

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْحَمْدُ لِلَّهِ الَّذِي
خَلَقَ السَّمَوَاتِ وَالْأَرْضَ
وَالَّذِي جَعَلَ الْمَوْتَ
وَالْحَيَاةَ

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INTRODUCTION



INTRODUCTION

The loss and pain of 2011 will forever be remembered and felt by all communities in Bahrain, whether they were on the streets or in their homes, whether officials or non-officials, and whatever their political and social allegiances. Our differing views should find common ground in two simple goals: the events of last year must not be repeated again; and we must do everything possible to unite in our common Bahraini heritage. The process of achieving these goals, and to heal the wounds of last year, was begun when His Majesty King Hamad bin Isa Al Khalifa, the King of Bahrain, called for the establishment of the Bahrain Independent Commission of Inquiry (BICI), to decisively investigate the events that had occurred in the kingdom during 2011, and to make recommendations about ensuring that 2011 would not occur again. To invite independent international human rights and humanitarian experts, with no connection to Bahrain, into the Kingdom to investigate the Government's actions and the events that had taken place was unprecedented and historic. Bahrainis of all political persuasions and the entire world looked upon this with optimism in the hope that uncovering the facts behind the events, and to set out a path for reform, would help to bring about a resolution to Bahrain's period of crisis.

On 23 November 2011 the Chair of BICI presented its findings to His Majesty in front of the Bahraini people and the international media. The report had a major impact on the Bahraini people. The very day the report was delivered was considered a historical day in the kingdom's history. It has underlined facts and prevailed the sense that objective criticism is what will procure this country from disagreement and sedition.

The findings of the Commission were stark and wide-ranging. In addition to findings on the facts of the events, the report also made recommendations for moving the country forward in a harmonious way.

In a further unprecedented step, His Majesty and the Government of Bahrain welcomed and unconditionally accepted the findings of the report and pledged to implement the recommendations in full.

It is this implementation effort that forms the subject of this report.

The very first recommendation of BICI required the establishment of a national commission,

comprising persons representing all segments of society, to oversee the implementation of the BICI recommendations. Therefore, His Majesty ordered on November 26, 2011 the establishment of an independent national commission specifically tasked with tracking the execution of the BICI recommendations and proposals. The Commission included politicians, thinkers, legal experts and dignitaries carrying the burden of this country, seeking truth and working to achieve harmony and exiting the crisis with satisfaction. Furthermore, invitations, both verbal and written were issued to opposition societies, to take part in this Commission but they did not respond. Despite this, the invitation remained open until the Commission's last day.

The Commission was authorized to carefully consider the BICI's recommendations and to make any proposals it sees fit, including recommending necessary amendments in laws, procedures and how the BICI recommendations may be implemented.

The Commission has worked hard; it has designated teams to study recommendations specific to their specialty. It has also adopted decisions pertaining to its work output via agreement, according to the Royal Order. Furthermore, the Commission received Professor Mahmoud Cherif Bassiouni and a number of experts in two separate meetings. The Commission has held 18 meetings and the sub-groups have had 23 meetings, plus three meetings on the sidelines of the Commission experts' work with counterparts seconded by the government. In addition to this, there have been open channels with the government and inquiries at each and every step it takes. The government in turn exercised the utmost cooperation, as it had done with BICI, in order to provide for all the Commission's needs of clarification and data to help the efficiency of the work.

This report embodies, together with the Report of the Bahrain Independent Commission of Inquiry (BICI), our nation's efforts to ensure that the events of 2011 will never be repeated again. In the pages that follow, the reader will see that in less than a 100 days this Commission has worked hard with the Government to reform the justice, human rights, policing, security services and media sectors in a way that accords with best international practice. At this stage, and in light of the recommendations at hand, we have laid the foundations to move forward, taking into account the prerequisites for the implementation of the recommendations, as will be detailed in this report. While some recommendations necessitated specific and clear procedures which can be implemented directly by administrative or legislative measures, or by the judicial authority, other recommendations dictated structural changes in the institution concerned, or the building of capacities and competencies through training or rehabilitation. There are also recommendations

which require changes in cultures and the development of programs and strategies, and would take some time before their effects are actually felt.

We have focused throughout the term of the Commission on ensuring that action taken to date is sufficient to put the required reforms on track and in the right direction, commensurate with the recommendations. We therefore must ensure that the momentum of the last 100 days will continue in the months and years to come as we see the fruits of all the work that has been done so far to implement the recommendations of the BICI Report.

Last but not least, the Commission worked hard to reflect optimal international standards and practices in its work. The Commission now hopes that it has performed its duty well in an independent manner that serves its national obligation.

The stage has been set, and we invite everyone to unite in the goal of restoring our small nation to its rightful place at the forefront of social, economic and political development in the region.

We pray to Allah to protect the kingdom from all misfortune.

May peace and Allah's mercy and blessings be upon you

**PROFILES OF THE MEMBERS OF
THE NATIONAL COMMISSION**



1. Mr. Ali bin Saleh Al-Saleh (Chairman)



Chairman of Shura Council. He was a member of the founding council and the National Council in 1973, and later became Minister of Industry and Commerce and Minister of Municipalities Affairs and Agriculture.

2. Dr. Faisal Radhi Al-Mosawi



International operations consultant at the Royal College of Surgeons Ireland – Medical University Bahrain (RCSI-MUB). He is a former Chairman of the Shura Council, a former Minister of Health, member of the World Health Organization Executive Board (1995-1998), and Chairman of World Health Organization Assembly's 50th Session (1998).

3. Mr. GhanimFadhl Al-Buainain



Member of the Council of Representatives. Secretary of Al-Asala Islamic Society. He held several government positions at the Ministry of Municipalities Affairs and Agriculture. He is experienced in volunteer activities, and headed Al-Asala Islamic Society's Parliamentary Caucus.

4. Mrs. Hala Mohammed Al-Ansari



Secretary General for Supreme Council for Women (SCW). She also held the position of Assistant Secretary General of the SCW (2001-2010), and has served Bahraini women through her long experience and participation.

5. Dr. Essam Abdulla Fakhro



Chairman of Board of Directors of Bahrain Chamber of Commerce and Industry and Commerce. He holds a PhD in Engineering – University of London.

6. Mr. Ahmed Ebrahim Rashid Al-Mulla



Member of the Council of Representatives. He is a former Legal advisor at the Ministry of Cabinet Affairs. Held several key positions at the Ministry of Defense.

7. Shaikh Khalid bin Ali Al-Khalifa



Minister of Justice, Islamic affairs and Endowments. He held several positions in the Ministry including: judge at the Courts of Bahrain. Public Prosecutor, Undersecretary to the Ministry of Justice, Vice Chairman of the Board of Trustees of the Arab Council for Judicial and Legal Studies, Jordan. He headed the Kingdom's delegation at the United Nations meetings to establish the International Criminal Court, 1999-2000. He also headed the Kingdom's delegation at the meetings of United Nations Convention Against Torture in 2005.

8. Mr. Ali Ahmed Al-Durazi



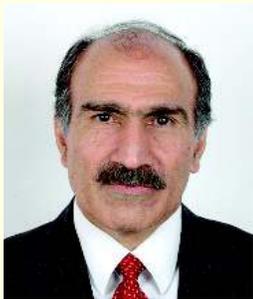
Member of Council of Representatives. He is a civil engineer. He has held several engineering positions in the private sector, mainly in the general engineering, infrastructure, structural and urban development fields.

9. Mr. Jamal Mohamed AbdulrahmanFakhro



Member of the Shura Council. Served as the Chairman of the Financial and Economic Committee in the First Session. First Vice Chairman of the Council for the Second and Third Sessions. Member of the Commission on Drafting the National Action Charter, the Commission on the Activation of the National Action Charter and the National Dialogue.

10. Dr. Abdulaziz Hassan Ali Abul



Member of Shura Council and former member of the Council of Representatives. Has experience in the economic field and held several positions in various private sector financial institutions in Bahrain.

11. Mr. Ahmed Abdulrahman Al-Saati



Member of the Council of Representatives. A media expert with over 30 years of experience in international, GCC and local media organizations. A director and founding member of Al-Ayam Newspaper.

12. Mr. Ali Hasan Al-Ateash



Member of the Council of Representatives. He is experienced in social service and charity. He has held many positions in government councils and civil society organizations. Founder and director of a public relations and advertising firm.

13. Mrs. Jameela Ali Salman



Member of Shura Council. She has been practicing law since 1994. President of Bahrain Lawyers Society since 2007. She is the first woman president of a lawyers society in the Arab World. Member of the Board of Trustees of Bahrain Political Development Institute, and member of the Board of Trustees of Bahrain Judicial and Legal Studies Institute at the Ministry of Justice and Islamic Affairs.

14. Dr. Abdullatif Ahmed Al-Shaikh



Former member of Council of Representatives. Assistant professor of Islamic studies at the University of Bahrain. He is experienced in volunteer work and activities, and is the Secretary General of Al Menbar National Islamic Political society.

15. Mr. Abdulla Saad Al-Huwaihi



Director at the Electricity and Water Authority. Secretary General of the National Unity Gathering Society, member of the Arab National Congress and National and Islamic Thought Forum in Bahrain. Founding member of the Popular Assembly of the Bahraini – Qatari Integration Society.

16. Dr. Hassan Abdulla Madan



Holder of PhD in Modern and Contemporary History. He is experienced in media sector and has held several positions in various media organizations. He is also politically active and holds the office of Secretary General of Al Menbar Democratic Political Society.

17. Mr. Taqi Mohammed Al-Baharna



The first Bahraini Ambassador to the Arab Republic of Egypt. Head of Bahrain's Permanent Mission to the Arab League (1971-1974-). Member of the Shura Council (1993-2002-). Chairman of the Foreign Relations Committee. Second Vice-President of the Isa Award for Humanitarian Service. Member of the National Action Charter Commission, and a member of the Drafting Committee. He is also a businessman, writer and poet.

18. Mr. Abdulla Ahmed Al-Durazi



Former Lecturer in the English Studies Department at the University of Bahrain. Former Secretary General of Bahrain Human Rights Society. Member of the Board of Trustees of the Arab Organization for Human Rights and former President of Bahrain Human Rights Society.

19. Mr. Fareed Ghazi Jassim Rafee



Former member of the Council of Representatives. Member of the Advisory Committee for the Supreme Commission at the Gulf Cooperation Council. A practicing lawyer; worked in the legal field specifically in legal advisory and arbitration.

**ESTABLISHMENT, FORMATION AND
ACTIVITIES OF THE NATIONAL
COMMISSION**



ESTABLISHMENT, FORMATION AND ACTIVITIES OF THE NATIONAL COMMISSION

Recommendation 1715 stipulates “to establish an independent and impartial national commission consisting of personalities of high standing representing both the Government of Bahrain, opposition political parties and civil society to follow up and implement the recommendations of this Commission. The newly established national commission should examine the laws and procedures that were applied in the aftermath of the events of February/March 2011 with a view to making recommendations to the legislature for appropriate amendments to existing law and the development of new legislation, in particular with respect to legislative reform as contained in this recommendation”.

In accordance with the Recommendation, and as ordered by His Majesty, this National Commission was established to implement the recommendations of the BICI report as quickly as possible to the highest standards, taking into consideration that:

The Commission is independent.

The 19 members of the National Commission represent all segments of society.

The National Commission held its first meeting on 8th December 2011. The Commission held weekly meetings, in addition to the meetings of the teams of its subgroups. The term of the Commission was extended to 20th March 2012.

Invitations, both verbal and written were issued to opposition societies, to take part in this Commission but they did not respond. Despite this, the invitation remained open until the Commission’s last day.

