belief, freedom of movement and freedom to voice one’s opinions. The Constitution of Bahrain also guarantees freedom to undertake academic research in all areas of scientific and cultural study, including the humanities and the scientific and medical fields. Article 19(a) of the Constitution, as amended in 2002, stipulates that “personal liberty shall be guaranteed in accordance with the law”. The Constitution of Bahrain also enshrines the right of all individuals to express and propagate their opinions, orally, in writing or by any other means, in accordance with the conditions and procedures specified by law. The provisions of those legal instruments have been incorporated in the National Action Charter, which was approved by the people in a historic referendum and underscores the importance of individuals enjoying their rights and freedoms, provided that this is not prejudicial to the precepts of the Islamic faith or to national unity and does not give rise to discord or sectarian strife.

72. In addition to mosques, there are numerous churches, temples and other houses of worship in Bahrain, which, for centuries, has been a multicultural and multiethnic society. Respect for all religions and races is a fundamental principle upon which Bahraini society is based, and Bahrainis continue to uphold that principle in their daily lives. Bahrain has become a model of peaceful coexistence and respect for others, prompting many countries and international organizations to pay tribute to His Majesty’s efforts in spreading a culture of religious tolerance and multiculturalism. Bahrain is a safe haven where expatriates can live, work and practise their religious freely and peacefully, as confirmed by the numerous international awards that Bahrain has won in recent years. In Bahrain there are 452 licensed mosques and prayer halls supervised by the Department of Sunni Religious Endowments, 608 licensed mosques and prayer halls supervised by the Department of Shia Religious Endowments, and more than 19 churches and temples.

73. Bahrain makes great efforts to combat discrimination in all its forms. Article 18 of the Constitution states: “People have equal human dignity and have the same public rights and duties before the law. There shall be no discrimination on grounds of sex, origin, language, religion, or belief.” That article outlines the key concepts that provide for equality among individuals, which are articulated in the country’s policies and frameworks prohibiting and rejecting all forms of discrimination. Accordingly, the legislative authorities in Bahrain have established the rights and duties of all individuals under the law on a non-discriminatory basis. For example, the Private Sector Labour Code, Act No. 36 of 2012, which regulates relations between employers and workers in general, makes no distinction between a national worker and a migrant worker or between men and women. It also expressly prohibits employers from practising wage discrimination against their workers on grounds of sex, origin, language, religion or creed.

74. Domestic labour legislation and other laws provide legal protections for migrant workers by regulating labour relations in line with the relevant international standards, and State bodies spare no efforts to monitor the implementation of established legal principles. At the same time, the inspection agencies of the Ministry of Labour and Social Development and the Labour Market Regulatory Authority seek to curb any malpractice or exploitation involving migrant workers.

75. To provide further safeguards, numerous support services have been made available for migrant workers who suffer arbitrary treatment at the hands of their employers. For example, mechanisms have been established whereby individual complaints may be submitted to the Ministry of Labour with a view to reaching an amicable settlement. At the same time, migrant workers have the right to take direct legal action and are exempt from court fees at all stages of the process. In addition, Bahrain has set up call centres for migrant workers operating in various languages at the Labour Market Regulatory Authority, and the Authority has cooperated with States with embassies in Bahrain to produce brochures in 14 different languages. The brochures explain migrant workers' rights and duties and are distributed to the workers prior to their arrival in the country or when they arrive at the airport.

76. In a pioneering step for the region, domestic legislation envisages the right of migrant workers to transfer from one employer to another without the consent of the current employer, in accordance with regulations set forth in the law. Under that system, the transfer of more than 35,000 migrant workers from one employer to another was approved in 2015 and of more than 24,000 in 2016. All workers, without discrimination on grounds of category or nationality, are entitled to unemployment insurance as a protection against becoming destitute during a period of unemployment. Regardless of their nationality, migrant workers, like Bahraini workers, have the right to be represented collectively in trade unions and labour federations. They also have the right to strike in order to defend their legitimate interests and to time in which to pursue trade union activities. Unionists are entitled to protection from dismissal on the grounds of their activities.

