

**ROYAL ORDER NO. (46) OF 2009
ON THE ESTABLISHMENT OF
THE NATIONAL INSTITUTION FOR HUMAN RIGHTS**

We, Hamad bin Isa Al Khalifa, King of the Kingdom of Bahrain,

After reviewing the Constitution,

And Legislative Decree No. (16) of 1991 on accession by the State of Bahrain to the United Nations Convention on the Rights of the Child adopted by the General Assembly on November 1989,

And Legislative Decree No. (4) of 1998 on accession to the United Nations Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment adopted by the United Nations General Assembly on 10th December, 1984,

And Legislative Decree No. (5) of 2002 on approving the accession to the Convention on the Elimination of all forms of Discrimination Against Women,

And Law No. (19) of 2004 on approving the accession of the Kingdom of Bahrain to the Optional Protocols to the United Nations Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

And Law No. (7) of 2006 on ratifying the Arab Charter on Human Rights,

And Law No. (56) of 2006 on approving the Accession of the Kingdom of Bahrain to the United Nations International Covenant on Civil and Political Rights,

And Law No. (10) of 2007 on approving the Accession of the Kingdom of Bahrain to the International Covenant for the Economic, Social and Cultural Rights,

And Law No. (1) of 2008 on Combating Trafficking in Persons,

And taking into account the Paris Principles on National Institutions to protect and promote human rights, adopted by the General Assembly of the United Nations resolution 48/134,

Herby Order the following:

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Article 1

An independent Institution is established named "The National Institution for Human Rights" responsible for promoting and protecting human rights, and consolidating its values and contributing to securing its practice.

The Institution will be located in the city of Manama, and shall carry out its duties freely, neutrality and independently.

Article 2

- a) The Institution shall consist of a Chairman, two deputy Chairmen and twenty members from dignitaries reputed for their competence and integrity to be selected from consultancy firms, academic organisations, civil society organisations, unions, social, economic and professional institutions and dignitaries concerned with human rights issues, provided that women representation shall be observed appropriately.
- b) The Chairman, his deputies and members of the Institution shall be appointed by a Royal Order for a similar renewable period of four years. The Chairman, his deputies and members of the Institution shall act in their personal capacity.
- c) If the position of any member becomes vacant for any reason, a replacement shall be appointed from the dignitaries provided for in Clause (a) of this Article and with the same instrument and method provided for in the preceding Clause and such successor shall complete the term of his predecessor.
- d) An institution member shall not be relieved from his office for any reason before the expiry of the membership term except by a Royal Order upon recommendation from the Institution to be adopted by a majority of the Institution members. Such recommendation shall be adopted in the event where a member violates the duties of his post, incapable of performing them or for any other reason preventing him from carrying out such duties or affects his personality or position.
- e) A Royal Order shall determine the remuneration of the Institution's Chairman, his deputies and members.

Article 3

For the purpose of achieving its objectives, the Institution shall be empowered to do the following:

- a) To draw up an integrated national strategies to enhance and protect human rights in the Kingdom and propose the mechanisms and methods to achieve them.

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- b) To study legislation and regulations enforced in the Kingdom which come under the human rights areas together with recommending amendments it deems fit in this respect particularly those consistent with such legislations and the Kingdom's international obligations in the human rights field. The Institution shall be empowered to issue new legislation related to human rights.
- c) To publish and promote the human rights culture in co-operation with the authorities concerned with education, information and awareness enhancement. It shall also define means available to protect human rights.
- d) To provide the necessary advice, proposals and recommendations on issues submitted thereto from the authorities and concerned organizations concerning issues related to protection and strengthening human rights.
- e) To study the conformity of legislation and organization of international treaties related to human rights, submit proposals and recommendations to the concerned authorities in any matter that enhances and protects human rights, support and develop to a better level including recommendations to join international conventions and treaties concerned with human rights.
- f) To receive complaints concerning human rights, study and refer whatever the Institution decides to the concerned authority, follow them efficiently or educate the concerned authority about the procedures to be followed and assist them in adopting them or aid in settling them with the concerned authorities.
- g) To co-operate with international organizations, regional, national and related institutions in other countries concerned with the reinforcement and protection of human rights which will contribute to accomplishing the Institution's objectives and develop its relations with these organizations and institutions.
- h) To co-operate and co-ordinate with the concerned authorities in the State to prepare reports which the country is obliged to periodically submit for the implementation of international conventions concerning human rights together with notifying about such reports in the proper media means.
- i) To hold seminars, organize seminars and take part in international and local events together with meetings of international and regional organizations concerned with human rights issues and also conduct researches and studies in this respect.
- j) To publish bulletins and publications related to the Institution's objectives and regulations.
- k) To issue and publish reports about the Kingdom of Bahrain's progress in human rights field and related national conditions.