ESTABLISHMENT AND FORMATION OF THE NATIONAL COMMISSION

1. The National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry was established by Royal Order No. 45 of 2011.
2. The National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry was formed by Royal Order No. 48 of 2011.
3. The term of the National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry was extended by Royal Order No. 9 of 2012.

To review Royal Orders, please refer to **Appendix (1)**.

ACTIVITIES OF THE NATIONAL COMMISSION

1. Since its formation, the National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry held 18 meetings at Shaikh Isa Cultural Centre, chaired by H.E. Ali bin Saleh Al-Saleh, and attended by the esteemed members of the Commission. The Commission's meetings were held as follows:

Meeting No.	Date of Meeting
First Meeting	8 December 2011
Second Meeting	13 December 2011
Third Meeting	20 December 2011
Fourth Meeting	24 December 2011
Fifth Meeting	27 December 2011
Sixth Meeting	3 January 2012
Seventh Meeting	10 January 2012
Eighth Meeting	17 January 2012
Ninth Meeting	24 January 2012
Tenth Meeting	1 February 2012
Eleventh Meeting	4 February 2012
Twelfth Meeting	7 February 2012
Thirteenth Meeting	14 February 2012
Fourteenth Meeting	22 January 2012
Fifteenth Meeting	29 February 2012
Sixteenth Meeting	4 March 2012
Seventeenth Meeting	6 March 2012
Eighteenth Meeting	12 March 2012

2. It was decided to divide the members into three sub-groups, as follows:

A. The Legislative Team: to follow up the recommendations on amendment and drafting of laws, particularly the following recommendations: (1716) – in collaboration with the Legal Team, (1718), (1719) and (1722) Items A, B, and D, and (1724) Item C. The team consisted of the following members:

1. Shaikh Khalid bin Ali Al-Khalifa

2. Mr. GhanimFadhl Al-Buainain
3. Mr. Ahmed Ebrahim Rashid Al-Mulla
4. Mrs. Jameela Ali Salman
5. Dr. Abdullatif Ahmed Al-Shaikh
6. Mr. Fareed Ghazi JassimRafee

It was agreed to assign Mr. Ghanim Fadhl Al-Buainain as head of the team. The team held 6 meetings as follows:

Meeting No	Date of Meeting
First Meeting	December 2011 8
Second Meeting	December 2011 13
Third Meeting	December 2011 26
Fourth Meeting	January 2011 9
Fifth Meeting	January 2011 22
Sixth Meeting	February 2012 19

B. The Legal Team: to follow up the recommendations related to legal aspects, and to review implementation to the highest international standards, particularly the following recommendations: (1716) – in collaboration with the Legislative Team, (1717), (1720) and (1722). The team consisted of the following members:

1. Dr. Faisal Radhi Al-Mosawi
2. Dr. Essam Abdulla Fakhro
3. Mr. Jamal Mohamed Abdulrahman Fakhro
4. Dr. Abdulaziz Hassan Ali Abul
5. Dr. Hassan Abdulla Madan
6. Mr. Abdulla Ahmed Al-Durazi

It was agreed to assign Mr. Jamal Mohamed Abdulrahman Fakhro as head the team. The team held 9 meetings as follows:

Meeting No.	Date of Meeting
First Meeting	8 December 2011
Second Meeting	11 December 2011
Third Meeting	26 December 2011
Fourth Meeting	22 January 2012
Fifth Meeting	29 January 2012
Sixth Meeting	7 February 2012
Seventh Meeting	12 February 2012
Eighth Meeting	19 February 2012
Ninth Meeting	26 February 2012

C. The National Reconciliation Team: to follow up the recommendations related to the restoration of national unity, and in particular recommendations (1724) excluding Item C, and (1725). The team consisted of the following members:

1. Mrs. Hala Mohammed Al-Ansari
2. Mr. Ali Ahmed Al-Durazi
3. Mr. Ahmed Abdulrahman Al-Saati
4. Mr. Ali Hasan Al-Ateash
5. Mr. Abdulla Saad Al-Huwaihi
6. Mr. Taqi Mohammed Al-Baharna

It was agreed to assign Mr. Taqi Mohammed Al-Baharna as head the team. The team held 8 meetings as follows:

Meeting No.	Date of Meeting
First Meeting	8 December 2011
Second Meeting	12 December 2011
Third Meeting	19 December 2011
Fourth Meeting	22 December 2011
Fifth Meeting	22 January 2012
Sixth Meeting	20 February 2012
Seventh Meeting	26 February 2012
Eighth Meeting	4 March 2012

3. It was decided that the Chairman of the Commission personally follows up the implementation of Recommendation No. (1723) related to dismissed workers in both the public and private sectors, as well as expelled students, students whose scholarships were terminated, and the reconstruction of a number of religious sites.
4. The National Commission's website was launched and website technical support was provided. The Commission's actions were continuously published in the media to ensure transparency. The website continued weekly follow up tables in both Arabic and English, showing all actions and decisions made by the National Commission, as well as items related to government responses.

www.biciactions.bh



Actions and Results of the National Commission



Actions and Results of the National Commission

This part overviews the results of the Commission's follow up of the BICI recommendations as contained in Paragraphs (1716) through (1725) of the BICI report, and as shown in Item II of Chapter 12 of the Report titled "General Comments and Recommendations". The BICI recommendations will be listed alongside the Commission's actions, the implementation actions taken, documents relevant to each recommendation, as follows:

1716 - To establish a national independent and impartial mechanism to determine the accountability of those in government who have committed unlawful or negligent acts resulting in the deaths, torture and mistreatment of civilians with a view to bringing legal and disciplinary action against such individuals, including those in the chain of command, military and civilian, who are found to be responsible under international standards of superior responsibility.

Actions of the Commission:

In order to verify the proper implementation of this recommendation, the Commission requested clarification of the legal interpretation of the recommendation, as to what is meant by "independent and impartial mechanism to determine the accountability of those in government", as well as what is meant by "those in the chain of command, military and civilian", and the clarification of the "international standards of superior responsibility".

The Commission found at the time that the Government had appointed prominent international legal experts from the United Kingdom to conduct a study and provide legal advice.

Indeed, and for the purpose of following up the actions of experts, a meeting was held on 29 December 2011, attended by a number of Commission members and experts Sir Jeffrey Jowell QC and Sir Daniel Bethlehem QC. The meeting addressed many aspects to further the progress of the recommendations.

Subsequently, the Commission reviewed the report filed by the legal experts, as well as the Attorney General's Decision No. 8 of 2012 on the establishment of a special investigations unit – in implementation of the recommendation – in light of the report of the legal experts who assisted in

the drafting of that Decision.

The Commission also reviewed the letter of the Deputy Head of the Supreme Judicial Council, the Head of the Cassation Court, on the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government

Implementation Actions Taken:

1. The Attorney General issued a decision on 28 February 2012 to establish a special unit within public prosecution that is dedicated to the task of determining accountability, named (Special Investigations Unit). The features of this Unit would be as follows:

- A) It would be led by a senior public prosecutor.
- B) It would be supplemented by experienced and independent criminal investigators and forensic experts.
- C) The newly created Unit will have available to it a senior independent investigations counselor (appointed by the Supreme Judicial Council), experienced in prosecuting and investigating crimes; this person will also be familiar with international standards on human rights investigations.
- D) Guidance will be provided to this Unit on how to apply the principle of Superior Responsibility, which is already part of Bahraini law.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Draft law to amend certain provisions of the Penal Code issued by Decree Law No. 15 for 1976, Articles 208232-. **See Appendix 3.**
3. Attorney General's Decision No. 8 of 2012 on the establishment of a special investigations unit, and the letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court –Item 3 thereof, pertaining to the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period. **See Appendix 4.**

1717 - (a) To place the office of the Inspector General in the Ministry of Interior as a separate entity independent of the Ministry's hierarchical control, whose tasks should include those of an internal —ombudsman's office , such as that which exists in many other countries. The new Inspector General's office should be able to receive individual or organizational complaints, protect the safety and privacy of the complainants, carry out independent investigations and have the authority to conduct disciplinary and criminal proceedings as required by CAT, the ICCPR and the Bahrain Criminal Code to the Prosecutor General. (b) The office should also promulgate and enforce police professional standards and carry out legal and sensitivity training for police officers.

Actions of the Commission:

Further to the aforementioned report of the legal experts, and Commission reviewed Decree No. 27 of 2012 on the establishment of an independent's ombudsman's office at the Ministry of Interior, in implementation of the recommendation.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

Legal experts advised on the implementation of this recommendation as follows:

- a) The establishment of an Independent Ombudsman, outside the Ministry of Interior, to oversee and conduct investigations in:
 - The most serious allegations made against the police.
 - Serious issues affecting the public's confidence in policing.
- b) A new Internal Affairs Department in the Ministry of Interior with internal responsibility for first order disciplinary review.

To implement this advice, the following action was taken:

1. A decree establishing both the Ombudsman and the Internal Affairs department was issued on 28 February 2012. The Decree, taking inspiration from the UK ombudsman model, was drafted by the legal experts in consultation with John Yates and John Timoney.
2. On 30 January 2012, the Minister of Interior approved a new Code of Conduct for Bahraini Police. The Code of Conduct was drafted in consultation with John Timoney, as well as legal and policing experts, and is based on various international policing codes, including the United Nations Code of Conduct for Law Enforcement Officials and the European Code of Police Conduct. It adopts the “principles-based” approach, setting out the broad duties of police officers in relation to various aspects of their work, including the use of force, respect for human dignity and maintaining the rule of law. The Code constitutes a new social contract between the police and the Bahraini community.
3. The MOI has also finalized a detailed Police Manual setting out the duties of police officers, including procedures to be followed when arresting persons. This manual will be issued to all security officers, and will be made part of the training programme for police officers.
4. A new programme for human rights and legal training (on the procedures) has already begun for new police officers. Existing officers will also be trained in similar programmes, which will now be enriched by the new Code and the Manual. Other programmes are being developed for sensitivity training by John Yates and John Timoney.
5. Technical assistance on this recommendation will be provided the United Nations Office on Drugs and Crime (UNODC), the UN office with the exclusive mandate for criminal justice. A formal agreement is currently being finalized with the UNODC to provide such assistance.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Royal Decree 27 of 2012 on the creation of an Ombudsman’s office in the Ministry of Interior. **See Appendix 6.**

3. Ministerial Order 14 of 2012 regarding the new police code of conduct, and Ministerial Order No. 13 of 2012 on the Precautionary Detention Centre. **See Appendix 7.**
4. Police Code of Conduct, and the overall framework of the training programme for Ministry of Interior personnel in the field of human rights, as well as measures and action taken in response to the recommendations (1722, C and G). **See Appendix 8.**
5. Training programmes documents
 - a) Training programmes developed to implement Recommendation (1722/F).
 - German Foundation for International Legal Cooperation (IRZ).
 - American Bar Association.
 - The International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy.
 - The University of Nottingham, United Kingdom.
 - b) Letter of the Minister of Justice, Islamic Affairs and Endowments to the Director United Nations Office on Drugs and Crime at the GCC. **See Appendix 10.**

1718 - (a) To amend the decree establishing the National Security Agency to ensure that the organization is an intelligence gathering agency without law enforcement and arrest authorities. (b) The National Security Agency should also have an independent office of inspector general to carry out the same internal —ombudsman functions mentioned above with respect to the Ministry of Interior. (c) Legislation should be adopted to provide that even during the application of a State of National Safety, the arrest of persons should be in accordance with the Code of Criminal Procedure.

