



*Gulf Centre for Strategic Studies Ltd*

***Human rights in Bahrain  
After more than two decades of the rule  
of King Hamad***

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## *A Dedication*

*I have the honor, in cooperation  
with all the employees of Gulf Centre  
for Strategic Studies, members  
of the Council of Arab Thought  
and its Board of Trustees,  
to dedicate this book  
to the people of Bahrain  
and their wise leadership.*

*Dr. Omar Al-Hassan*

*London, 2021*



# ***CONTENTS***

<b><i>Introduction</i></b> -----	1
<b>Chapter One: Human Rights in the Reform Project of King Hamad</b> -----	9
<b><i>Section One: The View and Position</i></b> -----	9
<b><i>Section Two: The constitutional and legal framework: Stages of development.</i></b> -----	24
<b><i>Section Three: Institutional Framework: Tasks and Role</i></b> -----	50
<b>Chapter Two: Civil &amp; Political Rights in Bahrain: A new reality</b> -----	59
<b><i>Section One: Political freedoms</i></b> -----	60
<b><i>Section Two: Freedom of Opinion and Expression</i></b> -----	75
<b><i>Section Three: Religious Freedoms</i></b> -----	80
<b><i>Section Four: The Right to a Fair Trial</i></b> -----	83
<b><i>Section Five: The Right to Communicate with the Authorities (National Dialogue)</i></b> --	85
<b>Chapter Three: Economic, Social and Cultural Rights: A New Reality</b> -	93
<b><i>Section one: The right to an adequate standard of living</i></b> -----	93
<b><i>Section Two: The Right to Work</i></b> -----	108
<b><i>Section Three: Combating Human Trafficking</i></b> -----	118
<b><i>Section Four: The Right to Health</i></b> -----	122
<b><i>Section Five: Right to Education</i></b> -----	129
<b><i>Section six: The right to social security</i></b> -----	140
<b><i>Section Seven: Cultural Rights</i></b> -----	145
<b>Chapter Four: The rights of society's various groups in need of care</b> ---	155
<b><i>Section One: Promoting women's status in the human rights arena</i></b> -----	155
<b><i>Section Two: The Rights of Children</i></b> -----	183

<b>Section Three: Rights of Persons with Disabilities</b> -----	187
<b>Section Four: Rights of the Elderly</b> -----	193
<b>Chapter Five: Coronavirus Crisis Management: Bahrain as a role model in protecting human rights</b> -----	199
<b>Section One: Global Shock Stage: Proactive Measures and Royal Directives</b> -----	200
<b>Section Two: Infections in Bahrain: Royal Directives to maintain health, safety, and decent livelihoods</b> -----	203
<b>Section Three: Efforts to reduce COVID-19 infections by Governmental and Civil Organizations</b> -----	205
<b>Section Four: Royal Directives to Mitigate the Economic Consequences of Precautionary Measures</b> -----	211
<b>Section Five: Procedures to Fight Covid-19 and the global assessment to Bahrain</b> --	213
<b>Chapter Six: Bahrain and the Regional and International System of Human Rights</b> -----	219
<b>Section One: Bahraini Interactions with Human Rights within Regional and International Contexts</b> -----	219
<b>Section Two: Bahrain's Role in Consolidating Human Right in the Gulf and Arab Region</b> -----	233
<b>Section Three: Human Rights in Bahrain and International Criteria</b> -----	236
<b>Conclusion: The outcomes of legal reforms: Regional and international accolades</b> -----	247
<b>Appendices</b> -----	257

## ***Appendix***

***The chapters of the book have been strengthened with some appendixes that document the events, namely:***

***Appendix No. (1):*** Emiri Order No. (36) for the year 2000 to form the Supreme National Committee to prepare a draft of National Action Charter.

***Appendix No. (2):*** Memorandum of Understanding between the Ministry of the Interior and the International Committee of the Red Cross, 2011.