77. A number of mechanisms have been established by which migrant workers may file complaints and access the courts, be it via embassies, trade union organizations or civil society groups such as the National Institution for Human Rights, or directly via the Ministry of Labour and Social Development. Those mechanisms have not revealed any incidences of discrimination against migrant workers in the country and no embassy of a country of origin of migrant workers has raised any issue regarding the negative treatment or exploitation of migrant workers by employers.

78. Bahrain has a well-developed system for managing the labour market and regulating relations between employers and workers, which is based on partnership and transparency between actors in the production sector. It has taken a number of pioneering initiatives in the region to promote the rights and privileges of workers, in line with international labour standards, including the following:

(a) The Labour Market Regulatory Authority runs an online portal that enables workers to view the status of their work permits using various electronic means. This helps to ensure that employers comply with the terms of their licences and gives the workers the possibility to report and complain about any illegal situation;

(b) A new flexible permit system has been in place since mid-July 2017, which allows migrant workers who work in unfair conditions to submit an application for a personal work permit, independent of their employer, in accordance with established regulations. This helps them to avoid exploitation and guarantees access to legal care and protection. The system will allow migrant workers to sign temporary employment contracts while enjoying all the privileges and rights envisaged under the Private Sector Labour Code, including freedom to move and change employer. The new system is expected to help regularize the status of a large number of irregular workers in Bahrain and to allow them to benefit from social security, unemployment insurance, health care and other national systems. A number of embassies of Asian countries of origin of migrant workers have praised the system and the privileges it accords to their citizens in Bahrain;

(c) A national referral system for victims of trafficking in persons has recently been launched. Its purpose is to strengthen measures to combat human trafficking and to clarify and regulate the role played by agencies and mechanisms and their approach to cases of trafficking or of suspected trafficking; The referral system includes an organizational aspect, in that it establishes responsibilities and competencies for relevant committees and authorities, and a procedural aspect, in that it provides guidelines on anti-trafficking activities and determines the parties responsible for each procedure and the sequential steps that must be followed in that regard. The system has facilitated the process by which workers' complaints are classified as regular complaints, labour-related complaints or complaints regarding cases of human trafficking within half an hour of their receipt and ensures that they are forwarded to the relevant authority, namely the Ministry of the Interior, the Labour Market Regulatory Authority, the Office of the Public Prosecutor or a labour tribunal. The system has also facilitated efforts to follow up on the steps taken to address each complaint by those authorities, and provide assistance to and monitor the situation of trafficking victims. No complaint file is closed prior to the completion of all relevant legal and administrative procedures.

(d) A special unit has been established by Bahrain for the support and protection of migrant workers; this is the first comprehensive centre in the region to support and protect workers in line with international standards. It includes a shelter, which provides integrated services for migrant workers of both sexes who are being exploited by their employers and is equipped with a 24-hour contact number providing information in seven different languages. In 2016, more than 670 migrant workers of various nationalities made use of the services offered by the centre: they received various kinds of advisory and health services while, in addition, those who wished to stay in Bahrain and look for employment had their legal status regularized;

(e) The Labour Market Regulatory Authority has distributed free SIM cards to migrant workers in order to keep them constantly updated on the progress of their work permits and their legal status via text messages that are sent to their phones in their own language. The service was launched in 2014 and, by the end of 2016, a total of around 302,000 SIM cards had been distributed: 117,213 in 2016, 94,521 in 2015 and 90,572 in 2014. The Labour Market Regulatory Authority has also printed more than 200,000 copies of a guide, which are distributed to migrant workers. The guide gives detailed explanations about legal procedures in Bahrain and about mechanisms for submitting complaints and regularizing legal status. The guide has been printed in 13 languages including Arabic, English, Chinese, Indonesian, Filipino, Urdu, Hindi, Nepali, Thai, Bengali, Turkish, Malayalam and Sri Lankan. The relevant authorities in Bahrain work closely with the embassies of foreign countries in order to resolve any challenges faced by migrant workers, and also help migrant workers regulate their status so that they can continue to work in Bahrain.

