



# National Institution for Human Rights Strategy and Action Plan

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(2018 - 2015)

## INTRODUCTION <sup>1</sup>

In the context of developments in the Kingdom of Bahrain since launching the reform project of His Majesty King Hamad bin Isa Al Khalifa, King of Bahrain, in 2001, and the substantial changes experienced by the Kingdom towards promoting further democratic frameworks and partnership in decision-making in order to entrench the pillars of the rule of law, in addition to the self-experience of the National Institution for Human Rights, NIHR aims to intensify its efforts to overcome the obstacles it faced, and implement three objectives. These objectives are: first, preparing the first annual report of NIHR, which will be submitted to His Majesty the King in February 2014, second: developing an executive program for its strategy and action plan for the years (2015-2019), third: building and developing NIHR capabilities to undertake these tasks.

NIHR has identified its objectives in accordance with clear vision and mission in order to carry out its mandate under establishment Law No. 26 of 2014. (NIHR establishment law).

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<sup>1</sup> Disclaimer: A substantial modification has been done to NIHR strategy and action plan for the years (2013-2016), which were issued under the Council of Commissioners Resolution No. (6) for the year 2013, in accordance with the provisions of NIHR establishment law, to comply with the new competence of the Ministry of Foreign Affairs after heading the Supreme Coordinating Commission for Human Rights, issued under the Prime Minister's decision No. (14) for the year 2014, and the abolition of the Ministry of Human Rights Affairs in the new Cabinet by the Royal Decree No. (83) for the year 2014.

## **VISION**

***“Human Rights Culture is a Lifestyle”***

We hold the belief that the human rights issue is among national constants. Recognition of civil, political, economic, social or cultural public rights and freedoms, whether individual or collective rights, is a commitment to the values of justice, equality and human dignity of all human beings without discrimination.

## **MISSION**

***“Together to create a better practice of Human Rights”***

We strive to develop, promote and protect human rights of the citizens and residents of Bahrain by providing protection and support for individuals to enable them to gain diverse knowledge to exercise their legitimate rights, determine their needs, how to demand and defend these needs through spreading the culture of human rights by all means available.

## OBJECTIVES

1. Disseminating a culture of human rights and defending these rights by all means available.
2. Educating individuals on the fundamental rights guaranteed to them under national legislation and international conventions.
3. Empowering individuals through various training programs to increase knowledge and awareness of fundamental rights and how to exercise them in a manner that ensures that all individuals enjoy these rights.
4. Expanding the network of communication with organizations specialized in the field of human rights at the national, regional and international levels.
5. Receiving complaints and monitoring and documenting human rights violations.
6. Providing the necessary information and legal assistance services for victims of human rights violations.
7. Preparing parallel reports, taking part in drafting and discussing reports committed to be submitted by the Kingdom periodically, and making remarks on these reports in implementation of regional or international human rights conventions.

## SERVICES PROVIDED BY NIHR

NIHR provides several services related to the promotion and protection of human rights and public freedoms, whether for individuals, official state institutions or civil society organizations, as follows:

### (I) DISSEMINATING AND RAISING AWARENESS OF HUMAN RIGHTS

#### 1. Symposia, Workshops, Seminars and Conferences

In order to raise awareness of all types of rights and public freedoms, NIHR holds symposia, workshops, seminars and conferences covering all civil, political, economic, social, and cultural human rights issues. These events also introduce the UN mechanisms related to human rights, and discuss important relevant topics and concepts such as citizenship, democracy, rule of law, discrimination and torture.

Moreover, these cultural events concerned with human rights represent an opportunity for the various segments of society to exchange views in order to find the best ways to exercise fundamental rights and ensure the protection of these rights from any direct or indirect violation.

#### 2. Target Groups

NIHR disseminates the culture of human rights among different categories according to national and international standards through training programs and specialized courses aimed at turning knowledge of human rights into practical skills. The most important target groups include:

- Judges and members of the Public Prosecution.
- Members of the Legislative Authority (Council of Representatives and Shura Council).
- Public officials concerned with the drafting of legislation or developing and implementing policies.
- Public officials responsible for drafting and submitting reports to the agencies of the international conventions on human rights.
- Law enforcement officials, including staff of the Bahrain Defense Force, Public Security Forces and the National Guard.
- Officials in Penal Institutions.
- Workers in the field of journalism and audio-visual media.
- Civil society institutions of various specializations.
- University and school students.
- Private companies and employment offices.