***Appendix No. (3):*** Royal Order No. (28) of 2011 establishing the Bahrain Independent Commission for Investigation (BICI) into the events that occurred in the Kingdom of Bahrain during February and March 2011

***Appendix No. (4):*** Bahraini constitutional amendments of 2012

***Appendix No. (5):*** Decision No. (50) of 2012 establishing the Higher Coordinating Committee for Human Rights

***Appendix No. (6):*** Decision No. (51) of 2012 renaming the Ministry of Human Rights and Social Development

***Appendix No. (7):*** Decree No. (66) of 2012 organizing the Ministry of Human Rights Affairs

***Appendix No. (8):*** Decree No. (61) of 2013 on the Formation and Functions of the Commission for the Rights of Prisoners and Detainees

***Appendix No. (9):*** Law No. (26) of 2014 establishing the National Institution for Human Rights

***Appendix No. (10):*** Royal Order No. (15) of 2018 establishing the King Hamad International Centre for Peaceful Coexistence

***Appendix No. (11):*** Resolution No. (20) of 2020 amending some provisions of Resolution No. (31) of 2017 regarding the restructuring of the Higher Coordinating Committee for Human Rights

***Appendix No. (12):*** The most prominent international and regional human rights conventions and treaties to which the Kingdom has acceded.





## *Introduction*

Respect for human rights is an inherent value shared by the Bahraini people, being derived from their Arab and Islamic civilizational roots. Since Bahrain began to play a productive role in the international community after independence in 1971, it has joined many international human rights agreements and ratified them.

In March 1999, Hamad bin Isa Al Khalifa, succeeded his father, the late Emir Isa Bin Salman Al Khalifa, as ruler of Bahrain, and since his assumption of power has confirmed his commitment to empower the people of Bahrain to enjoy all their rights, something reflected in his first speech to his people, on the 13<sup>th</sup> March 1999. In subsequent statements, speeches and interviews, the King has pledged to empower the people of Bahrain to utilize their rights, thereby basing his rule on the principles of transparency, openness, and justice, to implement his vision to build and develop a modern state.

King Hamad has sought to implement this vision through measures aimed at transforming the country into a constitutional monarchy. The National Action Charter (NAC) was issued on the 22<sup>nd</sup> November 2000 to serve as a pillar for a new social contract, with the Bahraini people voting in favor of this in a referendum held on the 14<sup>th</sup> February 2001 by an overwhelming majority of 98.4%. Based on this contract, Bahrain's ruler abolished the State Security Law on the 18<sup>th</sup> February 2001, allowed politicians living abroad to return to Bahrain, and released all political prisoners. The new King also agreed to establish political associations to serve as political parties for the first time in the Gulf region and allowed for the formation of civil society organizations.

On the 15<sup>th</sup> February 2002, King Hamad issued an amended constitution, formally transforming the country into a constitutional monarchy based on the established principle of the separation of powers between branches of government authority and cooperation between them. Women were henceforth granted the right to vote and to run for office in elections, and a constitutional court was established. A bicameral parliamentary system – comprising of one wholly and directly elected chamber (the Council of Representatives), and another chamber appointed by the King (the Shura Council) – was introduced. A balance between the two chambers of parliament, in terms of expertise and specialization, was one of the goals of this bicameral system. Personal freedoms, equality among citizens, and civil liberties were also boosted.

The constitutional developments aimed at promoting a wide range of freedoms, rights, and democracy in Bahrain during the era of her new ruler were adopted and championed despite the state's relatively young age, the existence of serious local, regional, and international challenges, and the small geographical size and population of Bahrain, as well as its limited natural resources. Bahrain has been engaged in

constitutional developments despite the presence of regional and international events inflicting negative impacts on the region; including the repercussions of the Iranian revolution, the Iran-Iraq war, Iraq's invasion of Kuwait, the war to liberate Kuwait, and the US invasion and occupation of Iraq. Within the backdrop of constitutional change in Bahrain, there has also been the 9/11 terror attacks and their global repercussions. Thus, constitutional progress occurred in Bahrain while there was instability in the international environment, fluctuations in the prices of oil, Bahrain's main economic source of income, and uncertainty in the whole regional economy of the Gulf caused by fluctuations in export revenues and resources for the state's budget.

