

#اضمن حقاك



المؤسسة الوطنية لحقوق الإنسان
National Institution for Human Rights



Rules of Procedure on Regulating the Function of the Council of Commissioners of the National Institution for Human Rights *

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**Rules of Procedure
on Regulating the Function
of the Council of Commissioners
of the National Institution *for* Human Rights**

Definitions

Article (1)

In the application of the provisions of this Rules of Procedure, the following words and phrases shall have the meanings assigned next to them, unless the context of the provisions otherwise requires:

- a. Law: Law No. (26) of 2014 on the Establishment of the National Institution for Human Rights, as amended by Decree-Law No. (20) of 2016.
- b. Rules of Procedure: the Council of Commissioners Resolution No. (48) of 2017 on issuing the Rules of Procedure on Regulating the Function of the Council of Commissioners of the National Institution for Human Rights.
- c. Institution: the National Institution for Human Rights.
- d. Chairperson: the Chairperson (he/she) of the Council of Commissioners of the Institution.
- e. Vice Chairperson: the Vice Chairperson of the Council of Commissioners of the Institution.
- f. Member: a member of the Council of Commissioners of the Institution.
- g. Members: the members of the Council of Commissioners of the Institution.
- h. Council Bureau: the Bureau of the Council of Commissioners of the Institution.
- i. Council of Commissioners: the Council of Commissioners of the Institution.
- j. Committees: the standing and ad-hoc committees of the Institution.
- k. Secretary General: the Secretary General of the Institution.
- l. Full-time Member: a member of the Council of Commissioners of the Institution who works full-time to fulfill his/her mandate and is not committed to work in another profession while performing membership tasks.
- m. Part-time Member: a member of the Council of Commissioners of the Institution who is fulfilling his/her mandate besides performing a work in any other profession.

Establishment of the Institution

Article (2)

An independent Institution is established named “The National Institution for Human Right” responsible for promoting, developing and protecting human rights, fostering its values, raising awareness, and contributing to securing its practice. It shall be located in the city of Manama. The building shall be accessible for persons with disabilities.

The Institution shall have independent legal personality, as well as financial and administrative independence, and shall carry out its duties freely, objectively, and independently.

Article (3)

The Institution shall conduct its competencies, set out in the Law, under the provisions of this Rules of Procedure. The members shall be allowed to conduct any of the Institution’s competencies only after the nomination of the Chairperson and the Vice Chairperson.

Formation of the Council of Commissioners

Article (4)

- a. The Institution shall have a Council of Commissioners composed of eleven members, including the Chairperson and the Vice Chairperson. They shall be known for their competence and integrity.
- b. Members of the Council of Commissioners shall be selected from advisory firms, academic organizations, civil society organizations, unions, social, economic and professional institutions, and human rights defenders, provided that women and minorities are adequately represented. Members may be selected from members of the legislative authorities. They shall not form a majority in the Council of Commissioners, and they can participate in the discussion as non- voting members.

Membership

Article (5)

Subject to Article (4) of the Law, appointed members of the Council of Commissioners shall fulfill the following conditions:

- a. Holding Bahraini nationality.
- b. Not under the age of thirty years.
- c. Having familiarity and interest in Human Rights issues.
- d. Being of good conduct and reputation.
- e. Have not been convicted of a criminal punishment, or freedom restraining penalty in a crime related to moral baseness or dishonesty, unless (he/she) has been rehabilitated.

Selection mechanism, procedures, and rules of the Council of Commissioners

Article (6)

A Royal Order shall be issued identifying the mechanism, procedures, and rules for the selection (appointment) of the Council of Commissioners.

Article (7)

Members of the Council of Commissioners shall be appointed by Royal Order for a period of four years, renewable for similar terms. Appointments shall take place after consultation with relevant bodies of civil society and various other organizations. The Royale Order shall identify the full-time and part-time members. The members shall practice their work in their personal capacity.

Election of the Chairperson and Vice Chairperson

Article (8)

The Council of Commissioners shall convene its first meeting under the chairmanship of the most senior member to elect a Chairperson and a Vice Chairperson from amongst them. They shall be full-time members, for a similar period of their appointment. Election shall be carried out by the relative majority of the members present.

Article (9)

- a. Nominations to the Chairperson and Vice Chairperson positions shall be presented to the most-senior member in terms of age within the period specified by him/her. Elections shall take place among the nominees by secret ballot. If more than one member acquires relative majority of the members present, members shall be elected by a drawing of lots. If there are no nominees except the required number, the nominees shall be declared elected by acclamation. The Chairperson shall undertake his duties immediately once elected.
- b. Once the Chairperson is elected, the Vice Chairperson shall be elected according to the method set out in Clause (a) of this Article.
- c. Without prejudice to Article (8) of this Rules of Procedure, if the Chairperson or Vice Chairperson positions become vacant for any reason, substitutes shall be elected to fill their positions according to the method set out in Clause (a) of this Article.
- d. Official bodies in the Kingdom and the media shall be informed of the election results immediately once announced.