## **(II) PROVIDING ADVICE**

NIHR provides recommendations, suggestions and reports on a consultancy basis to all government and non-governmental agencies, whether on its own initiative or at the request of such agencies, on any issue related to the promotion, protection or development of human rights pursuant to Article (12), paragraphs a, b, c, d, f and h of NIHR establishment law, in the following fields:

### **1. Advice on Legislative Matters:**

NIHR studies the legislations in force in the Kingdom and recommends the amendments it deems appropriate in this regard, particularly with respect to the conformity of such legislation with the Kingdom's international obligations. NIHR may also make recommendations to promulgate new legislation related to human rights.

### **2. Advice on Implementation of International Conventions:**

NIHR plays a role in enlightening the executive authority to accept international conventions, and informs them of the nature of the obligations resulting from the accession to or ratification of the international conventions. NIHR also provides advice on the conformity of national laws with the standards set out in the said conventions or whether there is a need to undertake additional legislative initiatives. Additionally, NIHR provides recommendations and suggestions on how to harmonize national legislation with international conventions, and gives advice on the need to implement the provisions of these international conventions at the national level.

### **3. Advice on Political Affairs:**

Through its control over referenda and elections, NIHR provides its advisory opinion on the best democratic practices in political affairs. It also has a key role on how citizens exercise their political rights, including by the establishment of political associations and the exercise of their functions. Moreover, NIHR has an important role in the dissemination of political culture and principles of citizenship and their relationship to human rights pursuant to the provisions and principles of the National Action Charter and the Constitution of the Kingdom of Bahrain, based on the internationally recognized concepts set out in the International Covenant on Civil and Political Rights.

### **4. Advice on Administrative Affairs:**

NIHR monitors any bureaucratic behavior or pattern which violates or prevents the full enjoyment of the rights set out in the Constitution or the laws regulating such rights, or affects them, either directly or indirectly. NIHR clarifies the reasons that have led to such behavior and proposes the appropriate solutions to end or mitigate the effect of such behavior.

## **5. Advice on Judicial Proceedings:**

NIHR monitors the judicial proceedings to ensure that individuals enjoy fair trial guarantees by adopting international standards during investigation and trial and through monitoring substantial pleas and applications during the investigation, such as exposure to physical or moral coercion, prejudice to the guarantees of the accused, the public prosecution response to these guarantees, undue delay of trials, the availability of constitutional and legal guarantees during the trial, or any other procedures that are contrary to the provisions of the Code of Criminal Procedure, and addressing these violations through recommendations submitted to the competent judicial authority.

### **(III) PREPARATION OF OR CONTRIBUTION TO THE INTERNATIONAL REPORTS**

NIHR prepares parallel reports for some of the international conventions that oblige states parties to submit regular reports to the committees established under these conventions to oversee the implementation thereof. Among the most important conventions that require reporting are the following:

1. International Convention on the Elimination of All Forms of Racial Discrimination, (CERD).
2. International Covenant on Civil and Political Rights, (CCPR).
3. International Covenant on Economic, Social and Cultural Rights, (CESC).
4. Convention on the Elimination of All Forms of Discrimination against Women, (CEDAW).
5. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, (CAT).
6. Convention on the Rights of the Child, (CRC).
7. International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, (CMW).
8. Convention on the Rights of Persons with Disabilities, (CRPD).
9. International Convention for the Protection of All Persons from Enforced Disappearance, (CED).

In cooperation with official authorities, NIHR participates in preparing national reports in accordance with human rights conventions.

### **(IV) RECEIPT OF COMPLAINTS AND MONITORING OF HUMAN RIGHTS VIOLATIONS**

NIHR receives complaints, reports and petitions from all individuals and entities with respect to violations against rights and public freedoms. It studies and refers these complaints, reports and petitions to the competent authorities and follows them up effectively, enlightens the concerned parties regarding the due procedures and helps them take such procedures, or assists in settling them with the concerned bodies.

NIHR also monitors any violations of human rights, collects, analyses and reports relevant data in order to end these violations, and recommends taking a corrective action thereon. NIHR handles received complaints and monitored human right violations in accordance with a clear and specific mechanism which is published and disseminated to the public.