79. A campaign for the rectification of irregular legal status has been launched, directed at both employers and foreign workers. The campaign envisages a grace period during which the competent authorities will not take any punitive measures against workers who are found to be in contravention of employment and residency conditions. The last such period ran for six months from July to December 2015 and led to the regularization of 51,000 workers, some of whom expressed a preference to remain in Bahrain and transfer to a new employer, while others chose to return voluntarily to their countries of origin.

80. Underscoring the success of these efforts and initiatives, many international reports have praised Bahrain's achievements in that field, as well as the pioneering steps it has taken in the area of labour market regulation. The solutions identified by Bahrain have helped the country achieve its high rankings, including in surveys of the best countries in which to live and work. Furthermore, in official meetings, several labour exporting countries have acknowledged the care and protection accorded to migrant workers in Bahrain.

81. Debt bondage does not exist in Bahrain and the State authorities have received no complaints regarding that phenomenon. Moreover, the country's oversight bodies have uncovered no situations that they have classified as examples of debt bondage.

82. Through their inspection mechanisms, the Ministry of Labour and Social Development and the Labour Market Regulatory Authority strive to exercise strict oversight of the labour market and prevent any negative treatment of migrant workers, including the non-payment of wages, and the failure to respect established working hours.

83. With regard to the retention of workers' passports, affected workers must lodge a complaint in that regard with the police and the Urgent Matters Court, which are responsible for returning passports to their owners. The Ministry reports that many such cases have been resolved by the competent authorities in cooperation with embassies of labour exporting countries.

84. With regard to the extension of the protections provided under the Employment Act of 2012 to domestic workers and the adoption of a draft law on domestic workers, it should be noted that domestic workers are already covered by the key provisions of the Act, such as those on employment contracts, protection of wages, end-of-service benefits, the right to annual leave and exemption from litigation costs at all stages of the judicial process.

85. Domestic workers may also take advantage of many of the services mentioned above, such as shelter services, the provision of free SIM cards, and access to the online portal run by the Labour Market Regulatory Authority that enables workers to view the status of their work permits. The application of the Employment Act to domestic employment is a relatively new development and is still in its early experimental stages. In the future the competent authorities will consider the possibility of promulgating a specific law on domestic workers.

86. With regard to data on workplace inspections and oversight, the Inspection and Occupational Safety Department is one of most important departments in the Ministry of Labour and Social Development. It plays a key role as a watchdog and helps to regulate and ensure the stability of the country's labour market with a view to fostering prosperity and economic growth by regulating the rights and duties of the two parties to the production process and ensuring their compliance with the provisions of the Employment Act and its implementing decisions.

87. The Department has a number of functions and responsibilities. Inspections are the most important of the tasks it performs, however, as these play a preventive role, thereby promote safe and appropriate working conditions. The following tables provide an overview of the Department's activities in the areas of labour and health and occupational safety inspections.

Labour inspections (Labour inspection unit)

	<i>Year</i>		
	<i>2014</i>	<i>2015</i>	<i>2016</i>
Total number of labour inspections	11 441	12 378	9 486
Number of scheduled inspections	11 441	8 764	7 824
Number of sites visited	10 438	11 287	8 973
Total number of workers covered by the inspections	218 420	204 228	135 348
Number of awareness-raising talks given	*	299	193
Number of violation notices referred to the Office of the Public Prosecutor	17	74	47
Number of complaints from workers investigated	340	110	221

	Year		
	2014	2015	2016
Total number of workplace visits	10 690	17 433	19 846
Number of sites inspected	558	876	426
Total number of workers at those sites	45 763	62 421	39 642
Number of inspection reports containing violation notices	358	444	121
Number of violation notices referred to the Office of the Public Prosecutor	197	462	352
Number of complaints from workers regarding occupational safety	51	46	30
Number of work-related accidents investigated	340	291	219
Number of work-related deaths investigated	26	16	25
Number of serious work-related injuries investigated	134	140	115

88. With regard to ensuring equality in hiring, appointment and promotion processes, all laws in Bahrain are in line with international standards on combating discrimination. Those laws regulate the relationship between workers and employers in the public and private sectors and stipulate the obligations of all parties. The Private Sector Employment Act establishes the employer's responsibilities and duties in respect of work contracts, working hours, time off and working conditions, without discrimination being made between categories of workers.

