

**Council of Commissioners Resolution No. 12 of 2014
Adopting the Executive Regulation Concerning the Organisation and
Function of the National Institution for Human Rights**

After reviewing Law No. (26) of 2014 on Establishing the National Institution for Human Rights; and

The Council of Commissioners Resolution No. (7) of 2013 Issuing the Executive Regulation Concerning the Organisation and Function of the National Institution for Human Rights; and

Based on the proposal of the Chairperson of the Council of Commissioners of the National Institution for Human Rights, and the approval of the Council of Commissioners in its fifth extraordinary meeting held on August 26, 2014 of the amended Executive Regulation Concerning the Organisation and Function of the National Institution for Human Rights.

It is resolved as follows:

Article 1:

The Executive Regulation Concerning the Organisation and Function of the National Institution for Human Rights attached to this Resolution shall be adopted.

Article 2:

The Council of Commissioners Resolution No. 7 of 2013 Issuing the Executive Regulation Concerning the Organisation and Function of the National Institution for Human Rights shall be revoked.

Article 3:

This Resolution shall come into force as of the date of its issuance.

Dr. Abdulaziz Hasan Abul
Chairperson,
National Institution for Human Rights

Issued in Manamah
On: 1 Thu Al-Qidah 1434 H
Corresponding to: 27 August 2014

Executive Regulation
concerning the Organisation and Function
of the National Institution *for* Human Rights

Executive Regulation concerning the Organisation and Function of the National Institution *for* Human Rights

Definitions and General Provisions

Article 1

In this Regulation, the following words and phrases shall have the meanings assigned next to them, unless the context otherwise requires:

- (a) **Law:** Law No. 26 of 2014 Establishing the National Institution for Human Rights.
- (b) **Regulation:** The Council of Commissioners Resolution No. 12 of 2014 Issuing the Executive Regulation Concerning the Organisation and Function of the National Institution for Human Rights
- (c) **NIHR:** the National Institution for Human Rights.
- (d) **Chairperson:** Chairperson of NIHR Council of Commissioners.
- (e) **Vice Chairperson:** Vice Chairperson of NIHR Council of Commissioners.
- (f) **Member:** Member of NIHR Council of Commissioners.
- (g) **Members:** Members of NIHR Council of Commissioners.
- (h) **Council of Commissioners Office:** NIHR Council of Commissioners Office.
- (i) **Council of Commissioners:** NIHR Council of Commissioners.
- (j) **Committees:** NIHR standing and ad-hock committees.
- (k) **Secretary General:** NIHR Secretary General.

Article 2:

An independent institution called the “National Institution for Human Rights” shall be established. The institution shall be in charge of promoting, developing, and protecting human rights, fostering human rights values, raising awareness on human rights, and ensuring the exercise of human rights. NIHR shall be based in Manamah.

NIHR shall have a corporate personality that is financially and administratively independent, and shall conduct its mandates freely, objectively, and with complete independence.

Article 3

NIHR shall conduct its mandates, set out in the Law, under the provisions of this Regulation. The Members shall be allowed to conduct any of NIHR mandates only after the nomination of the Chairperson and Deputy Chairperson.

Formation and Membership

Article 4

NIHR shall have a Council of Commissioners composed of eleven members, including the Chairperson and Vice Chairperson, of proven competence and integrity. The Members shall be elected from advisory and academic bodies, civil society organisations, trade unions, and social, economic and professional bodies, provided that women and minorities are represented appropriately on the Council.

Article 5

Subject to Article 4 of the Law, the Member of the Council of Commissioners shall meet the following conditions:

- (a) To be a Bahraini national;
- (b) To have completed at least thirty calendar years;
- (c) To have knowledge of and concern with human rights issues;
- (d) To be of good conduct and reputation; and
- (e) Not to have been convicted by a final decision with a criminal punishment or a freedom constraining punishment in a crime against honor or honesty, unless the Member has been rehabilitated.

Article 6

Members of the Council of Commissioners shall be appointed by Royal Decree for a period of four years, which may be renewed for similar periods. Appointments shall take place after consultation with relevant civil society institutions and various other organizations. The Members shall undertake their tasks in their personal capacity.

Article 7

The Council of Commissioners shall convene its first meeting under the Chairpersonship of the most-senior member in terms of age. The Council shall elect a Chairperson and Vice Chairperson from amongst them for four years. Election shall be carried out by the relative majority of the members present.

Article 8

- (a) Nominations to the Chairperson and Vice Chairperson positions shall be presented to the most-senior member in terms of age within the period specified by him. Elections shall take place among the nominees by secret ballot. If there more than one member acquires relative majority of the members present, members shall be elected by drawing of lots. If there are no nominees except the required number, the nominees shall be elected by acclamation. The Chairperson shall undertake his duties immediately once elected.
- (b) Once the Chairperson is elected, the Vice Chairperson shall be elected according to the method set out in Clause “a” of this Article.
- (c) If the Chairperson or Vice Chairperson becomes vacant for any reason, substitutes shall be elected to fill their positions according to the method set out in Clause “a” of this Article.
- (d) Official bodies in the Kingdom and the media shall be informed of the election results immediately once announced.