Institution Competencies

Article (10)

In pursuing its goals, the Institution shall be free to comment on any question related to human rights, and to take any human rights issues, as it sees fit. The Institution shall have the following competencies:

- a. To participate in the production and implementation of a national plan for the promotion and protection of human rights in the Kingdom.
- 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 recommend issuing new legislation related to human rights.
- c. To consider the consistency of the legislative and regulatory provisions with the regional and international conventions related to human rights issues, and submit proposals and recommendations to the competent authorities on any matter that would promote and protect human rights, including recommendations to accede to regional and international conventions and treaties concerned with human rights.
- d. To submit parallel reports, participate in the drafting and discussion of the reports, which the Kingdom is committed to submit periodically for the implementation of regional and international conventions concerning human rights, make remarks thereon, and publish such reports in the mass media outlets.
- e. To monitor violation of human rights, conduct the necessary investigation, draw the attention of the competent authorities and provide them with proposals on initiatives to put an end to such violations and, where necessary, to express an opinion on the reactions and positions of the competent authorities.
- f. To receive, examine, and consider complaints related to human rights and refer the complaints, which the Institution deems necessary, to the competent authorities together with effective follow-up, and to receive requests for assistance and inform those concerned of the procedures that should be followed and help them implement such procedures, or assist in the settlement of complaints with the relevant authorities.
- g. To perform announced and unannounced field visits to monitor human rights situation in correctional institutions, detention centers, labor gathering places, health and education centers, or any other public place in which it is suspected that human rights violations are taking place.
- h. To cooperate with the competent authorities concerned with cultural, media, and educational affairs, and to submit proposals and recommendations in

any matter in order to disseminate and promote a culture of awareness and respect for human rights.

- i. To cooperate with the national bodies and regional and international organizations, as well as the relevant institutions in other countries concerned with the promotion and protection of human rights.
- j. To hold meetings and joint activities, and to cooperate, coordinate, and consult with the relevant civil society and non-governmental organizations, and the various other groups and human rights defenders; and to communicate directly with those who claim being exposed to any form of abuse, and to report back to the Council of Commissioners.
- k. To host conferences and to organize training and educational events in the field of human rights and conduct related research and studies.
- l. To participate in the national and international forums, as well as in the meetings of regional and international bodies concerned with human rights issues.
- m. To issue newsletters, printed material, data and special reports, and upload them on the Institution's website. The Institution is entitled to directly approach the public opinion or through the various media outlets.
- n. To approve the legal and advisory opinions prepared by the General Secretariat on issues related to the Institution's competencies, which are referred to the Institution by the King or the constitutional authorities in the Kingdom.

Request of Information

Article (11)

- a. The Institution may request any information, reports or documents which it considers necessary for the attainment of its goals or the performance of its competencies from the ministries and relevant bodies in the Kingdom. These ministries and bodies shall cooperate with the Institution in the pursuit of its tasks and facilitate the conduct of its competencies and provide it with what it requests, and to prepare the responses and comments on the recommendations contained in the reports of the Institution in this regard in accordance with the relevant laws and regulations.

- b. The Institution may inform the competent authorities in case the ministries and bodies fail to cooperate and provide the Institution with the requested information, reports or documents or prevent the Institution from examining them, so that the competent authorities take the necessary steps in accordance with the law.

Study the Issues Referred to the Institution

Article (12)

The King and any Constitutional State Authorities may refer to the Institution any issues they see fit and which come within its competency for its consideration and opinion.

The Institution Organs

Article (13)

The Institution shall consist of the following organs:

- a. Chairperson.
- b. Council of Commissioners Bureau
- c. Council of Commissioners
- d. Committees
- e. General Secretariat.

Chairperson

Article (14)

The Chairperson shall represent the Institution to the Judiciary and in its relationships with others. The Chairperson may delegate some of his/her functions to other members. The Vice Chairperson shall replace the Chairperson to undertake all of his/her duties during his/her absence or any matter that prevents him/her from attending.

Article (15)

The Chairperson shall select one or more members or the General Secretariat to represent the Institution in local, regional, and international forums and events related to its functions.

Article (16)

The Chairperson shall open, chair, and control the meetings of the Council of Commissioners, and shall run the debate, announce the conclusion of the debate, call any motion for decision, authorize the members to speak during the meetings, and may speak at any time if he/she deems so beneficial for organizing or clarifying the debate.

Article (17)

If the Chairperson is absent, the Vice Chairperson shall chair the meetings of the Council of Commissioners. If both the Chairperson and the Vice Chairperson are absent, the meeting shall be chaired by the most senior member, who shall have the powers granted in this Rules of Procedure to the Chairperson for managing the meeting.

Article (18)

The Chairperson may invite any of the committees to discuss an issue (he/she) deems important. The Chairperson shall chair the meeting of the committees he/she attends, and he/she may also entrust one of the members to research or investigate a certain subject.

All correspondences between the committees and any external bodies shall be made through the Chairperson.

Council of Commissioners Bureau

Article (19)

The Institution shall have a Council of Commissioners Bureau that shall include as members the Chairperson, Vice Chairperson, heads of the standing

committees set out in Article (32) of this Rules of Procedure, once elected, and the Secretary General, who shall not have the right to vote.