The will and strategic planning for a proper process of transition in Bahrain, and good governance by the country's government, chaired by His Royal Highness the Prime Minister Prince Khalifa bin Salman, led to the country experiencing incredible political and social change in a short period of time. The King, as a result of this change, has sought to encourage all Bahrainis to participate in the development and modernization of their country, given that democracy comprises not just the establishment of institutions and the holding of elections, but also an embodiment of respect for individual freedoms and fundamental rights, such as the right to security, freedom of movement, confidentiality of correspondence, free expression, the right to association, and religious freedom. These are the crucial elements of democracy sought for Bahrain by King Hamad.

Confirmation of King Hamad's high appreciation for the importance of values of human rights was demonstrated with the establishment, in 1999, of the first human rights committee in the Shura Council – chosen because of the council's legislative and oversight role. The committee was granted powers similar to other committees and organizations for human rights. In addition, several governmental and non-governmental human rights committees and associations were set up, and important measures were taken to empower women politically, economically, and socially, such as allowing for the activation and establishment of dedicated women's associations: Emir Decree No.44 of 2001 was issued in August 2001, establishing the Supreme Council for Women (SCW). Thus, measures were taken to ensure that people in Bahrain enjoy all their rights, as well as to ensure regional and international cooperation in the field of human rights, whether by joining human rights organizations, or ratifying Arab and international human rights conventions and treaties, and enacting a number of laws and regulations. These were followed up by government plans and programmes to implement them, the most recent of which is the government action plan (2019-2022), focusing on achieving comprehensive development in the field of human rights.

Over two decades, King Hamad has taken more steps and measures aimed at strengthening Bahrain's approach to the protection of human rights. This book therefore serves to monitor and evaluate the evolution of developments in human rights in Bahrain in light of King Hamad's vision for the country, and to document the King's historic achievements since assuming power in 1999. To do this, the book is divided into six chapters, with tables of information and appendices.

**The first chapter of the book addresses human rights in King Hamad's reform project.** This chapter is divided into three sections: **The first reviews the**

**visions and perspectives of the King on human rights in the Kingdom**, based on the fact that benefiting the Bahraini is the ultimate goal of the reform project, and that respecting their rights is the highest value of democracy which he worked to consolidate. This has been demonstrated through his many speeches, statements, and interviews on the topic, in which the issues of citizenship and upholding the values of justice, equality and freedom of belief represented the largest share with 65 mentions. The issue of supporting democracy was addressed 62 times, economic and social rights were accounted for 46 times, and freedom of expression was discussed on 35 occasions. This confirmed that the King's vision included all rights, and that no right precedes another in importance.

**The second section of chapter 1 deals with the constitutional and legal framework of the development of human rights**, starting with the King's formation of the National Committee to prepare the National Action Charter on the 22<sup>nd</sup> November 2000. This established new rules for the legitimacy of government, laying the foundations for national reconciliation, and the Bahraini citizen's exercising of all their rights without discrimination. This charter was the base of the amended Bahraini constitution of 2002.

**The third section discusses the institutional framework in terms of the roles of official human rights bodies, institutions, and committees at the level of the legislative authority, such as the Human Rights Committee in the Shura Council, and the Permanent Parliamentary Committee for Human Rights.** At the level of the executive authority, they included the Ministry of Human Rights Affairs before the transfer of its competencies to the Ministry of Foreign Affairs in 2014. Other institutions that deal with human rights include the Ministries of Interior, Foreign Affairs, Labor, Public Prosecution, the Higher Coordination Committee for Human Rights, the Grievances and Complaints Department at the Royal Court and the Royal Charitable Foundation for Orphans and widows. The 14 independent institutions in Bahrain are led by the National Institution for Human Rights.

