

ملحق (١٠)

مملكة البحرين
نائب رئيس مجلس الوزراء

الرقم: ١٢٧/٢١/٢٠١٢
التاريخ: ٢٣ فبراير ٢٠١٢م

الموقر
معالي علي بن صالح الصالح
رئيس اللجنة الوطنية المعنية بتوصيات تقرير
اللجنة البحرينية المستقلة لتقصي الحقائق

تحية طيبة وبعد،،،

بالإشارة إلى خطابكم رقم ٢٣ ص ل م ق المؤرخ في ٢ فبراير ٢٠١٢م، والمتضمن على بعض الاستفسارات حيال تنفيذ توصيات تقرير اللجنة البحرينية المستقلة لتقصي الحقائق.

وبناء على استفساركم حيال تنفيذ التوصية ١٧٢٢ الفقرة (و) بشأن تدريب الجهاز القضائي، يسرني أن أرفق لكم نسخة من برامج التدريب المعدة لتنفيذ التوصية المذكورة أعلاه مع كل من:

- المؤسسة الألمانية للتعاون القانوني الدولي (IRZ)
- رابطة المحامين الأمريكية
- المعهد الدولي للدراسات العليا في العلوم الجنائية (ISISC) في مدينة سيراكوزا بالجمهورية الإيطالية
- جامعة نوتنغهام من المملكة المتحدة

بالإضافة إلى نسخة من رسالة معالي وزير العدل والشئون الإسلامية والأوقاف إلى مدير مكتب الأمم المتحدة المعني بالمخدرات والجريمة لدول مجلس التعاون والمتضمنة أطر التعاون في مجال العدالة الجنائية وإنفاذ القانون.

وتفضلوا بقبول خالص تحياتي وتقديري ،،،



محمد بن مبارك آل خليفة
نائب رئيس مجلس الوزراء

Kingdom of Bahrain
Deputy Prime Minister

Translation of letter no: N.R.A 057/2/12
Date: 23/02/12

Further to your letter of 2 Feb 2012, seeking clarification on the BICI recommendation.

And upon your inquiry on implementing rec. 1722 para .(f) on judiciary and prosecutorial personnel training, I am pleased to enclose a copy of the training programs with:

- The University of Nottingham
- German Foundation for International Legal Cooperation (IRZ)
- American Bar Association
- International Institute of Higher Studies in Criminal Sciences

In addition, I enclose a copy of a letter from the Minister of Justice and Islamic Affairs and Waqf to the UNODC on areas of criminal justice and law enforcement.



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Implementing and Monitoring International Human Rights Conventions

Programme

East Midlands Conference Centre
UNIVERSITY OF NOTTINGHAM

Day 1 **Monday 19th March 2012**

Time	Topic	Speaker
09.30 – 10.00	Welcome and Programme Introduction: <i>Aims and objectives of the course</i>	Prof. David Harris , Emeritus Professor and Co-Chair of the Human Rights Law Centre, University of Nottingham
10.00 – 11.15	Development and Nature of International Human Rights Law	Prof. David Harris
11.15 – 11.30	<i>Coffee break</i>	
11.30 – 13.00	Sources of International Human Rights Law	Carla Buckley , Research Fellow, Human Rights Law Centre, University of Nottingham
13.00 – 14.30	<i>Lunch</i>	
14.30 – 15.25	Implementation of International Human Rights Law in National Law	Prof. David Harris
15.25 – 15.35	<i>Coffee break</i>	
15.35 – 16.30	Implementation of International Human Rights Law in National Law (continued)	Prof. David Harris



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Day 2 Tuesday 20th March 2012

Time	Topic	Speaker
9:30 – 11:00	UN Human Rights System: the Human Rights Council	Ms Mervat Rishmawi, HRIC Fellow, former Legal Advisor for the Middle East and North Africa, Amnesty International
11:00 – 11:15	<i>Coffee break</i>	
11:15 – 12:45	UN Human Rights System: Treaty Monitoring Bodies	Prof. David Harris
12:45 – 14:00	<i>Lunch</i>	
14:00 – 14:55	Reporting to the UN Human Rights System	Mr John Kissane, former Head of the International Human Rights Branch, Ministry of Justice
14:55 – 15:05	<i>Coffee break</i>	
15:05 – 16:00	Reporting to the UN Human Rights System (continued)	Mr John Kissane