Article (20)

The Council Bureau shall have the following mandate:

- a. To coordinate between the committees and settle any dispute that may arise relating to the mandates of the committees.
- b. To study the reports submitted by the members on their tasks and visits in the Kingdom and abroad and make remarks before submitting the reports to the Council of Commissioners.
- c. To study the proposal presented by the Chairperson on the members who do not carry out their duties or whose conduct is in violation of the membership conditions, prior to presenting the issue to the Council of Commissioners to take the appropriate decision.
- d. To make initial comments on the draft annual report and the parallel reports that falls within the Institution's competencies.
- e. To review and comment on the draft annual budget and the final accounting statement of the Institution prior to presenting it to the Council of Commissioners.
- f. Any other tasks referred to it by the Chairperson or the Council of Commissioners.

Article (21)

- a. The Council Bureau shall meet once every two months, or whenever the need arises, upon call of the Chairperson.
- b. The Council Bureau meetings shall be considered valid if attended by the majority of its members, provided the Chairperson or Vice Chairperson is present. The resolutions of the Council Bureau shall be passed by the majority votes of members present, and in case of a tie, the Chairperson of the meeting shall have a casting vote.

Article (22)

- a. The meetings of the Council Bureau may be attended only by the members, the Secretary General, and any of the employees of the General Secretariat who shall be assigned to prepare the minutes of meeting.
- b. The minutes shall be prepared under the supervision of the Secretary General for the Council Bureau meetings. The minutes shall include a summary of the proceedings of the meeting including deliberations, recommendations, and resolutions. The minutes shall be approved by the members of the Council Bureau at the next meeting, and shall be signed by the Chairperson and the Secretary General, and shall be stamped with the Institution's seal.

Council of Commissioners

Article (23)

The Council of Commissioners shall hold an ordinary meeting at least once every three months, on the basis of an invitation from the Chairperson. The Chairperson may, or on the basis of a request from a majority of the members, call an extraordinary meeting of the Council of Commissioners at any time.

Article (24)

- a. The Council of Commissioners meeting shall be considered valid if attended by the majority of its members, provided the Chairperson or the Vice Chairperson is present. If no quorum is present, the Chairperson may call to convene the meeting within three days.
- b. If the quorum of the meeting of the Council of Commissioners is not present for two consecutive times, the meeting shall be deemed valid, provided that the number of members present is not less than one-third of the members, including the Chairperson or Deputy Chairperson.
- c. Members of the legislative authority - members of the Council of Commissioners - shall take part in the discussions without having the right to vote.
- d. Subject to the provisions of Clause (b) of Article (4) of this Rules of Procedure, the resolutions of the Council of Commissioners shall be taken by the

majority of the votes of the members present. In the event of a tie, the Chairperson of the meeting shall have a casting vote.

Article (25)

- a. The meetings of the Council of Commissioners shall be confidential and may be attended only by the members, the Secretary General, and any employee of the General Secretariat who shall be assigned to assist the Secretary General in preparing the minutes of meetings.
- b. The Council of Commissioners may invite any person it deems fit to solicit his/her opinion or experience on any issue proposed for discussion or deliberation to attend its meetings, without having the right to vote.

Article (26)

- a. The Secretary General shall prepare the draft agenda and the issues proposed for deliberation by the Council of Commissioners, and shall present it to the Chairperson at least seven business days prior to the meeting date for approval.
- b. The agenda of the meeting, along with all documents attached thereto, shall be circulated via email to the members at least five business days before the meeting date.
- c. Any member may request incorporating any issue that falls within the competencies of the Council of Commissioners in the agenda, provided that the motion is sent in writing in the name of the Chairperson to the Secretary General, along with a detailed description of the issue, at least two business days prior to the meeting date.

Article (27)

- a. No issue may be deliberated before the Council of Commissioners prior to referring it to one of the committees or the General Secretariat for consideration and presenting a detailed report on the issue. The Council of Commissioners may decide otherwise with the approval of the majority of the members.

- b. Any issue not included in the agenda may not be the object of deliberation, except in cases of urgency, under any other business arising item, with the approval of the majority of the members.

Article (28)

- a. The Council of Commissioners, based upon a proposal by the Chairperson or a motion submitted by at least three members, may set a time for concluding the debate of an issue and soliciting opinion thereon.
- b. The Council of Commissioners, based upon a proposal by the Chairperson or a motion submitted by at least three members, may decide to conclude the debate on a certain issue. In order for the debate to be concluded, at least one member in favor of the opinion and one member against the opinion should have been allowed to speak.

Article (29)

- a. Once the Council of Commissioners announces closing the debate on the issue being considered and after verifying that the required quorum for voting is present, the Chairperson shall put the issue to a vote. The votes shall be taken by a show of hands or any other method deemed appropriate by the Council of Commissioners.
- b. The Chairperson shall announce the decision of the Council of Commissioners on the presented issue according to the voting result. No comments may be made after announcing the resolution.

Article (30)

- a. The minutes of the Council of Commissioners meetings shall be prepared under the supervision of the Secretary General. The minutes shall include the names of the present and absent members, a summary of the proceedings of the meetings, and the resolutions taken.
- b. The Secretary General shall prepare a draft of the minutes of meeting and send it to the Chairperson for his/her comments well in advance of the next meeting.

