

# Bahrain's National Dialogue

## Executive Summary of outcomes

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### II. Introduction

Bahrain's National Dialogue was launched on 2nd July 2011 to address the concerns of Bahraini citizens in the wake recent events. Setting aside differences, the National Dialogue's aim was to build consensus on the most salient political, economic, social and human rights issues, without preconditions, and based on proposals by participants. Its success was dependent on the active participation of close to 300 delegates from across Bahraini society, and on their willingness to bridge divides, enhance the reform process and define a shared vision for Bahrain's future.

In this context, the recommendations put forward by the National Dialogue for His Majesty the King's consideration range from calls for existing laws to be better applied to decisions to strengthen the role of the Parliament and consolidate Bahrain's human rights record, and should be viewed in the light of recent events. There were repeated calls for existing legislation to be reinforced and properly implemented.

The National Dialogue set out to explore different points of view on the issues tabled by participants, discuss their opinions and proposals and reach common ground in finding a suitable solution for Bahrain's further reform process.

The National Dialogue based its consensus-building mechanisms on internationally agreed criteria. Whilst a full consensus is the most desirable outcome, it may not always be possible to reach, so the National Dialogue has foreseen different "levels" of agreement to enable all views to be recorded in the recommendations and outcomes. Equally importantly, issues where no consensus could be reached are also recorded in the outcome.

### III. Main outcomes under the four main policy areas: Political, Economic, Social and Rights

#### A. Political

##### 1. Powers of the executive and Legislative

The National Dialogue reached groundbreaking consensus to increase the powers of the Parliament, in particular by granting it enhanced democratic scrutiny over the government. This decision represents a radical shift in the balance of power between the democratically elected parliament and the executive branch, and between the elected parliament and the appointed Shura Council.

Under the new proposals the Prime Minister will assume responsibility for selecting the members of his government. The King will continue to appoint the head of government. The new government will need to secure the approval of the elected Parliament. If MPs disapprove they can vote to reject the entire government.

Parliament will also have the power to reject the government's four-year work plan. These reforms guarantee that the government's composition and work plan will reflect the will of the people. The Chairman of the Parliament will assume responsibility for presiding over the National Assembly, taking over from the Chair of the Shura Council and adding more weight to the elected chamber's voice.

The elected Parliament will also be granted greater legislative and monitoring powers.

In particular, the presence of ministers will be required when MPs debate issues related to their respective ministries. MPs will be able to question ministers during the parliamentary sessions rather than in specific committees. The Parliament will be entitled to initiate discussions on any theme in addition to the agenda. Overall, these decisions reinforce the parliament's powers of scrutiny over the activities of the government, strengthening the accountability of ministers to the elected representatives of the people.

Among other reform proposals, delegates agreed to introduce measures to create more efficient law-making procedures, which will help address the delays in ratification and gaps in implementation.

Delegates did not reach consensus on a number of further suggestions, such as limiting the term for ministers and head of government or a fixed quota for women in parliament. They did not agree on whether the Shura Council should be granted the same powers as the Parliament, and whether the responsibility for law making and oversight should be restricted to the elected chamber.

The Dialogue discussed placing the National Audit Court under the aegis of the Parliament and granting Parliament the right to amend the government's general budget without its approval. However, concerns over the independence of the National Audit Court meant that delegates did not agree on these questions.

## *2. Electoral system*

The National Dialogue achieved consensus on the need for fairer electoral constituencies, but did not agree on which form this should take. Delegates' positions on the three proposals have been included in the list of recommendations.

The debate centred on equal representation of the population. Critics of the current system argued that the geographical distribution of constituencies did not reflect the demographics of Bahrain. They maintained that the proposals for a system with one or five constituencies would reduce existing inconsistencies and provide greater opportunity for women and minority groups to be represented. Others defended the current arrangement, noting that smaller constituencies allow MPs better familiarity with their community. They feared that reducing the number of constituencies would create sectarian quotas in parliament, leading to political crisis.

## *3. Combating sectarianism*

Sectarianism has been on the rise in the wake of recent events, dividing opinions on the role of religion in political life. In calling for the comprehensive implementation of legislation ensuring non-sectarianism in all civil and political organisations, the National Dialogue has taken important steps

to address this sensitive issue. It has also agreed to take measures that will make undermining religions and sects illegal.

#### *4. Political societies*

In an effort to bolster transparency among political societies, the National Dialogue has agreed to establish a set of rules related to their funding, covering financial disclosure as well as the structure and oversight of funding. The age limit for participation in political societies will be aligned with the legal voting age. No agreement was reached on transforming political societies into political parties.