NIHR Mandates

Article 9

In fulfillment of its objectives, NIHR shall be free to comment on any issue related to human rights, and to address any human rights case, as it deems fit. NIHR shall have the following mandates:

- (a) To participate in the production and implementation of a national plan for the promotion and protection of human rights in the Kingdom.
- (b) To examine legislation and regulations enforced in the Kingdom which are related to human rights, and recommend amendments as it deems fit, particularly in connection with the consistency of such regulations with the Kingdom's international obligations in the human rights field. NIHR shall

- be empowered to recommend enacting new legislation related to human rights.
- (c) To consider the conformity of legislative and regulatory provisions with regional and international treaties related to human rights issues, and submit proposals and recommendations to the competent authorities in any matter that promote and protects human rights, including recommendations to accession to regional and international conventions and treaties concerned with human rights.
 - (d) To submit parallel reports, participate in the drafting and discussion of the reports which the Kingdom is obliged to submit periodically for the implementation of regional and international conventions concerning human rights, make remarks thereon, and publish such reports in the media outlets.
 - (e) To monitor violation of human rights instances, conduct the necessary investigation, draw the attention of the competent authorities and provide them with proposals on initiatives to put an end to such violations and, where necessary, to express an opinion on the reactions and positions of the competent authorities.
 - (f) To receive, examine and consider complaints related to human rights, refer the complaints, which NIHR deems necessary, to the relevant authorities, follow-up the complaints effectively, or inform those concerned of the procedures that should be applied, help them take such procedures, or assist in the settlement of complaints with the relevant authorities.
 - (g) To conduct field visits in accordance with the applicable principles in order to monitor human rights situation in correctional institutions, detention centers, labor gatherings, health and education centers, or any other public place in which it is suspected that human rights violations are committed.
 - (h) To initiate cooperation with the competent authorities concerned with cultural, media and educational affairs, and to submit proposals and recommendations in any matter in order to disseminate and promote a culture of awareness and respect for human rights.
 - (i) To cooperate with national bodies and regional and international organisations, as well as relevant institutions in other countries that are concerned with the promotion and protection of human rights.
 - (j) To host conferences and to organize training and educational events in the field of human rights and conduct research and studies in this regard.
 - (k) To participate in national and international forums, as well as in meetings of regional and international bodies concerned with human rights issues.
 - (l) To issue newsletters, publications, data and special reports, and upload them on NIHR website. NIHR shall be entitled to address the public opinion directly or through any of the media outlets.

- (m) To approve the legal and advisory opinions prepared by the Secretariat on the issues related to NIHR mandates, which are referred to it by the King or the constitutional authorities in the Kingdom.

Article 10

- (a) NIHR may request any information, reports or documents which it considers necessary for the attainment of its goals or the performance of its mandates from the ministries and relevant bodies in the Kingdom. These ministries and bodies shall cooperate with NIHR in the pursuit of its tasks, facilitate the conduct of its mandates and provide it with its requests in this regard in accordance with the relevant laws and regulations.
- (b) NIHR may inform the competent authorities in case the ministries and bodies fail to cooperate and provide NIHR with the requested information, reports and documents or prevent it from examining them, in order take the necessary steps in accordance with the law.

NIHR Organs

Article 11

NIHR shall consist of the following organs:

- (a) Chairperson;
- (b) Council of Commissioners Office;
- (c) Council of Commissioners;
- (d) Committees; and
- (e) Secretariat.

Chairperson

Article 12

The Chairperson shall represent NIHR before the Judiciary and in its relations with third parties. The Chairperson may delegate some of his competence to other members. The Vice Chairperson shall replace the Chairperson in exercising all of his powers in the event of his absence or inability to act.

Article 13

The Chairperson shall select one or more members or the Secretary General to represent NIHR in the forums as well as in local, regional, and international events related to its competence.

Article 14

The Chairperson shall open, chair, and control the meetings of the Council of Commissioners, shall run the deliberations, announce the conclusion of deliberation, calls any motion for decision, authorize the Members to speak during the meetings, and may speak at any time if he deems so beneficial for organising or clarifying the deliberation.

Article 15

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

Article 16

The Chairperson may convene any committee to consider any issue which he deems important. The Chairperson shall chair the meetings of the committees which he attends, and he may assign any member to consider or investigate a certain issue.

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

Council of Commissioners Office

Article 17

NIHR shall have a Council of Commissioners Office that shall include as members the Chairperson, Vice Chairperson, heads of the standing committees, set out in Article 30 of this Regulation, once elected, and the Secretary General, who shall not have the right to vote.

Article 18

The Council of Commissioners Office shall have the following mandates:

- (a) Coordination between the committees and settling any dispute on competence among the committees, if any.
- (b) Considering the reports submitted by the members on their tasks and visits inside and abroad the Kingdom, and making remarks on these reports before submitting them to the Council of Commissioners.
- (c) Considering the Chairperson proposal on the members who do not carry out their duties or conduct in violation of the membership conditions,

before presenting the issue to the Council of Commissioners for the appropriate decision.