- c. The minutes of meeting shall be approved by the members at the next meeting, and shall be signed by the Chairperson and the Secretary General, and shall be stamped with the Institution's seal.
- d. The Secretary General shall pursue the implementation of the resolutions of the Council of Commissioners and shall notify the Council of Commissioners of the detailed implementation at its next meeting.

Annual Report

Article (31)

- a. The Council of Commissioners shall produce an annual report on the efforts, activities and work streams of the Institution. It shall include a section explaining the level of progress on the human rights situation in the Kingdom, as well as any observations and comments within its competencies, identifying any obstacles to the Institution's performance and the solutions adopted to circumvent them. The Council of Commissioners shall present the report to the King, the Cabinet, the Council of Representatives (Nuwab), and the Shura Council. The report shall be presented to the public in parallel.
- b. The Council of Commissioners may submit to the Cabinet a brief report on the outcomes of its work and activities, supported with its proposals, whenever it deems necessary.

Committees

Article (32)

Three standing committees shall be formed in the Institution to assume the Institution's functions, namely:

- a. Complaints, Monitoring and Follow-up Committee.
- b. General Rights and Freedoms Committee.
- c. Detention & Facilities Visitation Committee.

The Council of Commissioners may form, by consensus, *ad-hoc* committees, whenever necessary, according to the requirements of its work and within the scope of the Institution's competencies.

Complaints, Monitoring and Follow-up Committee

Article (33)

The Complaints, Monitoring, and Follow-up Committee shall be composed of at least three members and shall have the following competencies:

- a. To receive, assess, and consider complaints and grievances related to human rights made by citizens, residents and organizations through various means, and to determine the best way to deal with.
- b. To inform concerned citizens and residents of procedures to be followed if there is a complaint and to provide them with the required assistance or to assist in resolving the complaint with the concerned authorities.
- c. To monitor and investigate the human rights situation in the Kingdom, through the media, social media or otherwise, and study or research to determine the best ways to deal with them.
- d. To transfer what the institution sees as referral of complaints, legal assistance and monitoring cases that have been identified to the competent authorities through the Chairperson and to effective follow-up.
- e. To consider the complaints referred by the Detention & Facilities Visitation Committee from Detained Persons in Correctional and Rehabilitation Institutions, Pre-Trial Detention, and Detention Centers, and to refer to the Detention & Facilities Visitation Committee to take the necessary action.
- f. To coordinate trial hearings, court proceedings to ensure fair trial guarantees, and to take necessary action to finalize attendance reports.
- g. To request information or data from any competent authorities in the Kingdom during the institutions exercise of its mandate, through the Chairperson.
- h. To recommend to develop a guide on receiving complaints and the provided legal assistance, the mechanism for monitoring human rights situations and providing insights on facilitating the work of the Committee through the complaints system.
- i. To prepare statistics on complaints received by the institution, legal assistance provided and cases of monitoring through the media and social media, indicating the actions taken.
- j. To contribute in the preparation of the draft parallel reports that the Kingdom undertakes to submit periodically, and to make observations thereon, as related to regional or international conventions pertaining to human rights.

- k. Any other competency referred to the Committee by the Chairperson, or the Council Bureau, or the Council of Commissioners.

General Rights and Freedoms Committee

Article (34)

The General Rights and Freedoms Committee shall be composed of at least three members and shall have the following competencies:

- a. To prepare proposals and recommendations on any measures that would promote and protect civil, political, economic, social and cultural rights and submit them to the Council of Commissioners to take the necessary action.
- b. To express opinion on issues related to civil, political, economic, social and cultural rights, which are referred to the Committee by the Chairperson or the Council Bureau or by the Council of Commissioners.
- c. To study and evaluate the progress made in the exercise of civil, political, economic, social and cultural rights in the Kingdom and to make observations thereon for development in accordance with regional and international standards, in coordination with the competent authorities concerned.
- d. To examine the consistency of the legislative and regulatory provisions with the regional and international conventions on human rights issues, submit proposals and recommendations on any matter that would promote and protect human rights, including the recommendation to accede to regional and international conventions on civil, political, economic, social and cultural rights, and review the reservations that have been made by the Kingdom on some of the provisions of the conventions to which it has already acceded.
- e. To study the legislation and regulations in force in the Kingdom on civil, political, economic, social and cultural rights, and recommend the appropriate amendments, and to express its views on the alignment of this legislation with international human rights standards, making the necessary proposals on such and recommending new human rights legislation.
- f. To contribute in the preparation of the draft parallel reports that the Kingdom undertakes to submit periodically, and to make observations thereon, as related to regional or international conventions pertaining to human rights.
- g. Any other competency referred to the Committee by the Chairperson, or the Council Bureau, or the Council of Commissioners.