Day 3 Wednesday 21st March 2012

Time	Topic	Speaker
9:30 – 11:00	The UN Working Group on Arbitrary Detention	Prof. Shaheen Ali, Professor of Law, University of Warwick and Vice-Chair, United Nations Working Group on Arbitrary Detention
11:00 – 11:15	<i>Coffee break</i>	
11:15 – 12:45	International Covenant on Civil and Political Rights (ICCPR) I	Prof. Dominic McGoldrick, Professor of International Human Rights Law, School of Law, University of Nottingham
12:45 – 14:00	<i>Lunch</i>	



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14:00 – 14:55	International Covenant on Civil and Political Rights (ICCPR) II	Prof. Dominic McGoldrick
14:55 – 15:05	<i>Coffee break</i>	
15:05 – 16:00	International Covenant on Civil and Political Rights (ICCPR) II (continued)	Prof. Dominic McGoldrick

Day 4 Thursday 22nd March 2012

Time	Topic	Speaker
09:30 – 12:45	Visit to Nottingham Magistrates Court Meeting with Mr Trevor Greaves, Chair of the Nottingham Bench	
12:45 – 14:00	<i>Lunch</i>	
14:00 – 14:55	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT)	Prof. Malcolm Evans OBE , Professor of International Law, University of Bristol, and Vice- Chairperson of the UN Sub- Committee on the Prevention of Torture
14:55 – 15:05	<i>Coffee break</i>	
15:05 – 16:00	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT) (continued)	Prof. Malcolm Evans OBE

Day 5 Friday 23rd March 2012

Time	Topic	Speaker
09:30 – 12:45	Visit to Nottingham Crown Court and Victim Support Service Meeting with HE Judge Teare and Ms Refia Khalq	
12:45 – 14:00	<i>Lunch</i>	
14:00 – 14:55	International Covenant on Economic, Social and Cultural Rights (ICESCR)	Prof. David Harris



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14:55 – 15:05	<i>Coffee break</i>	
15:05 – 16:00	International Covenant on Economic, Social and Cultural Rights (ICESCR) <i>(continued)</i>	Prof. David Harris

Day 6 Monday 26th March 2012

Time	Topic	Speaker
9:30 – 11:00	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Prof. Patrick Thornberry , Professor Emeritus, Keele University, and Member of the UN Committee on the Elimination of Racial Discrimination
11:00 – 11:15	<i>Coffee break</i>	
11:15 – 12:45	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)	Prof. David Harris
12:45 – 14:00	<i>Lunch</i>	
14:00 – 16:30	Visit to HM Prison in Nottingham Meeting with Governor Peter Wright	

Day 7 Tuesday 27th March 2012

Time	Topic	Speaker
9:30 – 11:00	Convention on the Rights of the Child (CRC)	Trevor Buck , Professor of Socio-Legal Studies, De Montfort Law School
11:00 – 11:15	<i>Coffee break</i>	
11:15 – 12:45	Convention on the Rights of Persons with Disabilities (CRPD)	TBC



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12:45 – 14:00	Lunch	
14:00 – 14:55	Human Rights and Islam	Prof. Mashood Baderin , School of African and Oriental Studies, University of London
14:55 – 15:05	Coffee break	
15:05 – 16:00	Human Rights and Islam (continued)	Prof. Mashood Baderin

Day 8 Wednesday 28th March 2012

Time	Topic	Speaker
9:30 – 11:00	Human Rights and Terrorism	Prof. Nigel White , Professor of Public International Law and Head of HRLC's Security and Human Rights Unit
11:00 – 11:15	Coffee break	
11:15 – 12:45	Human Rights and Criminal Justice	Prof. Paul Roberts , Professor of Criminal Jurisprudence, School of Law, University of Nottingham
12:45 – 14:00	Lunch	
14:00 – 14:55	The International Criminal Court (ICC)	Dr. Olympia Bekou , Associate Professor and Head of HRLC's International Criminal Justice Unit
14:55 – 15:05	Coffee break	
15:05 – 16:00	The International Criminal Court (ICC) (continued)	Dr. Olympia Bekou



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Day 9 Thursday 29th March 2012 - LONDON

Time	Topic	Speaker
Morning	Visit to the Human Rights and Democracy Department (HRDD) of the UK Foreign and Commonwealth Office (FCO)	
	Lunch	
Afternoon	Visit to the Joint Committee on Human Rights, UK Parliament	

Day 10 Friday 30th March 2012 - LONDON

Time	Topic	Speaker
Morning	Visit to Justice (UK Section of the International Commission of Jurists and responsible for the submission of UK 'shadow reports' to UN Treaty Monitoring Bodies)	
	Lunch	
Afternoon	Visit to the Equality and Human Rights Commission	



American Bar Association Rule of Law Initiative Support
to
Bahrain Independent Commission of Inquiry Recommendations

BICI Recommendation:

1251. The state should never again resort to detention without prompt access to lawyers, and without access to the outside world for more than two or three days. In any event, all detention should be subject to effective monitoring by an independent body.

