



المؤتمر الدولي: "قانون العقوبات والتدابير البديلة:  
تجربة نوعية في التشريع الجنائي"

International Conference: "Alternative Sanctions and Measures  
Law: Qualitative Experience in Criminal Legislation."

2022 سبتمبر 27-28 Sep. 2022

المؤسسة الوطنية لحقوق الإنسان  
National Institution for Human Rights

Kingdom of Bahrain - مملكة البحرين



## Final Statement

### International Conference

### Sanctions and Alternative Measures Law: A Qualitative Experience in Bahraini Legislation

27 and 28 September 2022

Manama - Kingdom of Bahrain

The National Institution for Human Rights in the Kingdom of Bahrain held an International conference: "Sanctions and Alternative Measures Law: A Qualitative Experience in Criminal Legislation", on 27 and 28 September 2022, with the participation of more than 300 participants, including representatives from a number of ministries in the Kingdom of Bahrain represented by the Supreme Judicial Council, Public Prosecution and the Ministry of Justice, Islamic Affairs, and Awqaf and the Ministry of Interior, in addition to the participation of regional and international organizations and the UN Resident Coordinator in the Kingdom of Bahrain, the Office of the Regional Director of the United Nations Office on Drugs and Crime (UNODC), the Arab Human Rights Observatory, members of the Arab Network of National Institutions for Human Rights, some representatives of national human rights institutions, members of the bureau of the Global Alliance of the national Human Rights Institutions (GANHRI), and the Arab Institute for Human Rights, in addition to the participation of representatives of civil society institutions, human rights defenders and competent quarters.

The Conference aimed to bring views closer together and undertake an integrated dialogue between the quarters responsible for the implementation and application of the Alternative Sanctions and Measures Law, through shedding light on the role of all the related quarters, by means of focusing on the challenges facing those quarters insofar as the application of the law, and availing of the experiences of other countries, while being informed about the role of the National institutions for Human Rights and Non-governmental organizations and those concerned in this regard.

The Conference discussed on its first day, and in the first session, the efforts exerted by ministries and official bodies concerning the implementation and application of the Sanctions and Alternative Measures Law, with an overview of the realized achievements.



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The second session was devoted to the role of the National Institutions for Human Rights and the Arab and foreign Non-governmental organizations and the experiences of the states as relates to this law.

On the second day, the Conference resumed its deliberations, where during the first session there was an overview of the challenges facing the quarters overseeing the implementation and application of the Sanctions and Alternative Measures Law, and the practical issues that face the beneficiary from the application of the provisions of the law. The second session was allocated to the proposal of the civil society institutions concerning the law and the challenges encountered in the process of its implementation.

### **Recommendations:**

The deliberations of the Conference concluded with a number of recommendations of a legislative, administrative (executive) and judicial nature, which may be cited in detail as follows:

- (1) Call upon the national institutions for human rights, non-governmental organizations, civil society organizations, human rights advocates, and competent quarters to push forward by available means and through positive effective contribution towards creating a law insofar as the countries that have not enacted a law as relates to sanctions and alternative measures.
- (2) Give due regard for the national legislations governing sanctions and alternative measures to be compatible and in line with the United Nations standards for human rights, criminal justice and other relevant international decisions, including the permissibility of terminating the alternative sanction prior to the expiry of the period decided for it, and to consider such to be a release of the beneficiary from the remaining term of his sentence once it is proven to the concerned judicial quarters that he deserves such, in accordance with guarantees, parameters and procedures that are legally defined.



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- (3) Issue to the beneficiary a certificate of good conduct enabling him to complete his academic studies (university or professional or school), while not being derelict in applying the alternative sanction to him in the process of continuing his studies.
- (4) Avail of the recommendations generated by the dissertations, treatises and specialized academic studies on sanctions and alternative measures, to be a lighthouse guiding all insofar as the development of the correctional justice system.
- (5) Complete the legislative structure governing the open prisons in accordance with the modern regulations in this regard, as one of the legal means of profound impact on the reform of the convict, rectifying his condition and qualifying him for re-integration in society.
- (6) Adopt the systems of the alternative sanctions and measures and open prisons under the aegis of the plans, strategies and national action programs and agendas for human rights.
- (7) Build the capacities of those active in the field of alternative sanctions and measures and open prisons from among the law enforcing bodies and individuals, while establishing specialized units within their organizational structure entrusted with supervision of the training, awareness raising, and proposal of recommendations for improvements in this domain.
- (8) Raise awareness within the correction and rehabilitation centers among the inmates about the conditions and legal parameters decided concerning the possibility of including them in the alternative sanctions and measures and open prisons, while facilitating the applicable procedures in case of a personal request within those institutions to alter the sanction.



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- (9) Call upon the National Institutions for Human Rights to bolster the relationship between non-governmental organizations and the defenders of human rights on the one hand, and the official quarters and departments on the other, concerning the improvement of the corrective justice system, particularly in respect of alternative sanctions and measures.
- (10) Devote greater attention and raise the awareness of official quarters, companies, private institutions, non-governmental organizations, and human rights advocates of the feasibility of the systems of alternative sanctions and measures, open prisons, whereby all are real partners in the rehabilitation and correction of the beneficiary from the alternative sanction, such by offering a number of activities and rehabilitation programs to encourage societal integration in the light of the provisions of the Sanctions and Alternative Measures Law.
- (11) Call for undertaking a legislative amendment for not applying the alternative sanction as a condition for payment of all the financial obligations of the convict, whereby the convict who is the beneficiary of the alternative sanction could pay in installments the financial penalty decided concurrently with the implementation of the alternative sanction.

Actually, the speakers and participants lauded the pioneering and qualitative experience of the Kingdom of Bahrain in applying the Sanctions and Alternative Measures Law being the broader, more comprehensive, and the most advanced law at the level of the region, whilst extending profound gratitude to the National Institution for Human Rights in the Kingdom of Bahrain for hosting the Conference, for its generous hospitality and for facilitating the deliberations of this Conference.

**Released on 28 September 2022**

**Manama - Kingdom of Bahrain**

**End/-**