Detention & Facilities Visitation Committee

Article (35)

The Detention & Facilities Visitation Committee shall be composed of at least three members and shall have the following competencies:

- a. To conduct announced and unannounced field visits, to monitor the human rights situation in correctional and rehabilitation institutions, detention centers, labor gatherings, health and education centers, or any other public place in which it is suspected that human rights violations might take place, and to prepare the appropriate reports.
- b. Prepare reports on the status of persons deprived of their liberty within correctional and rehabilitation institutions and detention centers, on a regular basis, and make necessary observations and recommendations.
- c. To refer to the Complaints, Monitoring and Follow-up Committee the Committee observations during its visit to correctional and rehabilitation institutions, detention centers, as well as complaints from persons deprived of their liberty in such institutions and centers.
- d. To review the national legislations concerning the reform of the correctional and rehabilitation institutions and related regulations and resolutions, propose appropriate recommendations thereon, follow-up the implementation of the relevant international conventions and treaties, and formulate the proposals, recommendations and observations necessary for the safety of their application and submit them to the Chairperson or the Commission Bureau, or the Council of Commissioners.
- e. To contribute in the preparation of the draft parallel reports that the Kingdom undertakes to submit periodically, and to make observations thereon, as related to regional or international conventions pertaining to human rights.
- h. Any other competency referred to the Committee by the Chairperson, or the Council Bureau, or the Council of Commissioners.

Article (36)

- a. At its first meeting, each committee stated in Article (32) of this Rules of Procedure, shall elect its Head from among its members, by a majority of the members, for a period of one year, renewable for similar terms. If more than one member obtains this majority, the Head shall be elected by a drawing of lots.

- b. The first meeting of the committee shall be chaired by the most senior member in terms of age, to whom written nominations shall be submitted. At the beginning of the meeting, the most senior member in terms of age shall announce the nominations to the members of the Committee. Candidates shall be elected by secret ballot. If only one member runs for election, he/she shall be declared as Head by acclamation.

Article (37)

Each member shall have the right to participate in any of the Committees stated in Article (32) of this Rules of Procedure, provided that the freedom of participation does not prejudice the formation of the committees in close groups in terms of number and efficiency. No member shall be allowed to head more than one committee.

Article (38)

The Committees shall establish their agendas according to Institution's strategy and action plan. The Committees shall arrange their priorities, determine the issues that fall within their competencies and require consideration, and shall submit a report on these issues to the Council of Commissioners in its periodic meeting.

Article (39)

- a. The Committees shall meet at least once a month. The Head of each committee shall, in coordination with the Secretary General, administer the Committee's work, convene its meetings, develop its agenda, and present its recommendations to the Chairperson.
- b. The Committee's meeting shall be considered valid if attended by the majority of its members. The recommendations and resolutions of the Committee shall be passed by the majority votes of members present. In case of a tie, the Head of the meeting shall have a casting vote.
- c. The most senior member in terms of age shall act for the Head of the Committee in the latter's absence.

Article (40)

- a. The meetings of the Committees shall be confidential and shall be attended only by the members and the Secretary General or whoever he/she may deputize.
- b. In coordination with the Secretary General and subsequent to the approval of the Chairperson, the Committees may seek the expertise from any member of staff of the Secretariat General or from any person outside the Secretariat in studying any of the issues that fall within their competencies without having the right to vote; and in performing their tasks, the Committees may also seek the assistance of research centers and civil society institutions concerned with human rights.

Article (41)

- a. The General Secretariat shall set up an e-mail address for each member on the Institution's IT secure network. The minutes of meetings and work-related documents shall only be sent using this email, and may not be sent using personal e-mails or any other social media to maintain its confidentiality.
- b. The Head of the Committee and the Secretary General shall coordinate the issues to be deliberated during the meeting of the committee. The Secretary General shall prepare a draft of the items placed on the agenda and present it to the Head of the Committee at least five business days prior to the date of the meeting for approval.
- c. The Secretary General shall send the draft of the items placed on the agenda in the name of the Head of the Committee via email to its members at least four business days prior to the date of the meeting. Any member may request to include an issue which falls within the competence of the Committee on the agenda, provided that the written request is sent in the name of the Head of the Committee to the Secretary General, with a detailed description of the issue at least three business days prior to the meeting date.
- d. The agenda of the meeting, along with all documents attached thereto, shall be circulated via email to all members of the Committee at least two business days prior to the meeting date.

Article (42)

- a. The minutes shall be prepared under the supervision of the Secretary General and shall include the names of present and absent members, a summary of deliberations and resolutions, and the recommendations of the meetings of the Committee.
- b. The recommendations of the Committee shall not be deemed effective unless approved by the Chairperson or the Council of Commissioners, as the case may be. The Chairperson or the Council of Commissioners may approve, reject or amend the recommendations, or return them to the Committee for further consideration, or may defer considering the recommendations to a later time.

Article (43)

- a. The Secretary General shall finalize the draft minutes of the Committee meeting and send it to the Head of the Committee for his/her comments well in advance of the next meeting.
- b. The minutes of the Committee meeting shall be approved by its members at the next meeting, and shall be signed by the Head of the Committee and the Secretary General, and shall be stamped with the Institution's seal.
- c. The Secretary General shall pursue the implementation of the resolutions of the Committee, and shall submit its recommendations, based on the authorization letter of the Head of the Committee. The Committee shall be informed of the actions taken concerning these resolutions and recommendations at its next meeting.