ABA ROLI Assistance:

- ABA ROLI will work with the Judicial and Legal Studies Institute (JLSI) to create a curriculum for training defense lawyers on the rights of the accused and the advocacy skills necessary to insure those rights are observed. ABA ROLI will then assist in implementing that curriculum through training sessions.
- ABA recommends initiating a program of civil society monitoring of detention. ABA ROLI will assist in developing this program using international best practices, training appropriate civil society organizations on program procedures, and the necessary coordination with Bahrain Government agencies.
- ABA ROLI will assess the current legislation and procedures in effect for the judicial monitoring of detention facilities and make recommendations for the enhancement of that legislation and those procedures. ABA ROLI will then assist in training judicial and prosecutor personnel in these procedures. ABA ROLI has received concurrence from both the AG and the Chief Justice on this issue.

BICI Recommendation:

1255. The judiciary and prosecutorial personnel should be trained on the need to ensure that their activities contribute to the prevention and eradication of torture and mistreatment.

ABA ROLI Assistance:

- ABA ROLI will work with the JLSI to create international best practice and local law curriculum for judges and prosecutors separately on fair trial practices and the role of the AG and Judiciary in protecting the rights of the accused. This curriculum would become mandatory for all judicial and prosecutor candidates as well as all judges and prosecutors. ABA ROLI would then assist in providing international expertise to give these courses along with local expertise. ABA ROLI has received concurrence from both the AG and the Chief Justice on this issue.

BICI Recommendation:

1719. To adopt legislative measures requiring the AG to investigate claims of torture and other forms of cruel, inhuman or degrading treatment or punishment, and to use independent forensic experts. Such procedures should guarantee the safety of those raising such claims. Furthermore, the legislation should provide for remedies for any person claiming retribution for having raised a claim of torture or other forms of cruel, inhuman or degrading treatment or punishment.

ABA ROLI Assistance:

- ABA ROLI will provide technical assistance to assess current legislation and procedures and make recommendations following international best practices for the drafting of legislative measures and related procedures requiring the AG to investigate the claims as reflected in this finding. ABA ROLI will then work with the JLSI to develop and deliver training sessions to prosecutors and other involved persons on the new procedures.

BICI Recommendation:

1724. The Commission makes the following recommendations with regard to media incitement issues.
- a. To establish professional standards for the media and other forms of publications that contain an ethical code and an enforcement mechanism, designed to uphold ethical and professional standards in order to avoid incitement to hatred, violence and tolerance, without prejudice to internationally protected rights of freedom of expression.

ABA ROLI Assistance:

- ABA ROLI proposes to provide technical expertise for the drafting of professional standards for the media using international best practices. ABA ROLI will then assist in training media on these professional standards as well as

train lawyers on these professional standards and related freedom of expression standards.

BICI Recommendation:

1725. The Commission makes the following recommendations with respect to better understanding and appreciation of human rights including respect for religious and ethnic diversities.

- a. To develop educational programs at the primary, secondary, high school and university levels to promote religious, political and other forms of tolerance, as well as to promote human rights and the rule of law.

ABA ROLI Assistance:

- ABA ROLI will work with Universities and Law Faculties in Bahrain to develop a human rights curriculum for law students.
- ABA ROLI will also in partner with a Law Faculty to establish a law clinic where law students are able to become involved, under the supervision of attorneys, in assisting clients on human rights and discrimination issues.

Judicial Capacity Issues. In addition to the specific BICI recommendations, ABA ROLI looks forward to further discussions on the implementation of recommendations as outlined in the recent Judicial Capacity Evaluation conducted by ABA ROLI experts.



Seminar in Bahrain

**In the Focus of Democracy and Rule of Law:
The Fundamental Rights of Freedom of Expression and
Freedom of Assembly – Legal Provisions and Application
in German and European Law**

Draft Programme

First day (4 hours):**System of fundamental rights and ECHR:**

Structure and contents of the fundamental rights according to the German Basic Law

Guarantees of the ECHR and relationship ECHR and German Basic Law

Article 79 (3) GG: 'eternity clause'

Article 5 Basic Law (freedom of expression):

Introduction

Basic significance and position of article 5 in the overall context of the German Basic Law, relevance for democracy and rule of law

Second day (4 hours):**Article 5 Basic Law (freedom of expression):**

The fundamental freedoms referred to in Art. 5 (1) Basic Law:

- freedom of expressing one's opinion
- freedom of information
- freedom of the press
- freedom of reporting by means of broadcasts and films

Third day (4 hours):**Article 5 Basic Law (freedom of expression):**

Prohibition of censorship referred to in article 5 (1), third clause Basic Law

Limitations to article 5 (2) Basic Law by:

- provisions of general laws
- provision for the protection of young persons
- right to personal honour
- additional limitations?