Actions of the Commission:

The Commission proposed the following:

- Incorporation of a separate provision in the Code of Criminal Procedure to incorporate the articles of the International Covenant on Civil and Political Rights related to exceptional cases.
- Amendment of Decree Law No. 14 of 2002 to create the National Security Agency, incorporating provisions to establish an independent inspector general office to perform functions similar to those of the Complaints Office at the Ministry of Interior.
- The Commission reviewed the legal experts' report pertaining to advice provided on this Recommendation. The Commission was presented with Decree No. 28 of 2012 on the creation of the independent inspector general's office and the professional standards office at the National Security Agency, in implementation of this recommendation.
- The Commission also initially reviewed Royal Decree No. 155 of 2011 to amend some of the provisions of Decree No. 14 of 2002 to create the National Security Agency. This Decree included the modification of certain functions of the National Security Agency, limited its mandate to the collection of information, detection and discovery of all actions related to espionage, intelligence and terrorism.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. Issue of Decree Law No. 115 to limit the jurisdiction of the National Security Agency to intelligence gathering agency with no law enforcement and arrest powers.
2. Issue of a decree on 28 February 2012 on the establishment of the Office of the Independent Inspector General and the Office of Professional Standards at the National Security Agency.
3. In response to the request of the National Commission dated 14 December 2011, the Cabinet approved on 8 January 2012 legislative amendments that ensure that arrests of persons will be in accordance with the “Code of Criminal Procedure even during the state of national safety”.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles 22 bis and 64 bis. **See Appendix 3.**
3. Decree No. 115 of 2011 to amend certain provisions of Decree No. 14 of 2002 creating the National Security Agency. **See Appendix 11.**
4. Response on the Commission’s proposal to incorporate a provision in Decree Law No. 14 of 2002 to establish an Independent Inspector General’s Office to carry out functions similar to those of the Ministry of Interior’s Ombudsman’s Office. **See Appendix 11.**
5. Decree No. 28 of 2012 pertaining to the Inspector General’s Office and the Professional Standards Office at the National Security Agency. **See Appendix 13.**
6. Steps taken by the National Security Agency to implement Recommendations (1718, 1722 / A, C), and the letter sent by the Head of National Security Agency to the United Nations Development Programme (UNDP) Representative. **See Appendix 16.**

1719 - To adopt legislative measures requiring the Attorney-General 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.

Actions of the Commission:

1. The Commission proposed the introduction of required amendments to the decree law on the security forces regulations, to provide for giving the Attorney General exclusive jurisdiction to investigate claims of torture and other forms of inhuman treatment.
2. The Commission also proposed the issue of legislation to amend certain provisions of the Code of Criminal Procedure, to include a number of actions which the Public Prosecution or the court can take to protect witnesses and persons who provide information in a given case from any retribution until dangers subside. The Commission proposed a draft legislation in this respect. The Government responded stating that it will take necessary action to put that proposal in a draft law to be submitted to the Legislature.
3. While amendments were being drafted, the Commission reviewed the Minister of Interior's resolution to refer all military cases related to allegations of death, torture or other forms of cruel or inhumane treatment, to Public Prosecution.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. In response to the recommendation of the National Commission dated 14 December 2011, the Cabinet approved on 8 January 2012 legislative amendments that give the Attorney General the exclusive jurisdiction to investigate claims of torture and other forms of cruel, inhumane or degrading treatment or punishment, and protect any person claiming retribution for having raised a claim of torture or other forms of cruel, inhuman or degrading treatment or punishment.

2. On 8 December 2011, it was announced that all cases of cruel, inhumane or degrading treatment have been transferred from the Ministry of Interior to the Attorney General's Office. Technical assistance regarding this recommendation will be provided by
 - The United Nations Office on Drugs and Crime (UNODC) (See recommendation 1717).
 - International Institute of Higher Studies in Criminal Sciences (see recommendation 1722, Paragraph(a)).
 - American Bar Association Rule of Law Initiative (ABA ROLI).

Legislations / Documents Relevant to the Recommendation:

1. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles 22 bis and 64 bis. **See Appendix 3.**
2. Draft law to amend the last paragraph of Article 363 of the Penal Code issued by Decree Law No. 15 of 1976. **See Appendix 3.**
3. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles (115), (214), (234), (1), (82), (127) bis, (233) bis, and (223) bis (A). **See Appendix 3.**
4. Response on the issue of legislation related to the protection of victims, witnesses and experts, and on the Commission's proposal to amend the Police Code of Conduct, as attached to Ministerial Decision No. 14, issuing them. **See Appendix 9.**
5. Ministerial Decision No. 160 of 2011 on the transfer of all military cases of cruel, inhumane or degrading treatment to Public Prosecution. **See Appendix 15.**

1720 - To make subject to review in ordinary courts all convictions and sentences rendered by the National Safety Courts where fundamental principles of a fair trial, including prompt and full access to legal counsel and inadmissibility of coerced testimony, were not respected be subject to full review in the ordinary courts.

Actions of the Commission:

The Commission requested an interim report on the following:

- Formation of the (National Safety Courts Convictions Review Committee), which was announced by the Supreme Judicial Council on 2 January 2012, and setting its start and completion dates, which shall be before mid-February 2012.
- Number of cases heard by National Safety Courts resulting in convictions, the number of cases which did not comply with the basic principles of fair trial, and the number of cases to be transferred to civil courts.

The Commission was informed that the committee charged with the review of all convictions was formed consisting of three civil court judges. The said committee completed its work on 25 February 2012. The Deputy Head of the Supreme Judicial Council, Head of the Cassation Court wrote a letter to the Government reporting on the results of the activities of the Committee in respect of the implementation of the recommendation.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. All live cases are being reviewed in the ordinary courts to ensure fair trial rights have been complied with in cases before the National Safety Courts.

2. Where final judgments were rendered in the National Safety Courts, and cannot be opened up on appeal, on 2 January 2012, the Supreme Judicial Council announced that it had formed a committee to review all such final judgments (which number 30) to ensure that the accused was provided with his or her fair trial rights. Out of the 30 final judgments (involving 31 people), 13 people had already served their sentence and had been released. This left 18 accused still in detention. In relation to these 18 accused, the Supreme Judicial Council decided that:
 - 6 would have their sentences reduced to time served, and could be released.
 - Charges would be dropped against 5 accused of speech related activity. This resulted in 4 out of the 5 accused being released immediately, with one person still detained on other charges. All 5 of the accused would have their records expunged of the speech related charges.
 - Convictions against 7 persons would be maintained.

Legislations / Documents Relevant to the Recommendation:

1. Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – on the results of the actions of the committee tasked with review of National Safety Courts’ convictions, the creation of specialized courts to review cases of compensation for last year’s events in the Kingdom, and the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period. **See Appendix 5.**
2. Decree Law No. 28 of 2011 on the State of National Safety cases. **See Appendix 14.**

1722–The Commission provides the following recommendations on the use of force, arrest, treatment of arrested persons, temporary detainees and prisoners, and the trials related to freedom of expression, gatherings or formation of societies. These recommendations are as follows:

(A) - To conduct effective investigations in accordance with the Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions of all the deaths that have been attributed to the security forces. Likewise, all allegations of torture and similar treatment be investigated by an independent and impartial body, following the Istanbul Principles. The investigation of both types of alleged violation should be capable of leading to the prosecution of the implicated individuals, both direct and at all levels of responsibility, with a view to ensuring that punishment be consistent with the gravity of the offence.

Actions of the Commission:

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

The Public Prosecutor is pursuing 107 cases of deaths, torture and mistreatment of civilians, so far involving 48 officers (as the investigations progress more officers may become implicated).

This number represents an increase over the number of court cases as at the time of the preparation of the BICI report.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Draft law to amend certain provisions of the Public Security Law issued by Decree Law No. 3 of 1982, pertaining to Article (81), last paragraph, and the addition of a sentence. **See Appendix 3.**

3. Attorney General's Decision No. 8 of 2012 on the establishment of a special investigations unit, and the letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court –Item 3 thereof, pertaining to the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period. **See Appendix 4.**
4. Ministerial Decision No. 160 of 2011 on the transfer of all military cases of deaths, cruel, inhumane or degrading treatment to Public Prosecution. **See Appendix 15.**
5. Steps taken by the National Security Agency to implement Recommendations (1718, 1722 / A, C), and the letter sent by the Head of National Security Agency to the United Nations Development Programme (UNDP) Representative. **See Appendix 16.**

(B) - To establish a standing independent body to examine all complaints of torture or ill-treatment, excessive use of force or other abuses at the hands of the authorities. The burden of proving that treatment complies with the prohibition of torture and other ill-treatment should be on the State.

Actions of the Commission:

- The Commission requested clarification of what is intended by “a standing independent body”, and the extent of the relation of the provisions of Recommendations (1716, 1722) to other recommendations. The Commission reviewed the report of legal experts pertaining to advice provided on this recommendation.
- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

A special unit was established within Public Prosecution, dedicated to the task of determining accountability (Special Investigations Unit). The features of this Unit are as follows:

- a) It would be led by a senior public prosecutor.
- b) He/she would be aided by experienced and independent criminal investigators and forensic experts.
- c) The newly created Unit will have available to it a senior independent investigations counselor (appointed by the Supreme Judicial Council), experienced in prosecuting and investigating crimes; this person will also be familiar with international standards on human rights investigations.
- d) Guidance will be provided to this Unit on how to apply the principle of Superior Responsibility, which is already part of Bahraini law (See Recommendation 1716).

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Draft law to amend certain provisions of the Public Security Law issued by Decree Law No. 3 of 1982, pertaining to Article (81), last paragraph. **See Appendix 3.**
3. Draft law establishing the National Human Rights Institute. **See Appendix 3.**
4. Attorney General's Decision No. 8 of 2012 on the establishment of a special investigations unit, and the letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court –Item 3 thereof, pertaining to the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period. **See Appendix 4.**

(C) - To implement an extensive program of public order training for the public security forces, the NSA and the BDF, including their private security companies, in accordance with UN best practices. To ensure future compliance with the Code of Conduct for Law Enforcement Officials, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the security forces should be trained in the human rights dimensions of detention and interrogation, and in particular the obligation to refuse to participate in any actions involving torture and other prohibited ill treatment.

Actions of the Commission:

- The Commission requested the implementation of a broad training programme on public order for the personnel of Public Security Forces, National Security Agency and Bahrain Defense Force, including their security subcontractors.
- The Commission was informed that training and rehabilitation programmes are being implemented for National Security Agency personnel on the application of all international standards, and in particular the International Covenant on Civil and Political Rights and Bahraini Laws, to consolidate the concepts of human rights.
- The Commission was also informed that letters were written to the Resident Representative of the United Nations and the UNDP in Bahrain to provide their views and experiences in the fields of human rights, and to support the Agency with training programmes in this field, as well as to include them within the scope of the Agency's training programmes which are being prepared at the present time. Although the Agency's functions related to arrests and detention were discontinued, training is being conducted on programmes related to the basic rules of the code of conduct of law enforcement personnel, in order to enhance the understanding of the Agency's personnel of those rules.
- The Commission reviewed the semi-annual in house training programmes to be conducted at the National Security Agency.
- The Commission was informed that the Agency is currently conducting a comprehensive review of all processes and procedures for evaluation and development of plans to avoid any adverse effects, as well as to develop the required frameworks to enhance performance to the highest levels of quality, in accordance with thoroughly prepared plans.