89. The Ministry of Labour and Social Development is mandated by law to provide employment services to job seekers. The Ministry receives more than 3,000 applications ever week. No complaints have been received that relevant agencies in the Ministry have discriminated against applicants or job seekers because of their political views, sex, religion or for any other reason. Bahrain has endorsed several grievance and complaint mechanisms for workers in the private sector in order to protect their interests and uphold their rights at work, including the mechanism for resolving individual and collective disputes established pursuant to the Employment Act. A worker may file a complaint alleging an act of discrimination with the office established to resolve disputes. The Ministry then investigates that complaint and endeavours to reach an amicable settlement in that regard. The Employment Act also provides that a worker may resort to the courts in order to establish that he or she has suffered discriminatory treatment at work or is the victim a discriminatory termination of employment.

90. As for combating discrimination in the labour market, the Civil Service Bureau was established in order to monitor all matters of relevance to civil service personnel and makes every effort to promote justice and equality of opportunity and treatment for all, including with regard to employment. To that end, it has established a job information centre which receives requests from individuals seeking employment in the public sector and may propose them for vacant positions with government agencies with a view to leveling the playing field among those seeking public sector employment. Those efforts have been successful, as confirmed by statistics that show that gender parity has been achieved among civil service personnel.

91. With regard to workers in the public sector, the Code of Conduct and Professional Ethics for Public Sector Employees, issued pursuant to Civil Service Instruction No. 16 of 2016 provides that government agencies are prohibited from discriminating among individuals in the procedures related to recruitment, promotion or training on grounds of sex, ethnicity, age or religion, and that those procedures must be fair and transparent. Furthermore, the Civil Service Act stipulates that all government agencies must establish an internal committee to resolve complaints filed by employees subject to that Act. If a complaint is not resolved, the civil servant concerned may file a complaint with the Civil Service Bureau pertaining to any decision taken by his or her employer, including a decision that resulted in that civil servant suffering discriminatory treatment. The Civil

Service Bureau then investigates the complaint and provides redress to any aggrieved party. If the civil servant is unable to obtain redress by means of those mechanisms, he or she may resort to the courts. The Ministry of Labour and Social Development affirms that no complaints were received in 2015 or 2016 concerning wage discrimination or discrimination in the areas of employment or training in either the public or private sector.

Question 15

92. With regard to the question concerning the Bidoon, it should be noted that there has been no cases of statelessness in Bahrain since 1937; the so-called Bidoon were in fact foreign nationals who had lived for a considerable time in the Kingdom and whose descent, origins and nationalities had been established. Because they had resided for a considerable time in Bahrain, they and their children failed to obtain identity documents from the countries in which they originated. Pursuant to royal orders, all such individuals have been granted Bahraini citizenship. With regard to the measures taken to ensure that naturalized citizens enjoy the same rights as those granted Bahraini nationality by birth, all citizens enjoy all civil, political, economic, social and cultural rights, without distinction between them, in accordance with article 18 of the Constitution, which stipulates: "People are equal in respect of human dignity and citizens are equal before the law in public rights and duties; there shall be no discrimination among them on the basis of sex, origin, language, religion or creed."

Article 6 of the Convention

Question 16

93. With regard to the administrative steps taken with a view to combating discrimination and hatred, on 15 May 2014, the Council of Ministers issued decision No. 17 of 2014 on the establishment of the Committee against Hatred and Sectarianism, which is entrusted with proposing and adopting policies and methodologies and developing effective programmes to tackle the problem of hate speech, which may be propagated through religious preaching, in books, through the media, communications and education or through political and societal forces. It seeks to instil a spirit of tolerance, reconciliation and coexistence and promote the unifying factors in Bahraini society. It is clear that the efforts by the Government in that regard are consistent with a system of government based on tolerance, acceptance and the rejection of policies of exclusion, division and confrontation among Bahrainis.