Guarantees of Article 5 (3) Basic Law:

- Art
- Science

Limitations

Fourth day (4 hours):

Article 10 ECHR (right to freedom of expression):

Content of article 10 ECHR

Influence of article 10 ECHR and of the jurisprudence of the European Court of Human Rights relating to article 10 on German legal practice

Fifth day (4 hours):

Article 8 Basic Law (Freedom of assembly):

Introduction

General importance of the „political fundamental rights“ and specifically of article 8 Basic Law for democracy and rule of law

Sixth day (4 hours)

Article 8 Basic Law (Freedom of assembly):

Relationship to other fundamental rights

Subjects of fundamental rights

Article 17a Basic Law and other conflicting provisions in constitutional law

Protection afforded by article 8

Interventions in the scope of protection

System of limitations

German Assembly Act

Seventh day (4 hours):

Article 11 ECHR (Freedom of assembly and association):

Content of Article 11

Influence of article 11 ECHR and of the jurisprudence of the European Court of Human Rights relating to article 11 on German legal practice

Eighth day (4 hours):

Constitutional law and criminal law:

Constitutionally protected guarantees in criminal law

Criminal offences in the German Criminal Code relating to demonstrations, assemblies, expressions of opinion, rallies, e.g.:

- from Chapter 7 (offences against public order)
- from chapter 11 (offences related to religion and ideology)
- from chapter 14 (libel and slander)
- from chapter 18 (offences against personal freedom), e.g. section 240 (Using threats or force to cause a person to do, suffer or omit an act), section 241 (threatening the commission of a felony), section 241a (causing the danger of political persecution by informing on a person)

and other offences occurring in connection with article 5 and 8 Basic Law



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Criminales Internationales

PROJECT PROPOSAL

Technical Assistance Program in support of the Bahraini Justice and Law Enforcement Sectors

*- Training Activities on the International
Protection of Human Rights -*

Submitted by the Istituto Superiore Internazionale di Scienze Criminali
(International Institute of Higher Studies in Criminal Sciences) – ISISC



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I. EXECUTIVE SUMMARY

1. **Target Country:** Bahrain.
2. **Countries where activities will take place:** Italy, Austria, Switzerland, Bahrain.
3. **Synopsis:** The International Institute of Higher Studies in Criminal Sciences (ISISC), on the basis of its vast experience acquired during 39 years of activity in education, training and research in the fields of Rule of Law and human rights, together with its 27 years of experience in implementing technical assistance projects in the Arab world, and following discussions with the Government of Bahrain, proposes to organize and implement technical assistance projects in Bahrain for the purpose of training Bahraini judges, prosecutors and law enforcement officials on the Rule of Law and the International Protection of Human Rights. This program will be divided into two phases. Phase I of the program will consist of a training of 100 Bahraini judges, prosecutors and law enforcement officials in Europe for approximately a one month period. The 100 participants will be divided into 4 groups (25 participants each). Each group will be trained on the same curricula, but placed on different time schedules (see Section V, Timeline). Phase II of the program will consist of a more intensive Training of Trainers in Manama for a selected 25 participants from Phase I, who will be trained on the same subjects in Phase I, but with a specific focus on how to conduct future educational activities for their colleagues in Bahrain, in order to become future Trainers. This program will establish the foundation for Phase III, not reflected in the current proposal, which will implement national trainings and continuing legal education domestically in Bahrain. National trainings will be conducted by internationally recognized Arabic speaking experts, in addition to outstanding participants who were selected from the first two phases of the program. This third phase will be presented in a separate proposal.
4. **Project Highlights:**
 - All trainings will be conducted in Arabic. Materials provided will also be in Arabic, written by internationally renown expert M. Cherif Bassiouni and Egyptian Judge Khaled M. Ahmed.
 - Experts will be comprised of internationally recognized experts from the Arab world.
 - Trainings will be conducted in small groups in order to prevent disruption of the continuity of work in the judicial and law enforcement sectors. The small groups will also guarantee interaction between participants and trainers, therefore maximizing the amount of information that will be retained.