Article (44)

- a. The resolutions and recommendations of the Committee are considered final by adoption at the same meeting, unless explicitly expressed otherwise at the meeting.
- b. The Committee shall submit its resolutions to the General Secretariat and shall submit its recommendations to the Chairperson or the Council of Commissioners, as the case may be, by virtue of a letter signed by the Head of the Committee to take the appropriate action in this regard.

- c. If the recommendation of the Committee is to send a letter, the draft letter proposed shall be presented to the Head of the Committee for obtaining his/her approval of the content, and shall be sent to the Chairperson for his/her approval and signature.
- d. The Committee shall send its minutes of meeting to the Chairperson by a letter signed by the Head of the Committee no later than five business days as of the date of approving the minutes.

Article (45)

- a. A unit shall be created in the General Secretariat to provide technical and legal support to the Complaints, Monitoring and Follow-up Committee. The Unit shall include a sufficient number of qualified legal experts and researchers in the field of human rights. The unit shall have the power to receive and follow-up the complaints made by citizens and residents, gather data and information on these complaints, and monitor all issues and complaints, appearing in the various media or social media, that may represent a violation of human rights. The Unit shall collect any data required on such issues and complaints and shall prepare the initial legal opinion to be presented to the Committee to take the appropriate decision thereto.
- b. A unit shall be created in the General Secretariat to follow up the work and affairs of the Council and the Committees. The Head and the staff of the Unit shall act as the rapporteurs of the Committees, delegated to represent the Secretary General. The Secretary-General may delegate any Secretariat staff to act as rapporteurs to the Council or the Committees meetings. The Unit shall have the power to prepare for the meetings, identify the requirements, and prepare the reports, as well as to follow up the decisions, recommendations, work, and requirements of the Council and the Committees, and shall coordinate between the Committees and the General Secretariat.
- c. A manual shall be issued by a resolution of the Chairperson subsequent to the approval of the Council of Commissioners. The manual shall include the controls and criteria for receiving the complaints submitted to the Institution, the filed assistance requests, the procedures for examining and following up the complaints, and the mechanism for monitoring the violation of human rights cases.

Presence and Absence of Members

Article (46)

- a. Members shall attend the meetings of the Council of Commissioners, the Council Bureau, and the meetings of the Committees regularly. Any member who is assigned to an official task related to the Institution shall be granted permission for absence throughout the period of the assignment.
- b. If any member requires to be absent or to depart the meeting of the Council of Commissioners, the Council Bureau, or the meeting of the Committees before the conclusion of the meeting, the member shall request the permission of the Chairperson, or the Head of the Committee, as the case may be.
- c. The Head of the Committee shall present a periodic report to the Chairperson every three months, which shall include information on the presence and absence of the members of the Committee.



**Candidate for membership of
the Council of Representatives or Municipal Councils**

Article (47)

- a. Every member of the Council of Commissioners who is a candidate for membership of the Council of Representatives or Municipal Councils shall be granted a full-time leave of absence.
- b. The leave shall commence the day following day after the closure of the candidacy application deadline until the end of the election process.
- c. The member shall submit to the Chairperson the acceptance of his candidacy for membership to the Council of Representatives or the Municipal Councils.
- d. A member who is a candidate during this period may not exercise any of his competencies, chair or participate in the meetings of the Council of Commissioners or Standing Committees or any other Committees within the institution.
- e. The leave prescribed in this Article shall terminate at the end of the election process, either in the first or second rounds, as the case may be.
- f. If the member wins the elections, the Council of Commissioners shall hold a periodic or extraordinary meeting, as the case may be, to consider this matter. If he/she does not win the election, he/she shall complete his/her tenure in the Council of Commissioners from the day following the end of the election process.

Rights and duties of members

Article (48)

First: Full-time and part-time members:

Without prejudice to the rights and duties of the member of the Council of Commissioners mentioned in the law or in these regulations, the member shall abide by the following:

- a. Refrain from publically takeout the draft annual report of the institution or the final version approved from the headquarters of the institution, or send by e-mail or any means of social communication, and the member may not discuss or publish in the various media or social media the contents of the annual report before presenting it to the King.
- b. Refrain from circulating the draft special and parallel reports of the institution obtained by the member during or on the occasion of his work, unless approved by the Chairperson.
- c. A member may declare in the various media or in social media information related to his work in a committee or in the reports issued by the institution in coordination with the Chairperson.
- d. The representation of the institution in internal or external activities by members of the Council of Commissioners is subject to a decision by the Chairperson.
- e. The member responsible for representing the institution in an official mission shall write a report within a period of not more than one week from the date of the end of the event, attaching documents and photographs to be submitted to the Chairperson using the approved form, and provide the General Secretariat with copies thereof.

Second: Full-time members:

- a) Subject to the provisions of the Law or these Regulations, full-time member shall:
 1. Not to be committed to any permanent job or profession that is incompatible with the duties of his/her work in the institution.
 2. Presence in the institution whenever needed, and at the request of the Chairperson.
 3. Perform the tasks officially assigned to him/her by the Chairperson.
- b) The full-time member shall inform the Chairperson in writing of his/her desire to leave on annual, sick or other leave, or when there is any obstacle preventing him/her from being in the institution when needed, specifying its duration through the designated form.