**The second chapter, entitled *Political and Civil Rights in Bahrain***, consists of five sections. **The first of these deals with political freedoms.** These rights formed the focus of the comprehensive Bahraini renaissance under King Hamad. The King's reform project was keen on expanding the scope of popular participation in the public sphere, starting from the preparation of the National Action Charter and the referendum on it. Parliamentary and municipal elections were thereafter held in 2002, 2006 and 2010, 2011, 2014 and 2018. The country's parliament assumed its legislative and oversight role, strengthening the role of civil society, with there currently being 631 parliamentary members compared to 220 in 2002. Additionally, there are now 11 separate political societies.

**The second section concerns freedom of opinion and expression**, in terms of expanding the holding of seminars, conferences and discussion sessions. The Kingdom witnessed various popular and mass activities during the years (numbering 5620 between 2001 to the end of 2020), as well as strengthening freedom of the press (14 newspapers and magazines now being active), the establishment of trade unions (79 of which now exist), as well as an increased interest in audiovisual media. It should be noted that the Kingdom ranked fourth in the world in the percentage of citizens who use the internet, according to the Global Competitiveness Report of

2019. The Kingdom has become open to the use of social media, with the number of Bahraini using this form of communication now numbering over two million.

**The third section of chapter 2 deals with religious freedoms**, which is another pillar of the reform project, and has been reflected by the King's establishment of the National Committee for Tolerance and Coexistence between Religions in 2009. These freedoms have also been demonstrated by his keenness to represent the followers of religions and sects in state institutions, with periodic meeting with clerics and representatives of religions and beliefs in the Kingdom taking place, in addition to the establishment of the King Hamad Global Centre for Peaceful Coexistence in 2018.

**The fourth section concerns the right of individuals to obtain a fair trial**, The Bahraini Constitution provides for the right of Bahraini citizens to free and fair trials as well as appearances before ordinary judges, under the various levels of litigation. The constitution states that people shall not be detained without permission from the public prosecutor, and will have the right to contact a lawyer and their family.

**The fifth and final section of chapter 2 addresses the right of Bahrainis to communicate with the country's authorities**. National dialogue has always been the King's approach to dealing with various political trends, something demonstrated during the crises of February and July 2011, and his calls to resume dialogue in both January 2013 and January 2014.

**Chapter Three, entitled *Economic, Social and Cultural Rights* is comprised of seven sections. The first of these concerns the right to an adequate standard of living**. The King's visions, policies, and orientations showed his keenness for citizens to enjoy an adequate standard of living, including in terms of infrastructure given its availability and quality have become among the main indicators of the quality of life that Bahrain Vision 2030 seeks to achieve. He has taken great interest in providing adequate housing for Bahrain's citizens, taking into account the standards affirmed by global instruments. His Majesty considers it the first fundamental of societal stability, and has adopted work programmes for the years 2015-2018 and 2019-2022, providing 40,000 housing units and directing the provision of government housing facilities. In total, the number of beneficiaries of housing loans during the period 1960-2018 amounted to 45,500 thousand citizens, with around 129,000 services being provided to people in need during the same period. During the period from 2011 to 2019, the government provided 3,977 housing purchase financings, 2,751 building financings, and 3,732 restoration financings. King Hamad also directed that housing be the largest share in the Gulf development programme, with appropriate allocations in the general budget.

In addition to his interest in providing adequate public facilities, fast and comfortable transportation, the availability of electricity, clean drinking water, a clean environment for citizens, and an income level that guarantees a decent living, he has also focused on diversifying sources of income and upgrading the non-oil sector, to reach 86% of its participation in the national GDP by 2019. The King supports the state's efforts to fulfill these rights, providing the necessary legislation and financial allocations. It should be noted that the gross domestic product of Bahrain has increased by more than two and a half times between the years of 2000 and 2019,

reaching a figure of 12,905 million dinars in 2019, compared to 5,736 million dinars in 2000. During this period, the average rate of GDP growth was 4.5%.