- The project will conform with the recommendations of the Report of the Bahrain Independent Commission of Inquiry.
 - National trainings will begin immediately following the conclusion of the training session of the first 25 participants.
 - National trainings and Continuing Legal Education programs that can result from the program will institutionalize the education of professionals in the justice sector. This program will be an extension of the present program, and outlined in a separate proposal.
5. **Project Objectives:** Supporting the rule of law and enhancing the protection of human rights in Bahrain by enabling 100 qualified Bahraini judges, prosecutors and law enforcement officials to become future trainers for their colleagues in the justice sector, in both National training activities and day to day work.
6. **Activities:** The project proposed will be divided into two phases. During Phase I, 100 participants will be trained for approximately 5 weeks on the international protection of human rights. Phase I will itself be divided into Academic Training (two weeks, for a total of 12 working days), and Study Visit in Geneva, Strasbourg and Rome. Phase II of the program will consist of a specially-selected 25 best participants from Phase I, who will be trained in Manama for a one-week intensive course on how to conduct future trainings for their colleagues in Bahrain. In addition, the program will set up the foundation for a third Phase in which national trainings and continuing legal education programs will be implemented. This third Phase will be reflected in a separate proposal.
7. **Innovation and sustainability:** One of the unique features of this program is that it will be based on an innovative integrated approach which will combine representatives from the judiciary, public prosecution, and police officers. The proposed project will ensure a sustainable and effective impact on the ground, independent of outside assistance because participants will have ownership of the project's outcomes. This sustainability will be specifically guaranteed by the selection of 25 prospective trainers, who will then be able transfer their knowledge to their colleagues during future national training. The involvement of 100 justice sector actors from different agencies will create a dynamic interaction between participants, thus forming an ideal environment for debate and the exchange of ideas. It will also give participants an opportunity to address practical problems and develop mutually agreed upon solutions to them. Additionally, as the competence of the participants is enhanced, participants will transfer what they have learned to their colleagues indirectly through daily work and interaction, consequently having a multiplier effect in the justice and law enforcement sectors.



8. Amount of Funding and Project Length: £ 802,252,00. 12 Months.

9. Points of Contact:

- Mr. Filippo Michael Musca, ISISC Acting Scientific Director. Email: filippo.musca@isisc.org. Mobile Phone: 0039 346 373 3600.
- Ms. Christina Abraham, ISISC International Research Fellow. Email: christina.abraham@isisc.org. Mobile Phone: 0039 327 304 8654



II. ISISC CAPABILITIES

The International Institute of Higher Studies in Criminal Sciences (ISISC) is a not-for-profit foundation dedicated to education, training and research in the fields of international and comparative criminal justice, rule of law and human rights. ISISC possesses the unique ability to carry out the programs described below. With respect to the organization's capabilities and previous experience in organizing and implementing similar activities, ISISC has conducted a total of 465 training programs and expert's conferences, attended by over 39,000 jurists from 141 countries, among whom were over 5,000 academics from 460 universities. Its work has included collaboration with many intergovernmental organizations (IGO's), including the UN and several official agencies, the EU, the Council of Europe, League of the Arab States, the Organization of American States, and 123 non-governmental organizations (NGO's) worldwide.

These activities have resulted in 163 published volumes of scholarly and scientific research, as well as conference proceedings relating to international criminal justice, comparative criminal law, human rights, and country-specific issues of criminal law and procedure and human rights. These publications are in Arabic, Dari, English, French, Italian, and Spanish. ISISC's publications in Arabic are considered the leading texts in the fields of human rights and international criminal law.

Among the governments that ISISC has worked with in trainings similar to the one proposed are the following:

- ISISC is the only organization that is entrusted by the Government of Egypt to work with the following governmental agencies in the training of law enforcement agents: (1) The Supreme Judicial Council (training of Judges of all courts including the Courts of Cassation and High Appeals), (2) The Public Prosecution (training of public prosecutors), (3) The State Council (Training of Administrative Judges), (4) The Ministry of Interior (training of police officers), and (5) the National Council for Human Rights (training of Government Officers and members of civil society organizations).
- ISISC has worked with the Macedonian government since 2002 in supporting the fight against organized crime and corruption in the Former Yugoslav Republic of Macedonia. ISISC conducted three technical assistance programs utilizing the skills of 175 Italian and international experts, resulting in the training of 725 Macedonian judges, prosecutors and law enforcement officials. These programs culminated in the release of two publications related to these matters.