- Moreover, the Commission was informed that the Agency is in the process of creating a new structure in phases aimed at pumping new blood at a number of leadership and middle management levels, in line with the requirements of the nature of this phase and the strategies of the Agency which are all devoted to elevate the level of performance based on the Agency's mandate.
- H.E. Minister of Interior issued an order to the Head of Public Security to take a number of measures and actions with the help of international experts, as follows:
 - a) To design and conduct a legal training course for public security staff to help promote the protection of human rights, particularly in the process of maintaining public order, detention and questioning.
 - b) To prepare and issue a code of conduct for police officers, in compliance with best United Nations practices, including a code of conduct for personnel assigned to enforce the laws and the basic principles related to the use of force and firearms by staff assigned to enforce the laws.
- The Commission was also informed that training programmes will be organized for security officers with the assistance of each of the international experts in the field of police work, John Timothy and John Yates.
- In addition, the Commission was informed that Bahrain Defense Force is working on the development of similar programmes, emphasizing that the National Security Agency no longer has the law enforcement, detention and arrest powers. Therefore, this recommendation does not apply to the National Security Agency.
- Subsequently, a copy of the training programmes organized by the National Security Agency for its personnel was attached, and the steps taken by Bahrain Defense Force for the training of its personnel in the field of human rights, in implementation of the recommendation, as follows:
 1. The Royal College for Command and Staff is in the process of developing training programmes on the international principles of human rights and the principles of international humanitarian law, in coordination with a number of specialized international institutes.

2. At least four military court officers will be sent to joint training courses in the human rights field at the International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy.
 3. The principles of human rights and international humanitarian law, as well as United Nations Principles on Law Enforcement, and the Use of Force and Firearms are being incorporated into the Bahrain Defense Force training programmes.
- The Commission was also provided with the Police Code of Conduct and the overall framework of Ministry of Interior personnel training programme in the fields of human rights, by Ministerial Decision No. 14 of 2012 on the issue of the Police Code of Conduct.
 - This was all done as part of the Commission's recommendation for the continued provision of legal training programmes to Security Forces personnel in order to enhance the protection of human rights. The Commission's questions were as follows:
 - With whom was the training programme contract entered? What are the references for the training programme? What is the progress on the aforementioned code of conduct? When is it expected to be completed? In addition it was the Commission's view that it is necessary to develop a concept for the training of relevant personnel in compliance with the code of conduct.
 - Moreover, the Commission proposed the addition of certain clauses to the Police Code of Conduct as prepared by the Ministry of Interior, guided by United Nations Code of Conduct for Law Enforcement Officials and the Principles for the Protection of All Persons under any Form of Detention or Imprisonment as ratified by the United Nations in December 1988; in addition to the codes of ethics of the United States, United Kingdom and Australia, and New Zealand.
 - The Commission was informed that the Government's Team has written to the Ministry of Interior on the proposals made by the Commission, considering them commendable, and they will be incorporated in the Code of Conduct.
 - At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

- A new training programme on appropriate conduct by Public Security officers is currently being implemented, and the first sessions have already begun at the Royal Police Academy.
- The NSA commenced a comprehensive training programme for its personnel on 22 January 2012. The courses are being run over revolving periods of six consecutive months, and will include classes on fundamentals of human rights, appropriate professional conduct and how to interact with members of the public.
- The Bahrain Defense Force has similarly incorporated a Code of Conduct for Law Enforcement Officials, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials into its training programmes, as well as fundamentals of human rights.

Legislations / Documents Relevant to the Recommendation:

1. Draft law to amend certain provisions of the Penal Code issued by Decree Law No. 15 of 1976, Articles (208) and (232). **See Appendix 3.**
2. Draft law to amend the last paragraph of Article (363) of the Penal Code issued by Decree Law No. 15 of 1976. **See Appendix 3.**
3. Ministerial Order No. 14 of 2012 regarding the new Police Code of Conduct, and Ministerial Order No. 13 of 2012 on the Precautionary Detention Centre. **See Appendix 7.**
4. Police Code of Conduct, and the overall framework of the training programme for Ministry of Interior personnel in the field of human rights, as well as measures and action taken in response to the recommendations (1722, C and G). **See Appendix 8.**
5. Response on the Commission's proposal to amend the Police Code of Conduct, as attached to Ministerial Decision No. 14, issuing them. **See Appendix 9.**
6. Training programmes documents:
 - a) Training programmes developed to implement Recommendation (1722/F).

- German Foundation for International Legal Cooperation (IRZ).
 - American Bar Association.
 - The International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy.
 - The University of Nottingham, United Kingdom.
- b) Letter of the Minister of Justice, Islamic Affairs and Endowments to the Director of United Nations Office on Drugs and Crime at the GCC. See Appendix 10.
7. Steps taken by the National Security Agency to implement Recommendations (1718, 1722 / A, C), and the letter sent by the Head of National Security Agency to the United Nations Development Programme (UNDP) Representative. **See Appendix 16.**
8. Training sessions organized by the National Security Agency, and steps taken by Bahrain Defense Force to train its personnel in the fields of human rights. **See Appendix 16.**

(D) - (a) To avoid detention without prompt access to lawyers and without access to the outside world for more than two or three days. (b) In any event, all detention should be subject to effective monitoring by an independent body. (c) Moreover, every person arrested should be given a copy of the arrest warrant and no person should be held incommunicado. Arrested persons should have access to their legal counsel and family visits in the same way as any person detained under the Bahrain Code of Criminal Procedure.

Actions of the Commission:

- The Commission proposed that the Supreme Judicial Council takes action as it deems appropriate to issue written instructions or code of procedures to organize visits by members of Public Prosecution and relevant judges to prisons and detention centers.
- The Commission also requested a copy of the draft law on rehabilitation and reform institutions (penal institutions) for review.

Implementation Actions Taken:

1. The Supreme Judicial Council issued a statute regulating visits and inspections of prisons, detention centers and places where precautionary measures are taken. The statute provided that the Chief Justice of the Court of Appeals, the Chief Justice of the High Court, penalty enforcement judges, Juvenile Court judges, and relevant members of Public Prosecution shall be assigned the tasks of visiting prisons, review incarceration orders and arrest warrants, and ascertain fair treatment, and health and social conditions of inmates. The Statute provided rules of implementation of those tasks by inspecting prison cells, ascertaining proper health conditions, ensuring that inmates are properly classified and segregated, and that each category of inmates is treated commensurate with the status of that category, in addition to inspecting food and clothing of inmates, inspection of work areas of convicts who are carrying out sentences with labor, and ensuring that convicts are working in a proper environment under suitable conditions, talking to inmates, listening to their grievances, and examining any complaints they have, and in particular abuse related complaints, and taking immediate legal action to resolve them. The office of the Prosecutor General shall be notified of violations or comments found during inspections. It shall also be ascertained that no one is imprisoned without legal grounds, and that Prosecution General orders and court sentences are being carried

out as stated, and that records required by law are being used regularly. The Supreme Judicial Council sent the Statute to the National Commission along with a letter stating that inspections and visits were being conducted continuously since the ratification of the Code of Criminal Procedure.

2. The Commission reviewed the final report of the Foreign Affairs, Defense and National Security Committee of the Shura Council, along with the draft law of reform and rehabilitation institutions (penal institutions). The National Commission's Legislative Team reviewed the report and made a number of comments on it.
3. The Commission also reviewed – upon its request – the Ministerial Order issued by H.E. Minister of Interior on 22 December 2011 directing the Inspector General to take all necessary steps to guarantee the rights of the accused, and amendments contained in that Order pertaining to arrest and detention procedures and required officer training. The Commission received a copy of the Ministerial Order issued on 24 December 2011 by H.E. Minister of Interior to the Inspector General, including the following:
 - a) Enlisting the help of experts and specialists to develop the Inspector General Office, currently reporting to the Minister of Interior. The detention centers shall be placed under the supervision and control of the Inspector General. Employee dismissal cases shall be reviewed to ensure compliance with applicable laws.
 - b) Issuing a code of conduct for public security forces.
 - c) Taking necessary action to safeguard all the rights of the detained in accordance with the Bahraini Criminal Procedures Code, including the appointment of a lawyer.
 - d) Studying the establishment of a central detention facility under the supervision of Public Prosecution.
4. H.E. Minister of Interior issued a decision on 22 December 2011 including new procedures requiring the signature of any detainee, as well as the arresting officer, on a document listing the following rights of detainees:
 - a) An arrest warrant must be produced.

- b) Quick communication with their lawyers must be ensured.
- c) Family visits must be allowed in accordance with the Code of Criminal Procedures of the Kingdom of Bahrain.

This list shall be in electronic format and shall be maintained in a central network available for inspection by officials at all times.

5. The Ministry of Interior signed a memorandum of understanding with the International Red Cross Society on 8 December 2011. The International Red Cross Society is visiting all detention centers and will provide the Ministry of Interior advice on, and assistance in, these reform efforts.
6. A new precautionary detention center was opened in January 2012 at the Dry Dock Prison. It will be used to detained all persons accused of crimes who are not yet convicted. The Ministry of Interior's Inspector General will supervise this center. However, the administration of the center will be placed under the National Human Rights Institution other than the Ministry of Interior, in due course as recommended by legal experts.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). **See Appendix 2.**
2. Draft law establishing the National Human Rights Institution. **See Appendix 3.**
3. Ministerial Order No. 14 of 2012 regarding the new Police Code of Conduct, and Ministerial Order No. 13 of 2012 on the Precautionary Detention Centre. **See Appendix 7.**
4. Police Code of Conduct, and the overall framework of the training programme for Ministry of Interior personnel in the field of human rights, as well as measures and action taken in response to the recommendations (1722, C and G). **See Appendix 8.**

5. Information on Ministerial Order issued by H.E. Minister of Interior on required processes and steps to guarantee the rights of the accused; as well as Ministerial Order issued by H.E. Minister of Interior to the Inspector General to take all necessary steps to guarantee the rights of the accused, the amendments related to arrest and detention processes and required officer training, and the statute issued by the Supreme Judicial Council on visits and inspections of prisons, detention centers and areas where precautionary measures are implemented.

See Appendix 18.

6. Form of receipt of detainees and persons placed under precautionary arrest.

See Appendix 19.

(E) - The Commission recommends that the Government of Bahrain establish urgently, and implement vigorously, a programme for the integration into the security forces of personnel from all the communities in Bahrain.

Actions of the Commission:

- The Commission asked a number of questions as follows: How many persons were actually hired? In which governorates were they appointed? Will recruitment be limited to community police only, or will it extend to include other security sectors?
- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.
- The Commission found that the implementation of this recommendation requires a clear and specific programme including the assimilation of persons from all sects in various security agency, and not in the Community Police only. This should also be done by adopting transparent processes and in accordance with a specified time schedule.

Implementation Actions Taken:

1. The Commission was provided with a copy of H.E. Minister of Interior's letter on the Ministry's commencement of implementation of a plan to recruit 500 Bahraini men and women from all sects and in all governorates to join the Community Police, subject to satisfaction of recruitment conditions. The recruitment of this batch paves the way for the recruitment of other batches whenever conditions and requirements are met in accordance with applicable regulations.
2. The Ministry of Interior commenced implementation of a plan to recruit 500 Bahraini men and women from all sects and in all governorates to join the Community Police, subject to satisfaction of recruitment conditions. The recruitment of this batch paves the way for the recruitment of other batches, in phases, and continuously, whenever conditions and requirements are met.

Legislations / Documents Relevant to the Recommendation:

Minister of Interior's letter of the assimilation of persons from all segments of society in Security Forces. **See Appendix 20.**

(F) - To train the judiciary and prosecutorial personnel on the need to ensure that their activities contribute to the prevention and eradication of torture and ill-treatment.