**Second section of the third chapter concerns the right to work.** This has been achieved by providing decent work opportunities and by ensuring an income level that guarantees him a decent living, with the average per capita income is currently equivalent \$25,000 annually. Moreover, this has also been accomplished by upgrading the labour market, adhering to the standards of the International Labour Organization (ILO), by ensuring awareness of occupational safety and insurance against unemployment (with Bahrain having a 4% unemployment rate), as well as providing equality between men and women in employment opportunities and wages, strengthening training and job empowerment efforts to reduce the number of unemployed, and ensuring retirement rights and the right to organize syndicates.

**The third section addresses efforts to combat human trafficking,** an issue which the King has paid special attention to as it constitutes a flagrant violation of human rights and fundamental freedoms, and a form of contemporary slavery. Law 19 of 2006 regulated the relationship between employers and expatriate workers so as to guarantee the rights of expatriates and prevent their exposure to exploitation. The King ordered the establishment of a special division in the Ministry of Interior to combat trafficking in persons, and the Ministry of Labor and Social Development have also sponsored associations that deal with expatriates affairs, and provided shelters for victims of trafficking. In the US State Department's report on trafficking in persons, for three consecutive years 2018, 2019 and 2020, the Kingdom was awarded the first-class category (Tier 1) as one of the most successful countries in combating human trafficking.

**The fourth section of the chapter concerns is the right to healthcare.** This right in the King's visions and policies has a special place, as it is one of the most important basic human rights. It is not limited to individuals' mere available to it, but rather extends to the individual's physical, mental, and social safety within a healthy society. This vision was reflected in the promotion of this right within the integrated health system project, support for health services, attention to the pharmaceutical sector, and the qualification and training of workers. Annually, the government has continually increased allocations for health purposes in the budget, from a value of 76 million dinars in 2000 to a value of 299 million dinars in 2019. The scale of this development in health can also be shown by shedding light on the indicators that were mentioned in the human development reports issued in the years 2010, 2014 and 2018, such as the decrease in the number of deaths among children. The death rate among newborns fell to 14.6 per 100,000 births in 2017, compared to 22.8 in 2011. The average lifespan has also risen to 75.8 years. The number of government and private hospitals, health centres and government clinics has risen to 746 by 2019. These matters that put Bahrain in the ranks of the most advanced countries in this field, with health services in the country covering 100% of Bahrain's population and land area.

**Fifth section of the chapter deals with the right to education,** another main pillar of the reform project, given that it is an investment for the benefit of future generations. The King's primary initiative was the Future Schools Project, with allocations for education being increased in the government budget 87 million dinars

in the year 2000 to reach about 387 million dinars in 2019. Education has been developed on both the quantitative and qualitative levels. The number of government schools in the three educational stages now numbers 209, and the total number of students has reached 140,167. The number of public and private universities has reached 17, and the number of university students reached more than 42,000 by 2018. Furthermore, the Kingdom has increased sponsorships for talented pupils and children with special needs, with there being 1,623 of these in operation during the 2019-2020 academic year.

**The sixth section is devoted to the right to social security.** There are 38 centres specialized in security and social development, and the government programme of 2019-2022 includes the implementing 5 additional such projects, as well as supporting low-income people, people with special needs, orphans, and widows. The Kingdom has expanded its umbrella of social protection and the extent of its coverage. Under the king's directives, the social assistance that the government disbursed to needy families has witnessed a continuous increase, increasing from 23.779 million dinars in 2003 to 277.957 million dinars in 2019.