- ISISC has also worked in Afghanistan since 2003 on projects designed to contribute to national reconstruction, scholarship, training and technical assistance on matters related to the rule of law, human rights, criminal justice and counter-drug trafficking. ISISC programs have trained 2,753 Afghan judges, prosecutors and law enforcement officials throughout the course of 12 technical assistance programs, and have resulted in the issuance of 12 publications.
- For the past 10 years, ISISC has also worked with members of the Iraqi government, organizing 11 technical assistance programs in human rights, rule of law and post-conflict justice. ISISC has trained 635 participants, among whom were judges, law enforcement officials, justice operators and Iraqi government officers, as well as 152 international experts. ISISC has also issued 10 publications related to these matters.



III. DESCRIPTION OF THE PROJECT

Following the events of February/March 2011, the Government of Bahrain took an historic and unprecedented step by inviting an independent Commission of Inquiry to its country to investigate allegations of human rights abuses arising out of the events. The investigation culminated in a detailed report that issued findings and recommendations to the Government of Bahrain in order to rectify a number of identified human rights violations (See generally Chapter XII, Report of the Bahrain Independent Commission of Inquiry). Among the findings and recommendations identified in the report were the occurrence of excessive force by law enforcement, torture or mistreatment of persons in custody, violations of internationally recognized principles of due process and fair trials, and a general lack of accountability for human rights violators acting under the colour of law. In order to address some of these matters, the Government of Bahrain, prior to the release of the Commission's Report, announced that it would initiate training courses on human rights for its law enforcement officers. Additionally, upon the release of the Commission's Report, His Majesty King Hamad bin Isa Al Khalifa announced that the country would move toward implementing the recommendations set forth by the Commission and promote a culture of accountability and respect for human rights among government officials.

Toward this end, it has been agreed that training of professionals in the justice and law enforcement sectors is a vital step in preventing human rights abuses in the future. ISISC, on the basis of its previous experience acquired in its 39 years of activity dedicated to education, training and research in the field of Rule of Law and human rights, together with its 27 years of experience in implementing technical assistance projects in the Arab World, proposes to conduct these trainings for the Government of Bahrain.

Recognising that every training or capacity building activity does not merely depend on the concept of the training carried out, but also on follow up, mentoring, and further monitoring of the actual deployment of the trainees, the following strategy has been developed to merge both the training and the follow up activities in one frame.

The proposed project will be conducted in two Phases carried out over the course of 12 months:

- * Phase I: Training of 100 Judges, Prosecutors and Law Enforcement Officials
- * Phase II: Training of Trainers (ToT)

This program will also establish the foundation for Phase III, not reflected in the current proposal, which will implement national trainings and continuing legal education domestically in Bahrain. National trainings will be conducted by internationally recognized



Arabic speaking experts, in addition to outstanding participants who were selected from the first two phases of the program. This third phase will be presented in a separate proposal.

A. Phase I: Training of 100 Judges, Prosecutors and Law Enforcement Officials

During its past worldwide experience in technical assistance programs in the Rule of Law, ISISC has conducted several training seminars. This project proposal intends to build on the lessons learned emanating from the implementation of other similar projects. The proposed activity will be conducted in Europe (Italy, Austria and Switzerland) and will involve 100 Bahraini judges, prosecutors and law enforcement officials. Based on ISISC's experience in such trainings, giving participants the opportunity to leave their home country and enter into a new environment allows for a greater impact because they will see first-hand the way in which other institutions operate. Placing participants in a different environment also enables greater retention of information.

Phase I will focus on the theoretical and practical aspects of the protection of international human rights and will be divided into two sub-phases: (1) a training seminar (two weeks); and (2) a study visit (three weeks). Phase I participants will be divided into four groups who will be trained on the same curricula, but on a different time schedule. Each group will involve 25 participants. Those 25 participants will always be comprised of 10 Judges, 10 Prosecutors and 5 Police Officers.

Training will be conducted by 10 well know international experts from the Arab world. Therefore all sessions will be held in Arabic, which will enhance the ability of participants to retain the information presented. It will also foster a greater level of interaction between participants and experts. Trainings will be conducted in small groups in order to prevent disruption of the continuity of work in the judicial and law enforcement sectors. The small groups will also guarantee interaction between participants and trainers, therefore maximizing the amount of information that will be retained.

The two-week training seminar will be conducted at ISISC headquarters in Siracusa, Italy. The lectures will focus on the protection of international human rights through the study of the treaty mechanisms at the international and regional level.