Actions of the Commission:

- The Commission requested training of members of the judiciary and Public Prosecution on the necessary transformation of their functions into a contributing factor in the prevention and eradication of torture and ill-treatment.
- The Commission asked about the training programme proposed for them, and which entity will develop the programme?
- The Commission asked a number of questions as follows: What is the progress in this respect from the time of issue of the report to this date? When will the training end? What is the relationship of the United Nations Office on Drugs and Crime with the training of members of the judiciary and Public Prosecution? Why is assistance from other international organizational not sought?
- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. The Government of Bahrain has agreed to implement this recommendation through a training programme developed with the International Institute of Higher Studies in Criminal Sciences (ISISC) in Syracuse, Italy. ISISC enjoys special consultative status with the United Nations and the Council of Europe. ISISC has also a special cooperation agreement with the United Nations Office in Vienna (UNOV), and it is one of the eighteen organizations comprising the United Nations Crime Prevention and Criminal Justice Programme Network. The Network assists the United Nations Programme and interested Member States in strengthening international cooperation in crime prevention and criminal justice.

2. The Commission was provided with a copy of the training programmes developed to implement this recommendation in collaboration with the German Foundation for International Legal Cooperation (IRZ), American Bar Association, The International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy and the University of Nottingham, United Kingdom; in addition to a copy of the letter of the Minister of Justice, Islamic Affairs and Endowments to the Director of United Nations Office on Drugs and Crime at the GCC, describing venues of cooperation in the fields of criminal justice and law enforcement.

Legislations / Documents Relevant to the Recommendation:

1. Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F). See Appendix 2.
2. Training programmes documents:
 - a) Training programmes developed to implement Recommendation (1722/F).
 - German Foundation for International Legal Cooperation (IRZ).
 - American Bar Association.
 - International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy.
 - The University of Nottingham, United Kingdom.
 - b) Letter of the Minister of Justice, Islamic Affairs and Endowments to the Director of United Nations Office on Drugs and Crime at the GCC. **See Appendix 10.**

(G) - There should be audiovisual recording of all official interviews with detained persons.

Actions of the Commission:

- The Commission acknowledged that it is necessary to provide audiovisual recordings of all official interviews with detained persons. It was informed of the order issued by H.E. Minister of Interior to take all necessary steps (including the ordering and installing of the relevant equipment) to enable the audiovisual recordings of all official interviews with suspects, witnesses or detained persons. It was pointed out that the BICI report referred to recordings with “detained persons” only. This decision was made given the wisdom of recording all interviews, even interviews of persons who are not detained such as suspects and witnesses.
- The Commission found that it is necessary to take all required steps to implement the recommendation related to investigations with arrested and detained persons at Public Prosecution. The Commission was furnished with a copy of the Attorney General’s letter on the installation of technical equipment in 60 public prosecution investigation rooms, and the contractor.
- On the Commission question on the estimated date of completion of installation of all equipment at both the Ministry of Interior and Public Prosecution, the answer was received in detail as shown under “Implementation Action Taken”.
- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. On 22 December 2011, the Minister of Interior ordered that all steps be taken (including ordering the purchase of the relevant equipment) to enable the audiovisual recordings of all official interviews with suspects, witnesses or detained persons.
2. On 5 January 2012, the Ministry of Interior approved a detailed plan for the installation of audiovisual equipment, including architectural drawings and approval of the German company

who will supply the technical equipment. The Ministry of Interior has currently announced a tender to select contractors to install these new equipment. All required equipment will be ordered from Germany when the installation contractor is selected. The first police station to be fitted with the equipment will be in Hooraa.

3. Sixty cameras have been ordered from Germany, twenty of which have now been delivered. Work has commenced on Hooraa Police Station and it is expected to be finished on time.
4. Audiovisual equipment will be fitted in 33 interrogation rooms within two months.
5. The interrogation rooms will then be fitted with the new design (new glass, walls, furniture etc) at a rate of five rooms every 1.5 months, aiming to complete the project within a maximum of 8 months.
6. With respect to interrogations conducted at the Public Prosecution, on 28 February 2012, the Attorney General confirmed that the Public Prosecution office will be supplied with the required audiovisual recording equipment from the same company who is contracted with the Ministry of Interior. Equipment has been purchased for 60 interrogation rooms, which will also be fitted with special insulation. It is estimated that that these works will be completed within the next two months.

Legislations / Documents Relevant to the Recommendation:

1. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles (115), (214), (234), (1), (82), (127) bis, (233) bis, and (223) bis (A). **See Appendix 3.**
2. Information on measures and actions taken in response to the recommendations (1722, C and G). **See Appendix 8.**
3. Detailed plan for the installation of audiovisual equipment, including engineering drawings and the German companies who will supply the equipment. **See Appendix 21.**
4. Letter of the Attorney General on action to be taken in respect of audiovisual equipment of all official interviews with suspects, witnesses or detained persons. **See Appendix 22.**

(H) - To review convictions and commute sentences of all persons charged with offences involving political expression, not consisting of advocacy of violence, or, as the case may be, to drop outstanding charges against them.

Actions of the Commission:

- The Commission asked a number of questions as follows: Were conviction sentences actually nullified or commuted where the recommendation applies? How many persons does the recommendation apply to but their conviction sentences were not nullified or commuted? When will the review of all cases referred to in the recommendation be completed? The Commission was informed of action taken in detail, as shown under “Implementation Actions Taken”.
- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. On 24 December 2011, the Attorney General confirmed that all charges relating to freedom of expression will be dropped, with cases only being pursued against those persons accused of violent crimes. This decision benefits 334 people.
2. On 2 January 2012, the Supreme Judicial Council announced that a committee of civilian judges will review all convictions with a view to commute sentences of all persons convicted of offences involving freedom of expression, not consisting of advocacy of violence.

Legislations / Documents Relevant to the Recommendation:

1. Draft law to amend certain provisions of the Penal Code issued by Decree Law No. 15 of 1976, pertaining to Articles (168), (169) First Paragraph, (69) bis, (134) and (174).

See Appendix 3.

2. Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – on the results of the actions of the committee tasked with the review of National Safety Courts’ convictions. **See Appendix 5.**

(I) - To commute the death sentence imposed for murder arising out of the events of February/ March 2011, in the light of the preference of Article 6 of the ICCPR for the abolition of the death penalty and the concerns regarding the fairness of trials conducted by the National Safety Court.

Actions of the Commission:

- At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.
- At the time of writing this report, as no final death sentence has been passed, this recommendation was inapplicable.

(J) - To compensate and provide remedies for the families of the deceased victims in a manner that is commensurate with the gravity of their loss. In this connection, the Commission welcomes the Royal Decree Law N0. 30 of 2011 for the establishment of the National Fund for the Reparation of Victims on 22 September 2011.

Actions of the Commission

The Commission submitted the following recommendations:

- Creating a mechanism to urgently appease all victims on all side.
- Creating a specialized chamber in civil courts to review claims for compensation.
- If required, the Commission recommends possible consideration of required legislation for the establishment of an appellate chamber to review claims for compensation.
- The Commission finds that the legal action related to provisional compensation claims cover practical requirements to receive compensation as soon as possible.
- The Commission recommends that the Higher Judicial Council follows up the course of justice in those cases to expedite resolution.
- To reach amicable settlements with the claimants.
- Quick formation of the committee – as provided in Article (2) of Decree (13)of 2012 on the National Compensation Fund – in respect to the management of the Fund, to decide on claims for compensation submitted to it, and to train the committee’s team members.

Implementation Actions Taken:

The Commission was informed of steps taken by different Government agencies to implement the recommendation:

1. Decree 13 of 2012 was issued on 26 January 2012 on the creation of a national victims’ compensation fund which will be managed by a new committee composed of five individuals

appointed by the Supreme Judicial Council. This committee will receive and consider all requests for compensation. It is empowered to award whatever form of redress it sees fit. It may therefore award financial compensation, or order that an formal apology be offered to the victim, or require that steps are taken by the relevant body to ensure that the abuse does not occur again. The Decree is modelled on best international practices to compensate victims around the world and the UN Basic Principles and Guidelines on the Right to Redress and Reparation for Victims of Gross Violations of International Human Rights and Serious Violations of International Humanitarian Law.

2. In response to the National Commission's proposal to expedite compensation to victims, the following was carried out:
 - The Supreme Judicial Council announced on 27 February 2012 the establishment of Special Compensation Courts. These courts will expedite such the conclusion of such claims for compensation.
 - In response to Recommendation 1722, Paragraphs (J) and (K), and in order to expedite the settlement of claims outside the courts, the Ministry of Justice and Islamic Affairs launched the "Civil Settlement Initiative". Under this initiative applicants can settle their claims in a consensual manner. The initiative is aimed at families of deceased victims and those who were injured in 2011, and those who would otherwise have to rely on civil court judgments against the state to obtain any sort of relief. The aim is to settle such claims as quickly as possible within months. Compensation will be awarded in accordance with amounts set within the law in cases of death and injury.

Legislations / Documents Relevant to the Recommendation:

1. Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – on the creation of specialized courts to review cases of compensation for last year's events in the Kingdom. See Appendix 5.
2. Decree Law No. 30 of 2011 to establish the National Victims' Compensation Fund.
See Appendix 23.
3. Ministry of Justice and Islamic Affairs Civil Settlement Initiative. **See Appendix 24.**

(K) - To compensate and provide remedies for all victims of torture, ill-treatment or prolonged incommunicado detention. In this connection, the Commission welcomes the Royal Decree Law N0. 30 of 2011 for the establishment of the National Fund for the Reparation of Victims on 22 September 2011.

Actions of the Commission:

The Commission submitted the following recommendations:

- Creating a mechanism to urgently appease all victims on all side.
- Creating a specialized chamber in civil courts to review claims for compensation.
- If required, the Commission recommends possible consideration of required legislation for the establishment of an appellate chamber to review claims for compensation.
- The Commission finds that the legal action related to provisional compensation claims cover practical requirements to receive compensation as soon as possible.
- The Commission recommends that the Higher Judicial Council follows up the course of justice in those cases to expedite resolution.
- To reach amicable settlements with the claimants.
- Quick formation of the committee – as provided in Article (2) of Decree (13)of 2012 on the National Compensation Fund – in respect to the management of the Fund, to decide on claims for compensation submitted to it, and to train the committee’s team members.

Implementation Actions Taken:

The Commission was informed of steps taken by different Government agencies to implement the recommendation:

1. Decree 13 of 2012 was issued on 26 January 2012 on the creation of a national victims’ compensation fund which will be managed by a new committee composed of five individuals appointed by the Supreme Judicial Council. This committee will receive and consider all

requests for compensation. It is empowered to award whatever form of compensation it sees fit. It may therefore award financial compensation, or order that a formal apology be offered to the victim, or require that steps are taken by the relevant body to ensure that the abuse does not occur again. The Decree is modelled on best international practices to compensate victims around the world and the UN Basic Principles and Guidelines on the Right to Redress and Reparation for Victims of Gross Violations of International Human Rights and Serious Violations of International Humanitarian Law.

2. In response to the National Commission's proposal to expedite compensation to victims, the following was carried out:
 - The Supreme Judicial Council announced on 27 February 2012 the establishment of Special Compensation Courts. These courts will expedite such the conclusion of such claims for compensation.
 - In response to Recommendation 1722, Paragraphs (J) and (K), and in order to expedite the settlement of claims outside the courts, the Ministry of Justice and Islamic Affairs launched the "Civil Settlement Initiative". Under this initiative applicants can settle their claims in a consensual manner. The initiative is aimed at families of deceased victims and those who were injured in 2011, and those who would otherwise have to rely on civil court judgments against the state to obtain any sort of relief. The aim is to settle such claims as quickly as possible within months. Compensation will be awarded in accordance with amounts set within the law in cases of death and injury.