### *B. Economic*

#### *1. Boosting competitiveness*

Several proposals were put forward to help increase Bahrain's economic competitiveness in regional and international markets. Consensus was reached to accelerate the implementation of the Bahrain Economic Vision 2030. Delegates highlighted the need to diversify the country's sources of income, reducing dependence on oil and boosting sectors such as tourism, industry, and real estate among others. All delegates agreed to strengthen commercial arbitration through specialised courts and judges involved in the resolution of commercial, banking and financial disputes. A decision was taken to upgrade existing legislation governing privatisation rules in support of Bahrain's economic interests. Delegates also asked to fast track the publication of consumer protection laws.

#### *2. Improving government services: health, education, housing, CSR, environment*

One of the key responsibilities of a government towards its citizens is to ensure high quality public services, from health and education to housing and the environment. In this regard, the National Dialogue showed broad support for an independent authority that will assess the quality of government services based on citizens' interests. Financial aid from the GCC should be used to support economic and social development.

Delegates acknowledged the need to improve national health standards through a comprehensive strategy and in closer coordination with the private sector, while ensuring equal access to quality services across the country. They also called for compulsory health insurance for foreign residents. They agreed to consider the establishment of a national company to provide suitable housing for those with limited income. They also backed a proposal for measures to protect the environment and increase the number of 'Green zones' in Bahrain.

#### *3. Fighting corruption, improving transparency*

The National Dialogue has taken action to fight corruption and increase transparency in public life. Participants called on the National Audit Court to take legal action against those who misuse public funds. Delegates have agreed to establish an independent authority to oversee and implement comprehensive management policies and financial transparency (governance) in ministries and institutions, in line with international standards. Companies with a government share of 30% and more should be committed to the same management policy and transparency procedures. Board members of government related organisations and companies should be limited to 2 terms and 1 board membership at any one time. Participants called for all recommendations published by the

parliament's investigation committee relating to state property and reclaimed land (landfill) to be fully implemented.

#### *4. Redistribution of wealth: taxation, subsidies, welfare*

The National Dialogue agreed that social justice should be improved, without discrimination, through a revision of taxes, subsidies and welfare benefits to ensure a more efficient redistribution of wealth. The Dialogue agreed on ways to improve government revenues, for instance by establishing mechanisms to manage the expenditure of government institutions and restructuring national companies and organisations to improve productivity and competitiveness. Delegates backed a comprehensive study that will explore ways of increasing indirect taxes and introducing a corporate income tax in line with GCC rules. Some participants saw these taxes as a necessary and beneficial step to improve the national economy while others feared that it would deter investors.

Delegates underlined the importance of improving social justice in Bahrain. They agreed that this could be done by increasing subsidies for the less privileged while reducing overall benefits, without affecting basic wages and needs. In this context, they called for an in-depth study to identify low-income target groups and improve the redistribution of government support.

### *C. Social*

#### *1. Youth*

Young people represent the future of a country, and investment in youth is investment in the future. In order to foster the better integration of young Bahraini citizens in the Kingdom's economic, social and political life, the National Dialogue has agreed on the need to reinforce Bahrain's current youth strategy and ensure its comprehensive implementation.

By mainstreaming youth issues throughout the policy process, delegates acknowledged the importance of this precious human capital. In practice, 10 concrete proposals were adopted, including: increasing funding for youth projects; establishing of youth centres across the country; setting up training and development programmes; and redoubling efforts to increase the participation of young people in the decision-making process.

#### *2. Civil society organisations*

Recognising the importance of civil society organisations in the life of the country, the National Dialogue agreed on the adoption of a National Strategy for NGOs. Under this new initiative, NGOs be able to establish their headquarters with assistance from the Ministry for human rights and social development and will be entitled to greater financial support. The distribution of public funds for NGOs will be regulated. Corporate social responsibility mechanisms will be consolidated to improve coordination and cooperation between the private sector and civil society. Delegates noted that civil society organisations should not combine political and human rights activities.

#### *3. Civil security and peace*

In the aftermath of recent unrest and heightened sectarian tension, the National Dialogue focused on ways to improve civil peace and security. Delegates reached consensus on ensuring that no legislation is discriminatory and called for the criminalisation of discriminatory practices. They

agreed to develop a national programme to promote a culture of “citizenship and civility” in the country’s education and media strategies in partnership with civil society.

Participants called for better implementation of legislation on security and peace in the wake of the February and March events. Participants agreed to strengthen the role of governorates (administrative districts) in promoting social cohesion, and increase the role of security forces in humanitarian efforts. Participants recognised the importance of resolving the issues surrounding redundancies during the recent unrest. They recommended looking at international best practices in finding solutions to overcome sectarian divides and support the healing process after the recent crisis.