The main topics addressed will be:

- UN human rights mechanisms
- Regional human rights mechanisms (EU/AFRICA/INTERAMERICA)



- Human rights institutions and mechanisms
- Civil, political, economic, social and cultural rights
- Prohibition of discrimination
- Women and children's rights
- Rights of minorities and indigenous peoples
- Refugees, internally displaced persons and migration

The training and methodology will not consist of simple presentations of what are assumed to be "international standards". Rather, trainers will address these standards in the framework of a comparative survey of real world situations. Training will be proactive and will pursue multiple purposes: improve and enhance the personal and professional knowledge of all participants on the topics proposed, and will develop networks (formal and informal) among participants. In addition, training sessions will routinely incorporate information learned and the recommendations set forth in the BICI Report. Particularly, experts will train participants on conducting effective investigations in accordance with the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions and the Istanbul Principles.

The curricula of the training program will be based on a three volume work detailing the international and regional human rights instruments available (See Tables of Contents, Attached). This three volume work, in Arabic, is edited by internationally renowned expert Professor M. Cherif Bassiouni and Egyptian Judge Khaled M. Ahmed. The curricula will also include the Constitution of Bahrain, the law establishing the Supreme Council of Judges, the law establishing the Independent Office of the Prosecutor General, the law establishing the Independent Office of the Military Prosecutor General, and other relevant laws of the Bahrain legal system. This material will be published and distributed among participants by the Minister of Justice of Bahrain, therefore, the cost of publication and distribution is not reflected in the present budget.

In order to better assess the impact of the training on the participants, each participant will be evaluated twice: once at the beginning of the training course and once at the end of the course. At the same time, participants will also evaluate the training seminar themselves.

Following the training seminar, participants will attend a three week study visit in Geneva, Strasbourg and Rome.

Participants will stay in Geneva, Switzerland, for a total period of six nights (four working days and one free day). Participants, accompanied by 2 members of the Project Team, will visit the United Nations Office and see the offices of the United Nations High Commissioner for Human Rights (UNHCHR) and the International Committee of the Red Cross (ICRC).



Participants will then spend five nights in Strasbourg, Austria (three working days and one free day), where they will visit the European Court of Human Rights and the Council of Europe.

Participants will then conclude the study visit in Rome, Italy for a period of six nights (four working days and one free day), where they will visit the Italian Ministry of Justice, Ministry of Interior, Ministry of Foreign Affairs, and the High Judicial Council.

The Government of Bahrain will take care of all travel and accommodation expenses for the 100 participants during all activities (training seminar and study visits) and will not be reflected in the budget provided by ISISC.

B. Phase II: Training of Trainers (ToT)

Upon the completion the training of 100 judges, prosecutors and law enforcement officials during Phase I, Phase II will begin. During Phase II, a total of 25 of the participants from Phase I will be selected. These participants will be carefully selected in order to represent the most capable potential operators of future training sessions in Bahrain. This phase is important in cultivating a core group of Bahrainis that can institutionalize education programs for the justice sector in the medium and long-term.

Phase II will take place in Manama hosted by the Government of Bahrain. The selected participants previously trained by ISISC will be expected to carry out training courses to their colleagues in Bahrain after the ToT. Phase II will be a one week intensive training course that is aimed at enhancing the sustainability of the project for future national activities in Bahrain. The selected participants will be trained, in the Arabic language, by four well known international experts in international human rights law.

The Government of Bahrain will take care of travel, accommodation and local transportation expenses for the four experts and will not be reflected in the budget provided by ISISC. The ISISC budget will reflect honorariums for these experts.

C. Phase III: National Trainings and Continuing Legal Education

Phases I and II described above will set up the framework for a third Phase, to be presented in a separate proposal. This third phase would incorporate the information learned in the previous trainings in the form of national trainings conducted domestically in Bahrain, as well as a Continuing Legal Education program to be established by the judicial sector. These programs would continue to benefit from the expertise of the trainers made available during the first two Phases of the program. These Arabic speaking experts would be made available



to mentor Bahraini trainers and will also directly participate in national trainings. The presence of these international experts will ensure a direct link between national trainers and trainees, facilitating active participation. It will also foster broader effects by making the benefits of the project available to a wider group of stakeholders, thus maximizing its impact.

The International Arabic speaking experts will be rotated depending on how the national training programs will be structured. National training activities should begin upon the conclusion of the training of the first 25 participants in Europe. The first national training may involve some of the participants in the first phase of the program, as well as Bahraini academics in law.

Continuing Legal Education programs may involve an annual judicial conference on emerging legal developments in human rights or on national legislative initiatives.