Legislations / Documents Relevant to the Recommendation:

1. Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – on the creation of specialized courts to review cases of compensation for last year's events in the Kingdom. **See Appendix 5.**
2. Decree Law No. (30) of 2011 to establish the National Victims' Compensation Fund, and Decree No. (13) of 2012 relevant to National Victims' Compensation Fund regulations. **See Appendix 23.**
3. Ministry of Justice and Islamic Affairs Civil Settlement Initiative. **See Appendix 24.**

1723–The Commission provides the following recommendations on termination of services of workers in the private and public sectors, the expulsion of students and termination of scholarships:

(A) - To ensure that the remaining dismissed employees have not been dismissed because of the exercise of their right to freedom of expression, opinion, association or assembly.

Actions of the Commission:

The Chairman of the Commission was assigned to follow up this issue. The Commission requested review of the following:

- List of names and numbers of dismissed workers who were not reinstated to date and causes of their dismissal.
- List of dismissed workers who were reinstated.
- List of employees who were suspended and referred to Public Prosecution.

Implementation Actions Taken:

The Commission was informed of the following:

The reply of H.E. Chairman of the Council of Representatives which included a decision by the Council's Office to reinstate dismissed staff members of the General Secretariat of the Council of Representative, effective as of 2 January 2012, excluding those involved in criminal cases related to violent acts, until found innocent by the courts.

The Commission was also informed of the Government's response that all dismissed public sector workers who were dismissed for exercising their rights of free speech, were reinstated.

For further clarification, the Commission provides the following information:

1. Public Sector: As stated by the Civil Service Bureau, 179 of 180 dismissed workers were reinstated effective as of 1 January 2012. The remaining worker was not reinstated based on a final court decision which was made before the issue of the Government's instructions to reinstate all dismissed workers.
2. University of Bahrain: 6 workers refused to return to their jobs for unknown reasons. Of the 19 dismissed faculty members, 17 returned to their jobs, while two did not return due to their travel out of Bahrain.
3. Private Sector: As stated by the Ministry of Labour, 1893 of 2462 dismissal cases reviewed by the Government were settled. 336 workers (including retirees) were hired by other companies in jobs of equal pay and benefits. Another 139 workers are still awaiting employment through the efforts of the Ministry of Labour. The Commission continues to follow up all cases related to this issue.

Legislations / Documents Relevant to the Recommendation:

1. Statement of dismissed public sector workers prepared by the Civil Services Bureau.
2. Statement prepared by Bahrain Polytechnic showing that no administration or academic staff were dismissed from the Polytechnic.
3. Statement of dismissed academia prepared by the University of Bahrain.
4. Statement of dismissed private sector workers prepared by the Ministry of Labour.
5. Letter of H.E. Chairman of the Council of Representatives on the reinstatement of General Secretariat staff members.

See Appendix 25.

(B) - To use all its powers to ensure that public corporations and other employers who dismissed employees for failure to appear for work at the time of the demonstrations treat them in a way that is at least equal to that provided by the Government of Bahrain to civil servants.

Actions of the Commission:

The Chairman of the Commission was assigned to follow up this issue. The Commission was informed of action taken in detail as shown under “Implementation Actions Taken”.

Implementation Actions Taken:

The Government of Bahrain expended intensive efforts to reinstate dismissed private sector workers, resulting in the settlement of 93% of cases of state invested enterprises, and 76% of all remaining cases. The remaining cases were referred to the courts for settlement. A small number of dismissed workers remain and are in the process of being reinstated.

As stated by the Ministry of Labour, 1893 of 2462 dismissal cases reviewed by the Government were settled. 336 workers (including retirees) were hired by other companies in jobs of equal pay and benefits. Another 139 workers are still awaiting employment through the efforts of the Government. The Ministry continues to follow up all cases related to this issue.

Legislations / Documents Relevant to the Recommendation:

Statement of dismissed private sector workers prepared by the Ministry of Labour.

See Appendix 25.

(C) - (a) To reinstate all students who have not been criminally charged with an act of violence and (b) to put in place a procedure whereby students who were expelled on legitimate grounds may apply for reinstatement after a reasonable period of time, (c) and to adopt clear and fair standards for disciplinary measures against students and to ensure that they are applied in a fair and impartial manner.

Actions of the Commission:

The Chairman of the Commission was assigned to follow up this issue. The Commission was informed of action taken in detail as shown under “Implementation Actions Taken”.

Implementation Actions Taken:

All students that have not been convicted with acts of violence have been reinstated. Students charged but not convicted have also been reinstated. If students are convicted, both the University of Bahrain and the Bahrain Polytechnic will have procedures in place to facilitate their readmission after a reasonable period of time.

For further clarification, the Commission provides the following information:

1. Polytechnic: As stated by the Polytechnic, 54 expelled students were readmitted, while 8 declined due to their study abroad. None of the academia or administration staff were dismissed.
2. University of Bahrain: As stated by the University, 426 expelled students were readmitted, while 66 others were granted the right of readmission but did not return for unknown or undisclosed reasons. 89 of 95 suspended (but not dismissed) administration staff members were reinstated. University of Bahrain has taken necessary action to amend its bylaws (to include investigative rules and procedures) in compliance with international standards. The bylaws will be reviewed by UNESCO experts.

Legislations / Documents Relevant to the Recommendation:

1. Statement of expelled students prepared by Bahrain Polytechnic.
2. Statement of dismissed students prepared by the University of Bahrain.

See Appendix 25.

(D) - To follow up on the statement by HM King Hamad bin Isa Al Khalifa to the effect that the Government of Bahrain will consider rebuilding, at its expense, some of the demolished religious structures in accordance with administrative regulations. The Commission welcomes the Government of Bahrain addressing this question at the earliest possible time.

Actions of the Commission:

The Chairman of the Commission was assigned to follow up this issue. The Commission was informed of action taken in detail as shown under “Implementation Actions Taken”. Moreover, the Commission was presented with all the relevant documents which show that work on reconstruction of 5 mosques has started, while erection of perimeter walls of 7 other mosques is scheduled to commence at a later date.

Implementation Actions Taken:

1. The BICI report shows that a committee was formed to review the reconstruction of religious sites (Paragraph 1681).
2. On 12 January 2012, the government announced that 12 mosques would be rebuilt. Construction work had already begun on 5 which had both a Royal decree and a building permit. Construction on the remaining 7 will begin very shortly. The status of remaining sites is under review for taking required official and legal action.
3. Coordination will be carried out with all relevant ministries and the Jaafari Endowments Administration to follow up progress of work at houses of worship, subject to applicable Bahraini laws and regulations.
4. The Jaafari Endowments Administration, in coordination with the Ministry of Justice, Islamic Affairs and Endowments, Ministry of Municipalities Affairs and Urban Planning, Ministry of Works, and Survey and Land Registration Bureau to complete the legal, administrative and technical requirements for issuance of title deeds of all mosques and houses of worship, as well as for the issuance of building permits, resolution of overlapping border lines of properties with some mosques and houses of worship, in preparation for their reconstruction in accordance with Royal directives.

Legislations / Documents Relevant to the Recommendation:

1. Ministry of Justice, Islamic Affairs and Endowments report on reconstruction of religious sites, as stipulated in Recommendation 1723 (Paragraph D). **See Appendix 26.**
2. Jaafari Endowments letter pertaining to the implementation of Recommendation 1723 on the reconstruction of mosques which were demolished during the events of February and March 2011. **See Appendix 27.**

1724 –The Commission submits the following recommendations related to cases of media incitement:

(A) - To consider relaxing censorship and allowing the opposition greater access to television broadcasts, radio broadcasts and print media. The continuing failure to provide opposition groups with an adequate voice in the national media risks further polarizing the political and ethnic divide.

Actions of the Commission:

The Commission approved a number of recommendations and wrote to the Government concerning those recommendations. They are as follows:

1. Assigning the Media Affairs Authority to develop a national media strategy based on consolidating common national values and calling for reconciliation in all aspects which contribute to the benefit and development of the country.
2. Adopting a fair, professional and balanced media policy towards the opposition, by ensuring that the media adopts points of view related to expediting reform at the legislative and executive levels, and catering to more of the living requirements of citizens. The official media organizations should announce the programmes to gain the confidence of citizens. This cannot be done without allowing all the political and social powers which constitute the Bahraini society to appear in the official local media.
3. Diagnosing and remedying any government discrepancies towards citizens through television and radio programmes.
4. Covering seminars and events organized by political associations, focusing on their content in the media, and addressing them objectively. This would give the all parties responsibility of addressing those issues, provided that such actions are in compliance with Bahrain's Constitution and applicable laws.
5. Qualifying media personnel to gain skills commensurate with international standards, in order to create specialized media expertise, focusing in the coming period on personnel concerned with political and social affairs to ensure their neutrality and mature performance.

6. To stop all actions which could incite sectarian feuds and conflicts in official media.
7. On expediting action to issue draft laws for the regulation of the print, audio and visual printing and publishing industry, both traditional and electronic, to consolidate the constitutional principle guaranteeing the freedom of expression, without prejudice to the unity of the people, and without inciting sectarian division, taking into consideration the events which took place in Bahrain and resulted in the existing sectarian prejudice, in which information and social media played a role.

The Commission was informed at the time that the Government of Bahrain and the Information Affairs Authority have taken the initiative and conducted advanced discussions with international experts from France to assist in the drafting of proposals for implementing this recommendation. The selected experts have broad experience in working with governments on opening the media space. A meeting was held on 25 January 2012 between a number of National Commission members and French media experts, who pledged to provide comprehensive proposals and recommendations to the Government based on everything that was discussed during their visits to Bahrain, in order to implement leading media models which can be considered an international standard for development of the media and the press in Bahrain.

The Commission also wrote to the Government requesting information on action taken to diagnose and remedy any remissness on the part of the state towards citizens in television and radio programs, as stated in the National Commission's proposals for the implementation of this recommendation. Moreover, the Commission added the easing of censorship on Internet websites to the issue of censorship of the media.

The Commission was informed of action taken by various Government agencies to implement this recommendation, in response to a number of other recommendations and queries, as follows:

1. National plan for social and economic reconciliation developed by Ministry of Human Rights and Social Development.
2. Memorandum of Understanding signed between Ministry of Education and UNESCO in response to Recommendation 1725, Paragraph (A).
3. Media Reform Plan developed by Information Affairs Authority with the French experts, in response to Recommendation 1724, Paragraphs A, B and C.
4. Civil Settlement Initiative by the Ministry of Justice, Islamic Affairs and Endowments, in response to Recommendation 1722, Paragraph J and K.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

1. The Information Affairs Authority, in consultation with the team of French experts, has set out a detailed plan on the implementation of this recommendation in its overall plan. The highlights include the creation of a professional journalist card and the creation of a Higher Media Board to monitor and sanction content that incites hatred.
2. The Information Affairs Authority has signed a memorandum of understanding with the Management Consulting Centre of Excellence to prepare a Media code of honour for Bahrain Radio and TV, to ensure the respect of a media code of conduct, within a framework of pluralism, neutrality, credibility, rule of law, and preserving national unity. The Information Affairs Authority has already signed training contracts with international media outlets (BBC and Radio France).
3. The Government of Bahrain – Information Affairs Authority – adopted the proposals made by the team of French media experts, and approved a media plan including the establishment of a Higher Media Board, independent of the Government, to monitor media content, and consolidate all media related laws into one law.
4. The establishment of a high level education institute to train future journalists and other communications specialists.
5. The establishment of an integrated media city to attract Arab and international radio and television media companies, and to develop the media in collaboration with the private sector, and pave the way for the establishment of private satellite channels.