Question 17

94. There have been no cases of discrimination on grounds of sex, religion, colour or ethnic or national origin. Between 1 January 2015 and 31 December 2017, there were two recorded cases involving the offence of inciting hatred against a certain sect. The perpetrators in both cases were prosecuted: the perpetrator in one case was found guilty of that offence and sentenced to a prison term of two years and the perpetrator in the other case was found guilty of that and other related offences and sentenced to a prison term of four years. A number of attacks have been reported involving the defamation of religions that, rather than targeting adherents themselves, were aimed more generally at a particular faith.

Article 7 of the Convention

Question 18

95. With regard to providing information on legislative and administrative measures taken to combat prejudices that lead to racial discrimination, the Kingdom of Bahrain wishes to emphasize that its education system does not promote any form of prejudice that, as implied in Question 18, could lead to racial discrimination. Indeed, all Bahraini citizens are equal before the law in their rights and duties, and therefore enjoy equal access to educational services, without discrimination on grounds of sex, origin, colour, language,

religion or creed. Furthermore, Bahrain's legal instruments on education, including Act No. 27 of 2005 on education, Decree-law No. 25 of 1998 on private education and training institutions and those instruments' implementing decisions, expressly provide that they shall apply equally to all citizens.

96. The Ministry of Education has also made a continuous effort to implement programmes and hold workshops aimed at fostering a sense of citizenship that is based on the principles of justice and equality, and at promoting national unity, civic values, tolerance and acceptance of the views of others in the area of human rights and citizenship. Working with experts from the UNESCO International Bureau of Education in Geneva, universities and other important educational institutions, the Ministry has also organized seminars and workshops for teachers specializing in social and civic education with the aim of disseminating the values of tolerance, coexistence and non-violence among school students, promoting a spirit of national unity, tolerance, love and national solidarity and combating all forms of religious, sectarian or ethnic discrimination at all levels of education. Human rights and humanitarian action have been selected as themes in both artistic and writing competitions, and workshops have been held on the importance of mutual acceptance and respect. Schools have also held events that draw attention to those values during national celebrations and citizenship and human rights committees have been established in schools, which also hold competitions, seminars and lectures on those themes.

97. Pursuant to Ministerial Decision No. *5/mim 'ayn nun/2016* of 19 January 2016 on the School for Civics and Human Rights project, the Ministry launched that project on an experimental basis in 14 preparatory schools for boys and girls. The pilot phase of the project proved highly successful in terms of entrenching the values of tolerance, coexistence, dialogue and the rejection of violence and extremism, and the Ministry therefore decided to run the project in all elementary and preparatory schools during the 2017–2018 academic year.

98. Bahrain gave a presentation on its experience in that regard on 15 May 2017 at a symposium organized by the Geneva Center for Human Rights Advancement and Global Dialogue on the sidelines of the twenty-seventh session of the universal periodic review of the Human Rights Council, which was also attended by representatives of the UNESCO International Bureau of Education in Geneva and numerous other international organizations, in addition to diplomats and representatives of several States, including Colombia, Finland and Sri Lanka. The project was praised by participants in the seminar who lauded it a model for other projects at the global level.

99. The Ministry has also implemented a number of initiatives aimed at strengthening communication with citizens and residents and hearing their complaints or suggestions for enhancing the educational services provided by the country's educational institutions. Those initiatives include the establishment by the Ministry of a dedicated public outreach unit to receive complaints from male and female students or their parents, as well as from administrative or teaching staff in schools or ministry employees. The unit receives complaints in various ways, including through local newspapers and radio broadcasts, and via a dedicated hotline and the National Suggestions and Complaints System, also known as "Tawasul". It also receives complaints submitted electronically. The Ministry takes direct action in order to address those complaints and take all necessary administrative and pedagogic steps in respect of employees or students if those complaints are substantiated.

100. Consequently, disciplinary action is taken in accordance with the law against an employee who carries out any action that incites sectarian strife or gives rise to any discriminatory practice, provided that, in the course of investigations, it is established that he or she committed one of the violations contained in the list of violations and penalties annexed to the implementing regulations of the Civil Service Act, issued pursuant to decree No. 48 of 2010. A student who is found guilty of defamation of religions or of provoking discord or sectarian, confessional or religious strife in school is subject to the educational procedures and remedies provided in the regulations on student discipline in public and private schools at all stages of study No. *99/mim 'ayn nun/2017* of 9 February 2017.