#### *D. Rights*

##### *1. Independence of the judiciary*

The National Dialogue discussed ways of strengthening the independence of the judiciary. They also approved the suggestion that the Supreme Judiciary Council should be formed by appointment rather than election to avoid politicising the system. Participants agreed that judges should be suitably trained on human rights issues, and in particular on international treaties and conventions that Bahrain has acceded to. In the same spirit, they decided to increase the number of specialised judges.

##### *2. National and international human rights commitments*

The National Dialogue has taken several steps to reaffirm Bahrain’s commitment to human rights. Delegates confirmed the country’s human rights obligations outlined in the National Charter and the Constitution. In the wake of recent events, they agreed to establish a national body for reconciliation and fairness and called for a national programme to promote human rights awareness among official and civil society organisations, and in particular among law enforcement personnel.

Bahrain is a party to 7 of the 9 international covenants under the umbrella of the UN. Delegates urged Bahrain to sign and ratify further international human rights treaties and protocols, while respecting its religious and cultural traditions. At the same time, they stressed that international human rights commitments should be fully transposed into national legislation. Participants called on the government to regularly review its reservations towards certain international human rights agreements, and asked that the oversight for human rights organisations be transferred from the Ministry of Social Development and Human Rights to the Parliament.

##### *3. Women, children and persons with special needs*

The National Dialogue recognised the importance of protecting the rights of women, children and persons with special needs. A decision to bolster women’s rights will ensure their greater protection from violence, equal rights in the workplace and greater political and economic empowerment, including reviewing women’s salary levels in the private sector. In particular, Bahrain will ensure the comprehensive implementation of the UN Convention on the elimination of all forms of discrimination against women while respecting the country’s religious tradition. On children’s rights, delegates called for all relevant legislation to be fully implemented, and to restrict the participation of children in rallies and demonstrations. People with special needs will be granted better access to

education and specialised bodies through the adoption of a National Strategy on the rights of people with special needs in September 2011. Delegates called for improved coordination between the government and civil society organisations protecting the rights of people with special needs.

#### *4. Freedom of expression and assembly*

The National Dialogue took steps to review legislation on media and liberalise the legal environment for journalists. In particular, they called for the development of a code of ethics for journalists and for measures to ensure their access to information from official authorities. Delegates agreed that the dismissal of journalists on the grounds of their opinions should be made illegal, as should shutting down a newspaper without a court order. They urged the parliament to fast track the ratification of legislation governing print media and identified a need for new laws to cover broadcast and online media. The National Dialogue decided to establish a supreme council for journalism bringing together journalists, media professionals and civil society organisations.

The National Dialogue acknowledged the need to regulate religious gatherings and processions as well as identify locations and timing for rallies. Delegates called for a revision of the law on assembly in line with international standards.

#### *5. Naturalised citizens*

Consensus was reached on the proposal that the children of Bahraini women married to foreign nationals would be granted Bahraini citizenship according to a clear set of rules. Delegates agreed to develop rules to prohibit discrimination against naturalised citizens. Naturalised citizens will be entitled to stand for elections 5 years after having obtained their Bahraini passport on the condition that they are not dual nationals.

#### *E. Foreign Residents*

The National Dialogue's final session was dedicated to foreign residents. Over sixty foreign residents representing expatriate communities, business associations, religious groups, and cultural organisations offered their views on reform in Bahrain. Recommendations from this session will be submitted to the King for his consideration along with the Dialogue outcomes.

Participants proposed a number of initiatives to improve foreign workers' rights, including establishing a minimum wage. They requested a review of citizenship rules to enable the children of long-term residents born in Bahrain to be given citizenship. Delegates underlined the importance of non-discrimination between Bahraini-born and naturalised citizens. Representatives welcomed the fact that they can exercise their freedom of worship but noted that this should go hand-in-hand with the freedom to build and register a place of worship. Members of the Indian, Pakistan and Philippine community sought greater assurances of their personal safety and security in the wake of recent events, calling for compensation for those affected by the unrest. Participants called for the establishment of a government one-stop-shop to deal specifically with the expatriate community and its concerns, in particular with regard to administrative issues. They called for all official communications to be available in the English language. Delegates put forward a number of detailed suggestions to improve the economic competitiveness of Bahrain and help attract more foreign direct investment.

*IV. Next steps: follow-up on the National Dialogue's recommendations*

Recommendations from the National Dialogue will be handed over to the King who will in turn refer the proposals to the respective authorities for implementation. Some measures can be expected to be implemented by royal decree, while others will be handed over to parliament and ministries for further development and implementation. Each institution will report on its implementation progress.

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