#### **(V) FIELD VISITS**

In the context of its mandate to promote and protect human rights in the Kingdom, NIHR conducts field visits regularly to places of detention, penal institutions, reform facilities and all relevant places. These field visits are conducted in coordination with the competent ministries, in order to verify the truth of complaints received by NIHR, propose appropriate solutions, make recommendations to improve the services provided in these places in the interest of human rights, and follow up and monitor sit-ins, strikes and protests.

#### **(VI) PARTICIPATION IN THE PREPARATION OF HUMAN RIGHTS NATIONAL PLANS**

During the Vienna Declaration and Programme of Action 1993<sup>2</sup>, the World Conference on Human Rights recommended that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights. When drawing up its own action plan, each State should determine priorities in the field of human rights and identify the appropriate tools that would be used to implement the said plan.

A national action plan to improve human rights in the Kingdom cannot be drafted without concerted efforts between the executive authority, NIHR and civil society institutions. Therefore, the role of NIHR focuses on providing help, along with the relevant authorities, to draw up national action plans for human rights in the Kingdom as well as the mechanism for implementing this plan in accordance with a clear strategy, specific objectives and a set period of time.

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<sup>2</sup> Vienna Declaration and Programme of Action (1993): Section II, Paragraph C: Cooperation, development and strengthening of human rights. Clause 71 states: "The World Conference on Human Rights recommends that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights." Adopted by the World Conference on Human Rights, Vienna, 14-25 June 1993, U.N. Doc. A/CONF.157/24 (Part I).

**NIHR has adopted a strategy and action plan that is based on five themes:**

1. Engagement in Human Rights Protection Efforts.
2. Promotion of Efforts in the Field of Legislative Development and Review.
3. Participation in the Preparation of an Extensive National Program for Human Rights Education.
4. Preparation of a Specialized Program to Promote Citizenship Rights and Support its Values.
5. Reinforcement of Cooperation at the National, Regional and International Levels

This strategy represents the goals envisaged by His Majesty the King's initiative to establish the National Institution for Human Rights under Law No. 26 of 2014, and the mandates assigned to it. The strategy indicates the desired objectives and the ways to achieve them.

## **NIHR ACTION PLAN THEMES:**

### **THEME I: ENGAGEMENT IN HUMAN RIGHTS PROTECTION EFFORTS**

NIHR has presented a set of ideas aimed at strengthening its powers through laying down its own law which provides it with further independence and potential to undertake its functions and powers.

In the next phase, NIHR will use the media and various means of communication to educate citizens on fundamental rights and freedoms and the ways to promote and protect these rights and freedoms, and ensure the exercise thereof. This is based on the fact that awareness of human rights is an essential input for protection from abuse and violation.

NIHR will also activate its powers in the field of receiving complaints, cooperate with the competent authorities to handle them, and promote access to and communication with complainants, through the following actions:

1. Releasing a guide for handling complaints, which will serve as a standard and reference for handling complaints, evaluating the issues of complaints, types of intervention, and best treatment methods according to the best applicable practices. The purpose of this guide is to empower the Complaints, Monitoring, and Follow-up Committee to activate its legal competence, support it with a technical unit, specialized human resources, and a training program, continuous updating, and exchange of experience with similar national institutions in the region.
2. Providing the Complaints and Monitoring Unit at the General Secretariat with human resources specialised in the provision of legal assistance to victims of human rights violations, whether at the level of litigation, mediation and follow-up, or at the level of raising awareness of the procedures to be followed in this regard. Providing the Complaints Unit with personnel specialised in field monitoring to enhance fact-finding and information gathering abilities.
3. Providing a hotline for receiving complaints and urgent calls and handling them according to pre-defined controls.
4. Maintaining and archiving complaints and the results reached in an organised manner in the database.