**The seventh topic to be covered is cultural rights.** The King has given special importance to human thought and the protection of intellectual rights from abuse and violation, including copyright rights. This is as an important axis towards providing the appropriate investment climate to attract foreign capital and maintain Bahrain's distinctive position as a commercial, financial and investment centre at the international level. The protection and maintenance of these rights emerged in the law, and the Kingdom has sponsored numerous creative events and activities. It also promotes the right to enjoy the benefits of intellectual creativity and information technology. As a result, it has ranked first among the Gulf states and 12th out of 68 in the world with regard to ease of connection to the internet, according to a German Inter Nations report of 2019. It is ranked first in the region, and 27th in the world, according to International Telecommunication Union (ITU) statistics.

**Chapter Four, entitled *The Rights of Those in Need of Care*,** is made up of four sections. **The first deals with the advancement of women.** The advancement of women by empowering them politically, economically, and socially has occupied a prominent position in the reform project due to the fact that their improved status in any society represents a basic criterion that clarifies the degree of its progress and the extent of its interaction with the circumstances of the modern era, which is what the King also believes. Therefore, women's participation in the committee preparing the National Action Charter of Bahrain, then the establishment of the Supreme Council for Women (SCW) enhanced the role of women through legislation and integrating their needs in national action plans. These worked to increase their participation in the legislative and executive branches, and to empower them in parliamentary and municipal elections. Moreover, it combated domestic violence and promulgating the unified family law. It also promoted their economic and social rights without discrimination, and established organized mechanisms to defend their rights with 21 women's societies.

Thanks to these efforts, a woman was able for the first time in the history of the Kingdom to become the speaker of the elected parliament, in addition to being the deputy to the speaker of the Shura Council. Women have acquired 42% of the

membership for the Shura Council committees and 10% of the presidency of the committees of representatives. They also account for 8% of Ministerial position, 32% of supervisory positions, 23% of leadership positions in the executive authority, and 9% of figures with judiciary authority. These gains made in all fields of education and work have enabled Manama to claim to be the capital for Arab women.

**The second section of the fourth chapter deals with the rights of children,** as the king realized since assuming power the importance of advancing the affairs of the child, taking care of their issues, protecting their rights, working to provide their necessary care at the health, educational, educational, and developmental levels, and supporting their families as the main institution supporting childhood. All these efforts were affirmed by the Bahraini constitution, and codified by the Kingdom's legislation, such as the Child Law, the establishment of the National Committee for Childhood, the Protection from Family Violence Law, the National Childhood Strategy of 2013-2017 (and its extension to 2023), and cooperation with private sector institutions and civil society. The high achievement rate in the field of childcare was a major factor in the rise in Bahrain's Human Development Index in 2019. It is now ranked 45th in the world out of 189 countries.

**The third sector** addresses the **rights of groups with special needs**, as the king considers the state's concern for the rights of people with special needs and its commitment to them as one of the basic criteria for measuring its level of civilization. Accordingly, he has sought to meet their needs by shifting from a policy of isolation towards inclusion, and from care and compassion to the enjoyment of rights. This approach has been strengthened both through an increase in financial allocations, (which reached a value of 5.5 million dinars in 2020, compared with 4.1 million dinars in 2007) as well as legislation and the efforts of various ministries to qualify them to work and greater take into account their needs.

**The fourth section concerns care for the elderly**, with this being at the forefront of the king's concerns, since this group represents a large segment in society, and it must have the most important areas of social care undertaken by the state. His Majesty's directives have provided excellent social, health, legal and rehabilitative care programmes through measures such as the executive plan for the National Strategy for the Elderly, which the Ministry of Labor and Social Development undertook to implement, and the establishment of many social centres. Private and civil society community centres for this the elderly in Bahrain now number 14. The Kingdom's pioneering model in caring for the elderly has been appreciated and recognized regionally, qualifying Manama to lead two committees for preparing the Gulf Strategy of the Gulf Cooperation Council and the Arab Strategy of the League of Arab States for the Care of the Elderly 2019-2022.

