

National Institution for Human Rights calls for full adherence to the Civil Service Law and Labor Law

Manama, 28 April 2011

The National Institution for Human Rights commended what has been stated in the article by His Majesty the King in the Washington Times, offering a profound and comprehensive vision, and a touch of paternalism reflected in the words of the HM the King "As a monarch for all Bahrainis, it hurts me to see so many affected by the actions of few". The NIHR also commended the directives of His Royal Highness the Prime Minister and His Royal Highness the Crown Prince, stressing that the Government, while dealing with the crisis requirements, and despite the bitterness and gravity of the crisis, never overlooked the importance of safeguarding human rights and human, as well as Bahrain's commitment to all international covenants and conventions. Just as the State refuses any violations of the law, they do not accept lack of application of the law from any side. The State won't tolerate any arbitrary or unfair action, but it stresses it won't allow not to allow any deviation from law and order.

In this context, the NIHR, based on its responsibilities and duties under the Royal Order that created it, reaffirms that it regards workers' rights as one of the fundamental rights, and that it has been following the human rights situation in the Kingdom in general and labor rights in particular. In this regard, and in light of recent layoffs, the NIHR calls for the need for cooperation and coordination between the workers' representatives and employers in the public and private sectors to determine the legal basis for such dismissals, in accordance with a system ensuring the application of disciplinary actions in accordance with the Civil Service Law and its bylaws and the Labor Law. Accordingly, the terms determining the nature and degree of any disciplinary actions based on the type of offense are to be in accordance with the law. It is also important to take into account the gradual severity factor in applying any disciplinary measures in accordance with the law. It's important to determine the nature of the offense are clearly

and precisely and it's necessary to rely on conclusive evidence in dealing with all offenses, including illegal absence, and not to rely on suspicion and rumors, or site publication, including social networking sites.

The NIHR also stressed the need for any procedural measure to be free from background influences beyond the scope of the case under investigation or in determining the nature of the offense and degree of punishment, in addition to the importance of adopting full transparency in the application of prescribed procedures. In this context, the NIHR calls on all affected by dismissal decisions to register with the NIHR as it plans to prepare its report on this issue and submit it to the authorities concerned, without jeopardizing individual's right to file a grievance and resort to court should cases require that.