### **THEME II: PROMOTION OF EFFORTS IN THE FIELD OF LEGISLATIVE DEVELOPMENT AND REVIEW**

According to NIHR establishment law, NIHR is committed to review legislation related to human rights and propose alternatives, particularly in relation to the conformity of national legislation with international obligations of the Kingdom. For this purpose, NIHR will carry out the following:

1. Forming a technical legal unit at the General Secretariat to undertake reviewing national legislation and proposing the necessary legislative amendments to such legislation according to the established opinions and decisions of the international human rights law.
2. Forming a part-time legal counselling team of specialists in drafting legislation and law-making fields to make use of their expertise in preparing bills and proposed law amendments, and drafting the necessary explanatory memoranda.
3. Strengthening the relationship with the Legislative Authority, including the Council of Representatives and Shura Council, in the areas related to NIHR functions, and establishing communication mechanisms with the competent committees and concerned departments in both councils.
4. Strengthening the relationship and cooperation with the ministries concerned with legislation and human rights in the Executive Authority, especially those concerned with justice, education, internal affairs, health, labour and human rights.
5. Recommending the importance of the legislative harmonization between the national legal system and international obligations in the field of human rights in order to achieve the national interest.

### **THEME III: PARTICIPATION IN THE PREPARATION OF AN EXTENSIVE NATIONAL PROGRAM FOR HUMAN RIGHTS EDUCATION**

Human rights education is one of the most fundamental pillars for achieving the desired objectives in the field of human rights, both in terms of the introduction of human rights and development of awareness thereof in a way that leads to a positive impact on behaviours and confinement of negative phenomena. This also aims to ensure the automatic integration of the principles and criteria of human rights in the development plans, claims, public policies and legislation.

Means of communication: “education, information and culture” are the essential tools for achieving the goals of human rights education. NIHR will benefit from the methodologies of United Nations Decade for Human Rights Education<sup>3</sup> and the World Programme for Human Rights Education<sup>4</sup> successively adopted by the UN since 1995. This will be done through the following:

1. Cooperating with the ministry concerned with education affairs in order to develop the integration of human rights in education, including:
  - a. Teaching human rights in the curricula of primary and secondary education.
  - b. Reviewing the curricula in general with the aim of improving the content related to human rights values, and changes related thereto, and ensuring

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<sup>3</sup> Resolution No. A/RES/49/184 adopted by the UN General Assembly, 23 December 1994, proclaiming the ten-year period from 1995 to 2004 as the United Nations Decade for Human Rights Education

<sup>4</sup> Resolution No. A/RES/59/113 adopted by the UN General Assembly, 10 December 2004, on World Program for Human Rights Education.

compliance with the Kingdom of Bahrain international obligations in the areas of human rights.

2. Organising a specialised program for raising university students' awareness of human rights in collaboration with public and private universities, and preparing an academic program specialised in the fields of human rights within the relevant graduate programs (e.g. international law, political science, and media).
3. Holding intellectual events and workshops focusing on raising human rights awareness among activists in the various audio, visual, printed and electronic media outlets. This is due to the fact that the media has a close relation to human rights. Particular attention should be paid to promote the coverage of human rights issues and to participate in the development of the public opinion awareness of these issues.
4. Organizing specialised training courses for media professionals to build knowledge and awareness in the field of human rights, and provide them with the skills to integrate human rights into the topics and issues addressed by them in order to give a positive role to their work as media figures in relation to human rights.
5. Paying attention to the provision and distribution of publications related to building knowledge of human rights through the media, school and university libraries, and institutions concerned with culture.
6. Obtaining spaces for free public service issues in the various media outlets to pass short communication messages and content related to human rights, which will contribute to changing some of the negative phenomena affecting the enjoyment of human rights.
7. Cooperating with civil society organizations interested in human rights in order to build an integrated awareness program, ensure the appropriate amount of coordination, and participation in the promotion and dissemination of human rights culture in society.
8. Adopting integrated information and awareness programs on human rights which serve activists in civil society organizations, charitable and humanitarian associations, professional associations, trade unions, and political associations.
9. Launching a national project in collaboration with the relevant parties in order to promote human rights in the policies and practices adopted by the relevant law enforcement bodies.
10. Adopting an integrated policy to promote on-going training for NIHR members and staff through conducting courses that relate to the particular needs and priorities connected to human rights principles, and through the exchange and sharing of experience with similar national institutions and other relevant bodies on the regional and international levels.
11. Supporting the establishment of human rights structures in various authorities and government agencies, while providing all the necessary technical support thereto.