Legislations / Documents Relevant to the Recommendation:

1. Assignment of IMCA French media experts to present proposals to the Government of Bahrain. **See Appendix 21.**
2. Media Reform Plan developed by Information Affairs Authority and the French experts. **See Appendix 24.**

(B) - 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 intolerance, without prejudice to internationally protected rights of freedom of expression.

Actions of the Commission:

The Commission approved a number of recommendations and wrote to the Government concerning those recommendations. They are as follows:

1. Urging the Bahrain Journalists Association to reconsider the media code of honor to address the national reconciliation phase, in order to encourage writers to promote public opinion calling for reconciliation and tolerance and rejecting division and extremism, emphasizing the necessity of compliance by all journalists.
2. To emphasize joint causes which consolidate national unity and call for sectarian tolerance, shedding more light on such causes in all programs and reconciling differences.
3. To re-organize official media agencies, and attract information and media talent capable of building a media organization to international standards in this field.
4. The Commission also requested a number of items, including:
 - Review of a copy of draft laws pertaining to the regulation of the printing and publishing industry, to assess the event of its achievement of the purpose of the recommendation.
 - Review of the recently signed journalists code of honor.

Implementation Actions Taken:

The Commission was informed of action taken by various Government agencies to implement this recommendation, in response to a number of other recommendations and queries, as follows:

1. National plan for social and economic reconciliation developed by Ministry of Human Rights and Social Development.
2. Memorandum of Understanding signed between Ministry of Education and UNESCO in response to Recommendation 1725, Paragraph (A).
3. Media Reform Plan developed by Information Affairs Authority, in response to Recommendation 1724, Paragraphs A, B and C.
4. The Commission reviewed a copy of the final report of the Council of Representatives Services Committee related to the Journalism Law.
5. The Information Affairs Authority, in consultation with the team of French experts, has set out a detailed plan on the implementation of this recommendation in its overall plan. The highlights include the creation of a professional journalist card and the creation of a Higher Media Board to monitor and sanction content that incites hatred.
6. The Journalism Code of Honour was issued by the Bahrain Journalists Society in January 2012.
7. The Information Affairs Authority has signed a memorandum of understanding with the Management Consulting Centre of Excellence to prepare a Media code of honour for Bahrain Radio and TV, to ensure the respect of a media code of conduct, within a framework of pluralism, neutrality, credibility, rule of law, and preserving national unity.
8. The Information Affairs Authority has already signed training contracts with international media outlets (BBC and Radio France).

Legislations / Documents Relevant to the Recommendation:

1. Assignment of IMCA French media experts to present proposals to the Government of Bahrain. **See Appendix 21.**
2. National plan for social and economic reconciliation developed by Ministry of Human Rights and Social Development. **See Appendix 24.**
3. Memorandum of Understanding signed between Ministry of Education and UNESCO. **See Appendix 24.**
4. Media Reform Plan developed by Information Affairs Authority. **See Appendix 24.**

(C) - To undertake appropriate measures including legislative measures to prevent incitement to violence, hatred, sectarianism and other forms of incitement which lead to the violation of internationally protected human rights, irrespective of whether the source is public or private.

Actions of the Commission:

The Commission requested international standards compliant definitions of the term “incitement to violence, hatred, and sectarianism”. The Government stated that it was provided with the legal interpretation of the term “incitement to hatred and sectarianism”, and sent the interpretation along with its reply, noting that Articles 152, 172, 301, 309 and 311 of the Penal Code address this issue as well. In the Government’s desire to provide a broader understanding of this issue in accordance with the requirements of Article 20 of the International Covenant on Civil and Political Rights, which was made part of the internal legislation of the Kingdom; this article prohibits any incitement of national, racial or religious hatred, and is considered to be an incitement of discrimination, animosity or violence. The Government is working with several international experts in human rights to draft a legislation criminalizing violations of the provisions of this Article in accordance with the International Covenant on Civil and Political Rights.

The Commission was informed of action taken by various Government agencies to implement this recommendation, in response to a number of other recommendations and queries, as follows:

1. National plan for social and economic reconciliation developed by Ministry of Human Rights and Social Development.
2. Memorandum of Understanding signed between Ministry of Education and UNESCO in response to Recommendation 1725, Paragraph (A), bis.
3. Media Reform Plan developed by Information Affairs Authority, in response to Recommendation 1724, Paragraphs A, B and C, bis.

At the start of its work, the Commission requested information on action taken and to be taken in the future. The Commission was kept informed of progress based on continuous follow up with the Government.

Implementation Actions Taken:

The Government of Bahrain is studying proposals – with the advice of international experts – to legislate a new law based on Article 20 of the International Covenant on Civil and Political Rights to prevent incitement of violence, hatred and sectarianism.

Legislations / Documents Relevant to the Recommendation:

1. Information on the National Reconciliation Document issued by the Shura Council and referred by the National Commission to the Cabinet. The National Plan for Social and Economic Reconciliation developed by Ministry of Human Rights and Social Development. The Memorandum of Understanding signed between the Ministry of Education and UNESCO. The Media Reform Plan developed by the Information Affairs Authority. The Civil Settlement Initiative implemented by the Ministry of Justice, Islamic Affairs and Endowments.
See Appendix 24.
2. Interpretation of the term “incitement to violence, hatred, and sectarianism” in accordance with international standards.**See Appendix 28.**

1725–The Commission recommends the following for better understanding and respect of human rights, including respect of ethnic diversity:

(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.

Actions of the Commission:

The Commission also approved a number of recommendations and wrote to the Government concerning them. They are as follows:

1. To ensure the development of education programmes at the elementary, secondary and university level educational programmes aimed at promoting religious, political and other forms of tolerance, as well as to strengthen human rights and the rule of law.
2. Legislation of regulations aimed at safeguarding the sanctity of educational and academic institutions as required by international laws.
3. Reconsideration of citizenship and social education curricula at all educational levels, and the assignment of panel of qualified education experts to develop and issue proper educational curricula founded on good and mature citizenship, and aimed at instilling the acceptance of others, abjuring the mentality of rejecting the sectarian, ethnic and cultural diversity which characterized Bahrain throughout its history, and to transform it into a launch pad to remold the beliefs of the youth and their tolerance of others. The panel may enlist the aid of international experts in this field.
4. Activating the parents' committees at schools, and to organize periodic events and meetings for parents to serve as means to bring families closer together through the school's environment by creating a common factor between families, holding them responsible for the follow up and protection of the students.
5. Developing rehabilitation programmes for the education sector based on international standards, capable of providing workers in this field, and teachers in particular, with professional ethics guided by the spirit of tolerance, acceptance of the other, and coexistence of the various segments of society.

6. Issue of a code of ethics to regulate professional standards for education and regulate their relationships with the components of society, thus promoting a civilized society spirit in the education sector.
7. Assignment of the Supreme Council for Islamic Affairs in collaboration with the Ministry of Education to reformulate the Islamic education curricula for the three basic levels of education, such that the curricula include all factors that are common to all the citizens of Bahrain.
8. Calling for educational curricula in all religious institutes and schools to incorporate the values of pluralism and coexistence.
9. Working with civil society organizations and human rights organizations to restore the local Bahraini character.

Implementation Actions Taken:

- Memorandum of Understanding signed between Ministry of Education and UNESCO in response to Recommendation 1725, Paragraph (A), bis.
- The Ministry of Education has also held various workshops on human rights for children in December and January 2012 including :
 - a workshop entitled “A Games Package for Human Rights”, administered by the Arab Network for Citizenship and Human Rights, held from 26 to 29 December 2011.
- Beginning in February 2012, the MoE plans to cooperate with UNDP in order to introduce an intensive training program for teachers on education for human rights.
- The MoE is planning further training programmes in February and March 2012, including programmes for children. These include:
 - - A workshop entitled “A Games Package for Human Rights” for 200 girl-scouts from 25th to 29th January 2012.
 - - Four training workshops on “differences” during February 2012.
 - Two workshops on “dealing with each other” and “the value of dialogue” for in March 2012.

Legislations / Documents Relevant to the Recommendation:

1. Memorandum of Understanding signed between Ministry of Education and UNESCO.
See Appendix 24.
2. Latest administrative actions taken by the Ministry of Education in implementation of Recommendation 1725(A) related to National Reconciliation. **See Appendix 29.**

(B) - In general, the Commission recommends to the Government of Bahrain the development of a national reconciliation programme that addresses the grievances of groups which are, or perceive themselves, to be deprived of equal political, social and economic rights and benefits across all segments of Bahrain's population.

Actions of the Commission:

The Commission approved the following item, and referred it to the Government:

- To develop a national reconciliation programme addressing political, social and economic aspects, and to enlist the aid of international experts in this field taking into consideration the principles of human rights and constitutional principles.
- The Commission received a letter from the Minister of Human Rights and Social Development advising that Mr. Mark Muller of InterMediate, United Kingdom would like to meet with H.E. Commission Chairman and Commission members during his visit to Bahrain which is intended to facilitate the opening of dialogue and reconciliation in the Kingdom of Bahrain.
- A meeting was held between a number of Commission members and Mr. Mark Muller on 2 February 2012. The meeting focused on what the visiting delegation could offer in terms of experience in national reconciliation in other countries.
- The Commission emphasized that it is necessary for the Government of Bahrain to develop the National Reconciliation Programme based on international standards and the principles of human rights, addressing the grievances of groups who believe they are suffering inequality in political, social and economic rights, in order to ensure benefits to all the segments the Bahraini society.
- The Commission also emphasizes that the implemented recommendations, such as the reinstatement of dismissed employees, reconstruction of mosques and compensations to victims and their families promotes national reconciliation.

The Commission also reviewed the Shura Council Initiative related to the National Reconciliation Plan which was launched on Monday 9 January 2012, and provided to the Commission by H.E. Chairman of the Shura Council, Chairman of the National Commission, pledging before God Almighty allegiance to country and leadership, to be united by brotherhood, love and compassion, to be guided by tolerance, coexistence and harmony, founded on justice, equity and respect of the rule of law. The Commission adopted this document and wrote to the Government to adopt the National Reconciliation Document as an initiative to achieve comprehensive national reconciliation

among the people and constituents of this country, and to circulate the document to ministries and government departments. The implementation mechanism shall be left to the discretion of each entity as it deems appropriate.

Implementation Actions Taken:

The Commission was informed of action taken by various Government agencies to implement this recommendation, in response to a number of other recommendations and queries, as follows:

1. Memorandum of Understanding signed between Ministry of Education and UNESCO in response to Recommendation 1725, Paragraph (A), bis.
2. Media Reform Plan developed by Information Affairs Authority, in response to Recommendation 1724, Paragraphs A, B and C, bis.
3. The Civil Settlement Initiative being implemented by the Ministry of Justice, Islamic Affairs and Endowments, in response to Recommendation 1722, Paragraphs J and K, bis.
4. The National Reconciliation Plan developed by the Ministry of Human Rights and Social Development, which includes the formation of a committee of all ministries to oversee the plan, and to provide US \$ 500,000 to Civil Society Organizations to contribute to National Reconciliation programmes and other activities, is considered to be a step in the direction of national reconciliation.

Legislations / Documents Relevant to the Recommendation:

1. Information on the referral of the National Reconciliation document issued by the Shura Council and adopted by the Commission, to the Cabinet.
2. The National Plan for Social and Economic Reconciliation developed by the Ministry of Human Rights and Social Development.
3. Memorandum of Understanding signed between Ministry of Education and UNESCO.