□

Conflicts of Interest

Article (49)□

Without prejudice to the rights and benefits of a member of the Council of Commissioners mentioned in the law or in these regulations, the member shall avoid conflicts of interest arising from his/her membership in the institution and his/her transactions with third parties, especially in the following cases:

1. Refrain from receiving any amount of money for the performance of service or work or benefit as a member of the institution through his dealings with others.
2. Refrain from receiving any financial fee for participating in any internal or external events, or contribute to it as a member of the institution, taking into account not to use his/her official position in the organization during such events in which he/she participates in their personal capacity.
3. Refrain from carrying out any activity that would lead to a real or apparent conflict or conflict between the personal interests of the member and his duties as a member of the institution.
4. Refrain from carrying out any activity that would prejudice or harm the reputation of the institution or lead to preferential treatment of the member in his/her dealings with others.
5. Refrain from publishing any information, statements, articles or news about personal participation in internal or external events on the Institution's website and accounts in the media and the social media, that is directly related to the bodies, committees, or organizations affiliated with in their official capacity, in which their names appended by their positions in these bodies appear, or are not directly related to the activities and the work of the Institution, or in which they are not officially assigned to represent the Institution.
6. Refrain from presiding or participating in the membership of special committees within the institution, or representation at external bodies or committees, or follow up issues that the member or a his/her relative to the fourth degree has a direct or indirect relationship.
7. Avoid close or strong relationship with individuals or internal or external entities whose interests depend primarily on the work of the institution.

In all cases, the member shall immediately notify the Chairperson in the event of any conflict of interest or any of the previous cases have been achieved. The Chairperson may present the matter to the Council of Commissioners, if necessary, for the required action.□

Immunity and Confidentiality

Article (50)

A Member may not be held accountable for (his/her) opinion and ideas on issues that fall within the competence of the Institution. A member may not be questioned without the consent of the Chairperson, and it must be done in the presence of the representative of the Council of Commissioners.

The Institution headquarter may not be searched except after obtaining a judicial order and in the presence of a representative of the Public Prosecution. The Chairperson must be notified of this and a representative for the Chairperson must be invited to be present during the search.

In all cases, any process that contravenes this will be considered null and void.

Article (51)

Members shall be prohibited from disclosing any confidential information or data they receive or see in the course of their work unless otherwise ordered by the Public Prosecution or a Competent Court. This provision shall continue to apply even after the end of the membership.

Penalties

Article (52)

Subject to Article (10) of the Law, and without prejudice to civil or criminal liability, any member found to have violated membership duties or have committed any of the prohibited actions shall be penalized as follows:

- a. Verbal warning.
- b. Written warning.
- c. Termination of membership.

Article (53)

- a. The penalties stated in the provisions of Article (52) of this Rules of Procedure may not be imposed on the member until after presenting the issue to the Council of Commissioners Bureau, which shall decide to listen to his/her statements and verify hearing his/her defense. All the proceedings shall be noted in a report. Subsequently, the issue, together with the proposed penalty, shall be presented to the Council of Commissioners to take the appropriate action.
- b. In order to impose any of the penalties stated in the provisions of Article (52) of this Rules of Procedure, the approval of a two-thirds majority of the members of the Council of Commissioners shall be obtained.

Termination of Membership

Article (54)

Members of the Council of Commissioners may not be displaced; their membership will terminate only in cases and in accordance with the procedures set forth in the Law and this Rules of Procedure.

Article (55)

Subject to the provisions of Article (4), Clauses (a) and (e), and Article (10) of the Law, membership of the Council of Commissioners shall come to an end in any of the following circumstances:

- a. Death or disability preventing the performance of the Member's functions.
- b. Resignation.
- c. Loss of Bahraini nationality.
- d. A final sentence has been issued for a felony or freedom restraining punishment in a crime against honor or trust, unless exonerated.

Article (56)

Subject to the provisions of Clause (d) of Article (4) and Article (10) of the Law, membership of the Council of Commissioners may be brought to termination before the end of its term by a Royal Order promulgated pursuant to a recommendation of the Council of Commissioners passed by a two-thirds majority of its members in any of the following circumstances:

- a. If the member has violated the provisions of the Law, the regulations, or the resolutions promulgated in implementation thereof.
- b. If the member takes on a position that is inconsistent with the goals of the Institution or obstructs the performance of its tasks and competencies.
- c. If the member fails to attend five meetings of the Council of Commissioners or the Council Bureau or the Committees without an excuse acceptable to the Chairperson despite a written notice to this effect.
- d. If the member no longer maintains the dignity of the membership by failure to uphold the condition of being of good conduct and reputation.

Article (57)

If the position of one of the Members of the Council of Commissioners becomes vacant for any of the circumstances stated in Articles (55) and (56) of this Rules of Procedure, another member shall take over (his/her) place and the new member shall complete the term of (his/her) predecessor.

Code of Conduct

Article (58)

The members of the Council of Commissioners shall have a Code of Conduct issued by a Resolution of the Chairperson subsequent to the approval of the Council of Commissioners.