## **THEME IV: PREPARATION OF A SPECIALISED PROGRAM TO PROMOTE CITIZENSHIP RIGHTS AND SUPPORT ITS VALUES**

The interest in promoting the rights of citizenship and supporting the values thereof is the key way to promote human rights culture for all segments of society. To that end, NIHR intends to prepare an integrated sustainable project in cooperation with all relevant parties. This will be accomplished through:

1. Preparing an integrated awareness program related to citizenship rights and their values, identifying the deficiencies in these rights in order to raise awareness of and develop these rights.
2. Holding a regular annual or biennial national conference with the participation of the government and non-government institutions, and all other relevant parties in order to agree on a national action program and make practical recommendations and proposals to be followed in legislation, public policies, practice and everyday behaviour.
3. Taking the initiative and participating in enforcing recommendations and proposals in collaboration with the other relevant parties in order to ensure equality, equal opportunity and elimination of discrimination as fundamental bases of citizenship and tools to enhance the sense of national belonging, in line with the international standards of human rights and the Kingdom's obligations related thereto.

## **THEME V: REINFORCEMENT OF COOPERATION AT THE NATIONAL, REGIONAL AND INTERNATIONAL LEVELS**

Cooperation in the field of human rights at the national, regional and international levels is one of the key themes for strengthening NIHR role in carrying out its duties and functions, and meeting the requirements for activating its strategy. This includes:

### **1. COOPERATION AT THE NATIONAL LEVEL**

- Cooperating with the State legislative, executive and judicial authorities, and benefiting in particular from the concerned competent authorities, particularly the Ministry of Foreign Affairs, the Ministry, the competent departments of the ministries, Parliamentary Committee on Human Rights, other relevant parliamentary committees, High Coordinating Committee for Human Rights in Bahrain, and diplomatic missions accredited to the Kingdom.
- Cooperating with other relevant national institutions and bodies by signing memoranda of understanding with these bodies, notably institutes concerned with political development and public administration, studies and research centres, and national governmental and non-governmental committees and structures concerned with the activation of plans related to human rights, and coordinating with them to activate the recommendations of the overall periodic review of human rights and the final recommendations of contractual mechanisms with regard to the promotion of the realization of human rights in the Kingdom.
- Cooperating with the relevant civil society institutions, taking advantage of their

ability for identifying the needs of citizens and their expertise in bridging the various gaps, and strengthening the role of these institutions in the field of human rights.

## **2. COOPERATION AT THE REGIONAL LEVEL**

- Cooperating with the Gulf Cooperation Council (GCC), particularly the Human Rights Office formed within the structure of the Secretariat General. The Office underscores the achievements that have been and are made by the GCC countries in the field of human rights.
- Cooperating with the relevant institutions of the League of Arab States (AL), namely the Permanent Arab Committee for Human Rights, the Arab Human Rights Committee "Committee for the Arab Charter on Human Rights," expert committees set up by the AL in the areas of human rights, and relevant departments and agencies specialized in international humanitarian law, women, children, people with special needs, and the elderly.
- Cooperating with the Organization of Islamic Conference (OIC) institutions, particularly the OIC Independent Permanent Commission on Human Rights, aimed to promote "human rights and serve the interests of the Islamic nation," and promote respect for cultures and dialogue of civilizations according to the principles and objectives of the OIC Charter. This is in addition to cooperating with the Islamic Educational, Scientific and Cultural Organization (ISESCO).
- Intensifying and developing cooperation with National Institutions for Human Rights in the Arab world and the Arab Network of National Human Rights Institutions (ANNHRI), as well as with the Arab Organization for Ombudsman (Integrity Monitoring System), which includes complaint receiving institutions in the Arab world.
- Cooperating with experienced and competent regional non-governmental organizations operating in the field of human rights to benefit from their expertise in the field of human rights promotion and protection.

## **3. Cooperation at the International Level**

- Cooperating with the relevant United Nations organizations, particularly the United Nations Development Programme (UNDP), Office of the UN High Commissioner for Human Rights (OHCHR), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Emergency Fund (UNICEF), and Office of the UN High Commissioner for Refugees (UNHCR), engaging in their activities and events and taking advantage of the programs of technical cooperation and exchange of experiences.

- Engaging in the activities of UN bodies concerned with human rights, particularly the UN Human Rights Council and its special procedures, and the Contractual and Contractual Mechanisms for human rights, cooperating with the International Coordinating Committee concerned with National Human Rights Institutions (ICC), Asia Pacific Forum (APF), and other bodies concerned with human rights.
- Cooperating with International Governmental and Non-governmental Organisations concerned with human rights, and benefiting from their expertise in this regard.