**Chapter Five is entitled *Human Rights in Managing the Coronavirus Crisis.*** The Bahraini leadership presented in its management of this crisis a model in caring for the health and safety of individuals and the nation's capabilities, starting with the formation of the The National Medical Taskforce for Combating the Coronavirus (the Higher Coordination Committee) which comprised the highest levels of decision-making in the Kingdom. It is headed by His Royal Highness Crown Prince Salman bin Hamad, and is authorized to take all necessary measures in a way that preserves human rights in Bahrain. This taskforce developed a plan for pre-emptive measures

before any cases of the virus appeared in the country, something achieved through the establishment and formation of a field work team to deal with the virus. The King also issued a directive to quickly evacuate Bahrainis from countries in which they were stranded, especially where the virus had already appeared, starting with China and then Iran.

In a move by which the Kingdom showed that its priority was for the health of individuals, whether a citizen or resident, the Kingdom removed its economic goals in terms of financial balance, economic growth and others in favour of the new priority of the safety and health of individuals after the spread of the disease, in accordance with the directives of the King and based on the proposal of the Chairman of the Higher Coordination Committee, Crown Prince His Royal Highness Prince Salman bin Hamad. Bahrain provided the necessary financial allocations to counter disease effects in what amounted to around a third of the Kingdom's economy. Bahrain adopted the procedures of social distancing in places of mass gatherings, as well as the policy of working from home and the complete or partial closure of many facilities. To mitigate economic damages, the King introduced a package of measures to support citizens financially, including the paying of salaries of Bahraini citizens in the private sector for the months April to December 2020, paying electricity and water bills for all for the same period, as well as doubling the size of the liquidity fund by 100 million dinars to 200 million dinars. Additional measures during the year of 2020 showed that the country's state institutions could cooperate to deal with a crisis in a manner that serves as a model for other governments to follow. According to the Director of the World Health Organization and a WHO report from the 8<sup>th</sup> November 2020, the Kingdom has become the lowest among the countries of the region and one of the lowest in the entire world in terms of infections and deaths.

**The sixth chapter, entitled *Bahrain and the regional and international human rights system***, is separated into three sub-sections: The **first** of these deals with the King's directives regarding the need for Bahrain to interact with the regional and international system concerning human rights, as it has established effective relations with it, and joined more than 30 international agreements and covenants, the most important of which are the two international covenants for human rights. Coordination agreements and meetings have been held to exchange experiences in the field of human rights with the aforementioned organizations. Bahrain has also held many positions within the organization, most notably the position of Vice-Chair of the Human Rights Council Advisory Committee in February 2015, membership of the Human Rights Council three times, a seat in the United Nations Committee on the Rights of the Child between 2013 and 2017, as well as chairing the Arab Human Rights Committee Charter Committee in 2017. The King has also put forward many initiatives in the field of promoting tolerance and coexistence, most notably the Declaration of the Kingdom of Bahrain in 2017, an international document which expresses the Kingdom's thoughts and philosophy on the concept of human coexistence.

The **second** section of the sixth chapter examines the Kingdom's role in promoting human rights at the Arab and Gulf levels, where pioneering initiatives have been put forward, most notably is his Majesty's initiative to establish the Arab Court for Human Rights. The third section, meanwhile, monitors the benefits from interaction with the regional and international human rights system for Bahrain,



something which has made the Kingdom a model for applying the principles of universal human rights by adhering to the principles of good governance, supporting the four basic elements of democracy, and promoting political, civil, economic, and social rights. These efforts resulted in the Kingdom occupying advanced positions in many international reports, such as its progress to the first category in trafficking in persons report issued by the US State Department, its ranking of 45th globally in the Human Development Report issued by the United Nations in 2019, as well as first in the Arab world in the list of the healthiest countries in the world according to the Bloomberg Index.

The final **conclusion** of the book also briefly follows the stages of human rights development in Bahrain, and monitors the appreciation on its developer, King Hamad, from regional and international recognitions.