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- 1) To contribute to supporting skills related to human rights field including technical preparation and training for the Institution's officers in the Kingdom's organizations related to public freedoms, political, cultural, social and economic rights, and law enforcement to promote their abilities.

Article 4

The King and any constitutional authorities of the State may refer whatever subjects to the Institution related to its specialization for studying and give its opinion thereon.

Article 5

The Institution may request any information, details or documents from the Kingdom's concerned organizations and Ministries that are required to accomplish its objectives or expertise of its powers.

The aforesaid organizations and Ministries shall assist the Institution in carrying out its duties, facilitate the expertise of its powers and provide it with whatever is requested in this respect.

Article 6

The Institution shall meet at least once every month or whenever a need arises upon an invitation from its Chairman.

The Institution meeting shall be considered valid if attended by the majority of its members, provided the Chairman or one of his deputies is present. The resolutions of the Institution shall be passed by the majority votes of members present and in case of a tie, the Chairman shall have a casting vote.

The Institution shall seek the views and experience of experts concerning any matter submitted for deliberation or discussion without having the right to vote.

Article 7

The Institution shall form permanent committees from its members to pursue its specializations as determined by the implementing regulation. A member of the Institution shall undertake the chairmanship of one of the Institution's permanent committees and such committee may seek the assistance of experts upon discussing any of the topics entrusted thereto without having a right to vote.

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The Institution's Chairman may invite any of the permanent committees to convene to discuss an issue he deems important. He shall also chair the meetings of committees he attends and shall form sub-committee or entrust one of the Institution members to research or investigate a certain subject.

Article 8

The Institution's administration staff shall consist of a General Secretariat which will act as the Institution's executive body and also from a sufficient number of experts and researchers. Employees of the general secretariat, experts and researchers shall be appointed by a resolution of the Institution's Chairman upon a recommendation of the secretary general in accordance with the provisions of the implementing regulations.

Article 9

The Institution's Secretary General shall be appointed for a four year renewable term for similar periods by a Royal Order.

Article 10

The Institution's Secretary General shall undertake the administration of the Institution, supervise its business and shall be directly responsible towards the Institution chairman upon carrying out the duties of his job, and shall particularly undertake the following:

- a) To generally supervise the general secretariat, personnel affairs, administrative and financial affairs in accordance with the provisions of this Order, the implementing regulations and resolution issued for its implementation.
- b) To Implement the Institution's resolutions and prepare periodical reports every three months to include the Institution's activities flow of work and whatever business accomplished in accordance with the drawn up plans and programs.
- c) To attend meetings of the permanent committees, follow up their work and provide the necessary to exercise its powers without having the right to vote.

The Secretary General may delegate, in writing, any officer of the general secretariat to deal with certain duties and powers.

Article 11

The Institution shall have implementing regulation to be published by a resolution of the Institution's Chairman to be issued upon a majority approval

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of its members which will particularly include the Institution's organizational chart, regulating the personnel affairs in terms of the procedures and regulations of their appointment, promotion, transfer, determine their wages, allowances, disciplinary procedures, regulations, terminating their service and other issues related to their jobs. The regulations shall include the Institution's financial and accounting systems.

The Civil Service Code and its Implementing Regulations shall be applicable to all the Institution's employees until the aforesaid Implementing Regulations are published.

Article 12

The Institution and its employees shall maintain the confidentiality of information, details and documents it receives.

Article 13

The Institution shall have sufficient financial resources to enable it to carry out its business and duties assigned thereto in the best possible manner, which resources shall include the following:

1. Financial allocations all set aside for Institution in the State Budget.
2. Voluntary donations and aid which the Institution decides to accept in accordance with the rules and regulations enforced in the Kingdom.

Article 14

The Institution shall prepare an annual report about its efforts, activities and all its business and shall include whatever proposals and recommendations in the scope of its powers identify the performance constraints and whatever solutions adopted to overcome them. Such report shall be forwarded to the King.

Article 15

This Order shall come into force from the date of issue and be published in the Official Gazette.

Signed:

**Hamad bin Isa AL Khalifa,
King of the Kingdom of Bahrain.**

Issued at Riffa Palace
On: 22nd Thul-Qeida, 1430 Hijra,
Corresponding to: 10th November 2009