IV. MONITORING AND EVALUATION PLAN

The Project "Technical Assistance Program in support of the Bahraini Justice and Law Enforcement Sectors", which will train 100 Bahraini Justice Sector actors in Europe and further train 25 Bahraini future trainers in Manama will be constantly monitored by the Project Staff, and quarterly reports will be prepared and submitted to the Government of Bahrain.

The Specific Objectives of the Project are already clear, and will be evaluated on the basis of single evaluation tests that will be provided to all the participants (at both Phases I and II) at the beginning and at the end of each training session. In addition, all the participants (both Phases I and II) will be asked to complete a personal and anonymous report on the project activities they were involved in. Because of the difficulties in realistically assessing the impact of the project on the targets, ISISC will put special mechanisms in place, to better assess the impact of the various activities conducted. Specific Indicators will be identified in advance in order to assess the impact of the project. Moreover, this process will be done in close cooperation with the Bahraini Judicial Authorities

Output and Outcome Indicators

In order to monitor and evaluate the progress of the outputs and outcomes of Phase I & II of the program, ISISC will look to the following benchmarks and indicators:

- The number of Trainers produced by the program.
- The number of government employees who undergo training subsequent to the ToT.
- Performance of the participants on evaluations (given twice: once at the beginning of the training course and once at the end). Participants will be tested on the information presented to them during the seminars.
- Feedback from the participants taken by evaluation forms.

Monitoring and Evaluation data collection tools

ISISC will keep a record of all participants in each of its programs. Additionally, evaluation forms will be used to test participants on the information presented to them that they have retained. Further, separate evaluation forms giving participants the opportunity to provide their feedback of the program will also be used.

Frequency of monitoring and evaluation

Monitoring and evaluation of the program will be ongoing. Evaluation forms administered to the participants to test their knowledge will be issued twice: once at the beginning of the



program and once at the end. Evaluation forms giving participants the opportunity to provide feedback will be administered at the end of the program.

Financial Audit

In addition to the internal board of auditors, who, in accordance with the ISISC Statute and rules, will constantly supervise all the financial expenditures related to the project activities, at the conclusion of the project an external auditor will also audit the project Final Financial Report, and submit an official statement.



V. TIMELINE

Weeks 1 – 8:

Operational Planning; Selection of Project Staff; Selection of participants.

Weeks 9 – 13:

Phase I – Conduction of the First Training Session in Siracusa, Geneva, Strasbourg and Rome (25 participants).

Weeks 14 – 15:

Break

Weeks 16 – 20:

Phase I – Conduction of the Second Training Session in Siracusa, Geneva, Strasbourg and Rome (25 participants).

Weeks 21 – 22:

Break

Weeks 23 – 27:

Phase I. Conduction of the Third Training Session in Siracusa, Geneva, Strasbourg and Rome (25 participants).

Weeks 28 – 29:

Break

Weeks 30 – 34:

Phase I. Conduction of the Forth Training Session in Siracusa, Geneva, Strasbourg and Rome (25 participants).

Weeks 35 – 38:

End of Phase I and selection of participants to Phase II.

Weeks 39 – 40:

Phase II – Conduction of the ToT in Manama. (25 participants).

Weeks 41 – 52:

End of activities and Final Reporting.



- ٢ تدريب الجهاز القضائي وأعضاء النيابة العامة كي تكون وظائفهم عاملاً مساهماً في منع التعذيب وسوء المعاملة واستئصالهما
- ٤- المساهمة في تدريب أجهزة إنفاذ القانون على قواعد العدالة الجنائية والنظام العام فيما يتعلق بعملهم وذلك من أجل تطوير قدراتهم في هذا المجال بما يتوافق مع المعايير الدولية لإنفاذ القانون وحماية حقوق الإنسان
- ٥ توفير المساعدة الفنية اللازمة لتطوير التشريعات اللازمة لحماية الضحايا والشهود والضحايا، بحيث تتضمن من يتعرض للإنتقام بسبب رفعه دعوى بالتعذيب أو غيره من ضروب المعاملة أو العقوبة القاسية أو اللاإنسانية أو المهينة

وفي الختام اغتنم هذه الفرصة لأعرب لكم عن تكري وتقديري إلمين التفضل للإمام في سبيل تنمية المبادرات المذكورة أعلاه التي سوف تسهم بكون شك بفضل جهودكم في تعزيز حكم القانون وحماية حقوق الإنسان كأحد المقاصد الأساسية للأمم المتحدة

وتفضلوا سعادتكم بقبول فائق الإحترام والتقدير..

خالد بن علي بن عبد الله آل خليفة
وزير العدل
والشؤون الإسلامية والأوقاف