Remuneration

Article (59)

- a. The remuneration of the Chairperson, Vice Chairperson, full-time and part-time members shall be set by Royal Order.
- b. Subject to the provisions of Article (46) and Clause (c) of Article (56) of this Rules of Procedure, the remuneration shall be reduced by the number of absences from attending the meetings of the Council of Commissioners or the Council Bureau or the meetings of the Committees without an excuse approved by the Chairperson.

Travel Allowances and Miscellaneous Expenses

Article (60)

The Council of Commissioners shall set up a regulation on organizing the mechanism, controls, and the amount of the total and reduced travel allowances for the members and the Secretary General assigned on official duties related to the competencies of the Institution, in addition to the controls over payment of miscellaneous expenses. The regulation shall be issued by a resolution of the Chairperson with the consent of the Council of Commissioners.

Article (61)

The Institution shall not bear the member's participation fees, travel and accommodation expenses, or allowances in the case when the member receives an invitation to participate in an event taking place inside or outside the Kingdom in his/her personal capacity.

General Secretariat

Article (62)

The administrative body of the Institution shall consist of the Secretariat General which shall act as its executive organ, and shall be composed of a sufficient number of consultants, experts, and researchers and other employees of the

Secretariat. The personnel statute shall specify the mechanism and conditions for the selection and appointment of employees, and shall be issued by a resolution of the Chairperson.

Article (63)

The Secretary General shall be appointed by a resolution of the Chairperson on the basis of the agreement of a majority of the members for a period of four years, renewable for similar terms. The candidate shall be an individual known for his/her competence, integrity, and independence. For a candidate to be qualified for the position of the Secretary General, he/she shall have obtained at least a bachelor's degree or equivalent and has relevant experience, in addition to satisfying the conditions required of the members stated in the provisions of Article (5) of this Rules of Procedure.

Article (64)

The Secretary General shall supervise and oversee the affairs and work of the General Secretariat, and shall report directly to the Chairperson for the performance of these duties. In particular, the Secretary General shall undertake the following tasks:

- a. Overall supervision over the General Secretariat, the affairs of the employees, and the financial and administrative matters in accordance with the Law and the rules and regulations promulgated in implementation of the Law.
- b. Attending the meetings of the Council of Commissioners Bureau, without having the right to vote, following up its proceedings, and providing it with the requirements for assuming its competencies.
- c. Attending the meetings of the Council of Commissioners, implementing its resolutions, without having the right to vote, as well as drafting periodic reports every three months that incorporate the activities of the Institution and the progress of work of the General Secretariat, including the work that has been completed according to set plans and programs.
- d. Attending the meetings of the Committees, without having the right to vote, following up on their work, and providing them with the requirements to enable the Committees assume their competencies.

- e. Presenting proposals for activating the competencies of the Institution, achieving its objectives, and developing relevant plans and programs.
- f. Coordinating and following up with the ministries, official and non-official bodies and institutions in the Kingdom, as well as with the international and regional bodies and organizations concerned with implementing plans and programs for advancing, promoting and protecting human rights, and submitting reports in this regard to the Council of Commissioners.
- g. Instructing the General Secretariat staff to attend courses and to represent the Institution in local, regional, and international forums and events relevant to its functions.
- h. Preparing the draft annual budget and the final accounting statement of the Institution.
- i. Making observations and recommendations concerning the donations and aid received by the Institution and submitting them to the Council of Commissioners for its decision.
- j. Performing the other competencies set out in the Institution's regulations and resolutions.
- k. Conducting any other work delegated to the Secretary General by the Chairperson, the Council of Commissioners Bureau, or the Council of Commissioners.

The Secretary General may delegate, in writing, some of his/her tasks and competencies to any member of staff of the General Secretariat as he/she deems fit.

The Institution Financial Resources

Article (65)

The Institution shall have sufficient financial resources to enable it to promote its aims and tasks assigned to it in the best possible way. These resources shall consist of:

- a. Financial resources allocated to the Institution in a separate ledger on the general state budget that is issued by law.

- b. Unconditional donation and aid, which are in line with the Institution's objectives that the Council of Commissioners decides to accept, in accordance with the laws and regulations in force in the Kingdom.

The Institution shall manage and control its financial resources with complete independence. Its financial accounts shall be subject to the supervision of the National Audit Office.

Executive Regulations

Article (66)

The Institution shall have Executive Regulations, which comprises the regulations organizing the work of the General Secretariat, and includes but not limited to the following:

- a. The Personnel Regulation, the Organizational Structure of the General Secretariat, and the Ranks, Salaries, and Benefits Table guided by the relevant laws and regulations in force in the Kingdom.
- b. The Financial and Administrative Regulation organizing the financial, accounting, and administrative affairs of the General Secretariat, and includes the controls over the use of external audit firms accredited in the Kingdom to conduct regular audits of the Institution's accounts.
- c. Regulation on Information Technology.
- d. Any other regulations approved by the Council of Commissioners.

The Executive Regulations shall be issued by a resolution of the Chairperson pursuant to the approval of the Council of Commissioners.

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