4. The Media Reform Plan developed by Information Affairs Authority.
5. Civil Settlement Initiative implemented by Ministry of Justice, Islamic Affairs and Endowments.
See Appendix 24.
6. National Reconciliation Document issued by the Shura Council and adopted by the National Commission. **See Appendix 30.**

OTHER GOVERNMENT INITIATIVES

1. In accordance with the recommendation contained in Paragraph 184 of the BICI report, the Supreme Constitutional Court announced that its decision review the constitutionality of the National Safety Law (Royal Decree No. 18 for 2011). The Constitutional Court, in its decision on 25 January 2012, found the Decree to be constitutionally valid.
2. The Cabinet ratified the following two proposals presented to the Legislature:
 - Amendments to the penal code criminalising all forms of torture; increasing the sentencing for torture; and lifting the limitation period on claims for torture. These amendments harmonise Bahraini law with international human rights standards. The Council of Representatives in Parliament approved these amendments.
 - Amendments of the Penal Code incorporate international principles related to freedom of expression. The Council of Representatives in Parliament approved these amendments.

**DOCUMENTS RELATED TO THE
IMPLEMENTATION**



DOCUMENTS RELATED TO THE IMPLEMENTATION

Appendix	Source	Appendix Number
<ol style="list-style-type: none"> 1. Royal Order No. 45 of 2011 establishing the National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry. 2. Royal Order No. 48 of 2011 forming the National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry. 3. .Royal Order No. 9 of 2012 to extend the term of the National Commission Assigned to Follow Up the Recommendations of the Bahrain Independent Commission of Inquiry. 	<ul style="list-style-type: none"> • Official Gazette, No. 3028, Thursday, 1 December 2011 • Official Gazette, No. 3028, Thursday, 1 December 2011 	1
<p>Report of the legal experts assigned to give advice on Recommendations 1716, 1717, 1718 and 1722, paragraphs (A, B, D and F)</p>	<p>Deputy Prime Minister's Letter No. NRA/054/02/12 dated 22 February 2012.</p>	2

Appendix	Source	Appendix Number
<p>Draft law prepared to implement BICI Recommendations.</p> <ol style="list-style-type: none"> 1. Draft law to amend certain provisions of the Penal Code issued by Decree Law No. 15 of 1976, pertaining to Articles (168), (169) First Paragraph, (69) bis, (134) and (174). 2. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles (115), (214), (234), (1), (82), (127) bis, (223) bis, and (223) bis (A). 3. Draft law to amend certain provisions of the Code of Criminal Procedure issued by Decree Law No. 46 of 2002, pertaining to Articles 22 bis and 64 bis. 4. Decree on the charter of the National Fund for Compensation of Victims. 5. Draft law to amend certain provisions of the Public Security Law issued by Decree Law No. 3 of 1982, pertaining to Article (81), last paragraph. 6. Draft law to amend certain provisions of the Penal Code issued by Decree Law No. 15 of 1976, Articles (208) and (232). 7. Draft law to amend the last paragraph of Article 363 of the Penal Code issued by Decree Law No. 15 of 1976. 8. Draft law establishing the National Human Rights Institute in accordance with the Paris Protocol. 	<p>Deputy Prime Minister's Letter No. NRA/058/02/23 dated 12 February 2012.</p>	<p>3</p>

Appendix	Source	Appendix Number
<ol style="list-style-type: none"> 1. Attorney General's Decision No. 8 of 2012 on the establishment of the Special Investigations Unit. 2. Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – Item 3 thereof, pertaining to the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period. 	<p>Deputy Prime Minister's Letter No. NRA/62/02/12 dated 28 February 2012.</p>	4
<p>Letter of the Deputy Head of the Supreme Judicial Council - Head of the Cassation Court – on the results of the actions of the committee tasked with review of National Safety Courts' convictions, the creation of specialized courts to review cases of compensation for last year's events in the Kingdom, and the appointment of a counselor to the team of national investigators assigned to investigate allegations of unlawful acts over the past period.</p>	<p>Deputy Prime Minister's Letter No. NRA/061/02/12 dated 28 February 2012.</p>	5
<p>Decree No. 27 of 2012 on the Office of the Independent Ombudsman at the Ministry of Interior.</p>	<p>Deputy Prime Minister's Letter No. NRA/068/02/12 dated 29 February 2012.</p>	6
<p>Ministerial Order No. 14 of 2012 regarding the new police code of conduct, and Ministerial Order No. 13 of 2012 on the Precautionary Detention Centre.</p>	<p>Deputy Prime Minister's Letter No. NRA/047/02/12 dated 8 February 2012.</p>	7
<ol style="list-style-type: none"> 1. Police Code of Conduct, and the overall framework of Ministry of Interior personnel training programme in the fields of human rights. 2. Information on action and processes taken in response to recommendations (1722 / C and G). 	<ul style="list-style-type: none"> • Deputy Prime Minister's Letter No. NRA/027/01/12 dated 23 January 2012. • Deputy Prime Minister's Letter No. NRA/232/12/11 dated 27 December 2011. 	8

Appendix	Source	Appendix Number
Response on the issue of legislation related to the protection of victims, witnesses and experts, and on the Commission's proposal to amend the Police Code of Conduct, as attached to Ministerial Decision No. 14, issuing them.	Deputy Prime Minister's Letter No. NRA/059/02/12 dated 23 February 2012.	9
<p>1. Training programmes developed to implement Recommendation (1722/F).</p> <ul style="list-style-type: none"> • German Foundation for International Legal Cooperation (IRZ). • American Bar Association. • The International Institute of Higher Studies in Criminal Sciences (ISISC), Syracuse, Italy. • The University of Nottingham, United Kingdom. <p>1. Letter of the Minister of Justice, Islamic Affairs and Endowments to the Director of United Nations Office on Drugs and Crime at the GCC.</p>	Deputy Prime Minister's Letter No. NRA/057/02/12 dated 23 February 2012.	10
Decree No. 115 of 2011 to amend certain provisions of Decree No. 14 of 2002 creating the National Security Agency.	Official Gazette, No. 3029, Thursday, 8 December 2011.	11
Response on the Commission's proposal to incorporate a provision in Decree Law No. 14 of 2002 to establish an Independent Inspector General's Office to carry out functions similar to those of the Ministry of Interior's Ombudsman's Office.	Deputy Prime Minister's Letter No. NRW 43/2012 dated 12 January 2012.	12

Appendix	Source	Appendix Number
Decree No. 28 of 2012 pertaining to the establishment of the Inspector General's Office and the Professional Standards Office at the National Security Agency	Deputy Prime Minister's Letter No. NRA/069/02/12 dated 29 February 2012.	13
Decree Law No. 28 of 2011 on the State of National Safety cases.	Official Gazette, No. 3013, Thursday, 18 August 2011.	14
Ministerial Decision No. 160 of 2011 on the transfer of all military cases of death, torture, cruel, inhumane or degrading treatment to Public Prosecution.	Deputy Prime Minister's Letter No. NRA/233/12/11 dated 27 December 2011.	15
Steps taken by the National Security Agency to implement Recommendations (1718, 1722 / A, C), and the letter sent by the Head of National Security Agency to the United Nations Development Programme (UNDP) Representative.	Deputy Prime Minister's Letter No. NRA/048/02/12 dated 8 February 2012.	16
Training sessions organized by National Security Agency, and steps taken by Bahrain Defense Force to training its personnel in the fields of human rights.	Deputy Prime Minister's Letter No. NRA/067/02/12 dated 29 February 2012.	17
<ol style="list-style-type: none"> 1. Information on Ministerial Order issued by H.E. Minister of Interior on required processes and steps to guarantee the rights of the accused. 2. Ministerial Order issued by H.E. Minister of Interior to the Inspector General to take all necessary steps to guarantee the rights of the accused, the amendments related to arrest and detention processes and required officer training. 3. The statute issued by the Supreme Judicial Council on visits and inspections of prisons, detention centers and areas where precautionary measures are implemented. 	<ul style="list-style-type: none"> • Deputy Prime Minister's Letter No. NRA/231/12/11 dated 27 December 2011. • Deputy Prime Minister's Letter No. NRA/2/1/12 dated 1 January 2012. • Deputy Head of the Supreme Judicial Council's Letter No. RTMQ/6/2012G, dated 30 January 2012. 	18

Appendix	Source	Appendix Number
Form of receipt of detainees and persons placed under precautionary arrest.	Ministry of Interior, 28 February 2012.	19
Minister of Interior's letter of the assimilation of persons from all segments of society in Security Forces.	Deputy Prime Minister's Letter No. NRA/070/02/12 dated 29 February 2012.	20
<ol style="list-style-type: none"> 1. Assignment of French media experts from IMCA to provide proposals to the Government of Bahrain. 2. Detailed plan for the installation of audio-visual equipment, including engineering drawings and the German companies who will supply the equipment. 	Deputy Prime Minister's Letter No. NRW 34/2012 dated 10 January 2012.	21
Letter of the Attorney General on action to be taken in respect of audiovisual equipment of all official interviews with suspects, witnesses or detained persons.	Deputy Prime Minister's Letter No. NRA/065/02/12 dated 29 February 2012.	22
<ol style="list-style-type: none"> 1. Decree Law No. (30) of 2011 to establish the National Victims' Compensation Fund. 2. Decree No. (13) of 2012 relevant to National Victims' Compensation Fund regulations. 	<ul style="list-style-type: none"> • Official Gazette, No. 3018, Thursday, 22 September 2011. • Official Gazette, No. 3037, Thursday, 2 February 2011. 	23
<ol style="list-style-type: none"> 1. Information on the national reconciliation document issued by the Shura Council and referred by the National Commission to the Cabinet. 2. National plan for social and economic reconciliation developed by Ministry of Human Rights and Social Development. 3. Memorandum of Understanding signed between Ministry of Education and UNESCO. 4. Media Reform Plan developed by Information Affairs Authority. 5. Civil Settlement Initiative implemented by Ministry of Justice, Islamic Affairs and Endowments. 	Deputy Prime Minister's Letter No. NRA/066/02/12 dated 29 February 2012.	24

Appendix	Source	Appendix Number
<ol style="list-style-type: none"> 1. Statement of dismissed public sector workers prepared by the Civil Services Bureau. 2. Statement of expelled students prepared by Bahrain Polytechnic, and a statement that no administration or academic staff were dismissed by the Polytechnic. 3. Statement of dismissed students and academia prepared by the University of Bahrain. 4. Statement of dismissed private sector workers prepared by the Ministry of Labor. 5. Letter of H.E. Chairman of the Council of Representatives on the reinstatement of General Secretariat staff members. 	<p>Deputy Prime Minister's Letter No. NRA/064/02/12 dated 29 February 2012.</p> <p>H.E. Chairman of the Council of Representatives Letter No. F3/D2/999/2011G, dated 25 December 2011.</p>	25
Ministry of Justice, Islamic Affairs and Endowments report on reconstruction of religious sites, as stipulated in Recommendation 1723 (Paragraph D).	Deputy Prime Minister's Letter No. NRA/056/02/12 dated 23 February 2012.	26
Jaafari Endowments letter pertaining to the implementation of Recommendation 1723 on the reconstruction of mosques which were demolished during the events of February and March 2011.	Jaafari Endowments Letter, Chairman's Office, MR/FM/60/7/12 dated 28 February 2012.	27
Interpretation of the term "instigation of hatred and sectarianism" in accordance with international standards.	Deputy Prime Minister's Letter No. NRA/063/02/12 dated 28 February 2012.	28
Latest administrative action taken by the Ministry of Education to implement Recommendation 1725(A) concerned with National Reconciliation.	Deputy Prime Minister's Letter No. NRA/031/01/12 dated 24 February 2012.	29
National Reconciliation document issued by the Shura Council and adopted by the National Commission.		30