101. The education system in Bahrain is based on the principles and parameters set forth in the country's Constitution, namely that education shall be compulsory and free of charge, as well as fundamental parameters for promoting equal citizenship and a sense of responsibility and national unity among the people of Bahrain. Act No. 27 of 2005 sets out the objectives of the educational policy and general guidelines for education development in Bahrain, which focus on the empowerment students by imparting knowledge, values and skills.

102. The education system in Bahrain is divided into two phases, namely basic education and secondary education. The country also provides general, technical and vocational education. All citizens enjoy access to education on the basis of equal opportunity and, for certain disciplines offered by the educational system, on the basis of academic merit.

103. The educational system provides an integrated scientific and educational curriculum for boys and girls of different ages. Children with special needs are also provided with appropriate educational support and are taught by male and female special education teachers. In addition, two religious institutes teach basic and secondary education: one of those institutes specializes in Sunni doctrine and the other specializes in Shia doctrine, although they both also teach all compulsory school subjects, as prescribed by the approved government curricula. Those institutes place particular focus on the commonalities of the two Islamic sects in order to highlight their shared religious and moral values.

104. The Bahraini Ministry of Education periodically reviews and updates its educational curricula for the various stages of education in order to strengthen understanding of the principles enshrined in the Islamic religion, Arab and human heritage, and contemporary Bahraini culture, customs and traditions, particularly in the light of changes that have taken place in Bahraini society and relevant global developments.

105. The Ministry of Education strives to review and update its curricula on an ongoing basis, with input provided by global think tanks, international organizations, UNESCO experts, the Bureau of International Education, the Arab League Educational, Cultural and Scientific Organization and the Islamic Educational, Scientific and Cultural Organization. The Ministry has established a team of specialists to review its educational curricula to ensure that they uphold the principles of tolerance and respect for others and highlight the themes, values and principles common to different religions and sects. In the light of reviews conducted between 2002 and 2017, efforts have been made to highlight commonalities shared by the Sunni and Shia sects, while also promoting tolerant social attitudes, freedom of thought, religion and belief, the rejection of all factors that may give rise to religious or ethnic strife or discrimination, and the rejection of sectarian extremism or radicalization, or efforts to denigrate religious, sectarian or confessional principles.

106. The Ministry has also sought to ensure that the books on good citizenship used at each stage of education in both government and private schools instil civic values and a sense of belonging to the nation, and highlight the foundations of democracy and the importance of coexistence, equality and non-discrimination. Such values are addressed in many other textbooks, including those on the social sciences and the Arabic language, in a manner that is commensurate with the age of students, their mental capacities and their intellectual, emotional and social maturity. The Ministry has also included two books on life skills and community service in the list of books to be used in secondary schools with a view to teaching young people in Bahrain how to uphold civic values in their lives. Those books deal with such topics as community engagement, coexistence and personal development. It has also approved an independent and integrated textbook to teach students about human rights, tolerance and coexistence and designs brochures and pamphlets on those values. It has also designed a curriculum on the basis of educational experience in that area for kindergartens. That curriculum, which was used for the first time in the 2014–2015 academic year, includes activities that are appropriate to the level of awareness of children at that age and is provided free of charge to kindergartens, together with guidance notes for teachers and parents. In its programmes and news bulletins on radio and television, the Ministry of Information Affairs endeavours to combat racist and extremist ideology as well as race-based hatred and incitement by presenting an objective overview of such phenomena. It dedicates considerable time in its programmes to promoting tolerance and moderate thought and highlighting the dangers and repercussions for society of racial or

sectarian discrimination, and it seeks to deliver a unified and comprehensive message to the nation in that regard. The Ministry of Public Information also draws attention to the need to combat race-based and sectarian discrimination, hatred and division in its lectures and workshops and strives to raise awareness of the mechanisms and measures that can be used to achieve that goal.