- (d) Making initial remarks on the draft annual report and the parallel reports which fall within NIHR competence.
- (e) Considering the draft annual budget of NIHR and expressing its remarks on it before presenting it to the Council of Commissioners.
- (f) Any other tasks referred to it by the Chairperson or the Council of Commissioners.

Article 19

- (a) The Council of Commissioners Office shall meet once every two months, or whenever necessary, upon notice by the Chairperson.
- (b) The meetings of the Council of Commissioners Office shall be valid in the presence of the majority of its members, provided that the Chairperson or Vice Chairperson is present. The resolutions of the meetings of the Council of Commissioners Office shall be passed by the majority of the votes of the present members. In the event of equal votes, the chairperson of the meeting shall have a casting vote.

Article 20

- (a) The meetings of the Council of Commissioners Office may be attended only by the Members, the Secretary General, and any of the Secretariat staff who was decided to be retained to prepare the minutes of meetings.
- (b) The minutes shall be prepared under the supervision of the Secretary General for the Council of Commissioners Office meetings. The minutes shall include a summary of the deliberations, recommendations, and resolutions in the meetings. The minutes shall be certified by the Members in the next meeting, shall be signed by the Chairperson and the Secretary General, and shall be sealed by NIHR seal.

Council of Commissioners

Article 21

The Council of Commissioners shall hold an ordinary meeting at least once every three months based on an invitation by the Chairperson. The Chairperson, or upon the request of the majority members, may convene the Council of Commissioners to an extraordinary meeting at any time.

Article 22

- (a) The Council of Commissioners meeting shall be valid if attended by the majority of its members, which shall include the Chairperson or the Deputy Chairperson. If no quorum is present, the Chairperson may convene the meeting within three days.
- (b) If the quorum of the meeting of the Council of Commissioners is not present for two consecutive times, the meeting shall be deemed valid, provided that the number of attendees is not less than one-third of the members, including the Chairperson or Deputy Chairperson.
- (c) The resolutions of the Council of Commissioners shall be taken by the majority of the votes of the present members. In the event of equal votes, the Chairperson of the meeting shall have a casting vote.

Article 23

- (a) The meetings of the Council of Commissioners shall be confidential and may be attended only by the Members, the Secretary General, and any of the Secretariat staff who was decided to be retained to assist the Secretary in preparing the minutes of meetings.
- (b) The Council of Commissioners may invite to its meetings any person it deems fit to solicit his opinion or experience on any issue tendered for discussion or deliberation, without having the right to vote.

Article 24

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

Article 25

- (a) No issue may be deliberated before the Council of Commissioners before its referral to one of the committees or the Secretariat for consideration and presenting a detailed report the issue. The Council of Commissioners may decide otherwise with the approval of the majority members.
- (b) No issue not included on the agenda may be the object of deliberation, except in cases of urgency, under any further business item, with the approval of the majority members.

Article 26

- (a) The Council of Commissioners, based upon a proposal by the Chairperson or a motion tendered by at least three members, may determine a time for concluding the deliberation of an issue and soliciting opinion thereon.
- (b) The Council of Commissioners, based upon a proposal by the Chairperson or a motion tendered by at least three members, may decide to conclude deliberations on a certain issue. In order for deliberation to be closed, at least one of the favoring opinions and one of the dissenting opinions should have been allowed to speak.

Article 27

- (a) The Chairperson shall tender votes on the issue presented once the Council of Commissioners announces closing deliberation on this issue and after verifying that the necessary quorum for voting is present. Votes shall be tendered by show of hands or any other manner deemed appropriate by the Council of Commissioners.
- (b) The Chairperson shall announce the resolution of the Council of Commissioners on the presented issue according to the voting result. No comment may be made after announcing the resolution.

Article 28

- (a) The minutes of the Council of Commissioners meetings shall be prepared under the supervision of the Secretary General. The minutes shall include the names of the present and absent members, a summary of the deliberations of the meetings, and the resolutions taken.
- (b) The Secretary General shall finish and send the draft minutes of the meeting to the Chairperson for remarks well in advance of the next meeting.

- (c) The minutes shall be certified by the members in the next meeting, shall be signed by the Chairperson and the Secretary General, and shall be sealed by NIHR seal.
- (d) The Secretary General shall implement the resolutions of the Council of Commissioners and shall notify the Council of Commissioners of the detailed implementation in its next meeting.

Annual Report

Article 29

- (a) The Council of Commissioners shall prepare an annual report on NIHR efforts, activities, and other works related to human rights in the Kingdom, and any recommendations and proposals within its mandate. The Council of Commissioners shall determine performance obstacles and any approved solutions to avoid such obstacles. The Council of Commissioners shall present its report to the King, the Cabinet, the Council of Representatives, and Shura Council, and shall present in parallel its report to the public opinion.
- (b) The Council of Commissioners may submit to the Cabinet a brief report on the outcomes of its works and activities, supported with its proposals, whenever it deems so necessary.

Committees

Article 30

Three standing committees shall be formed in NIHR to carry out its mandates. These committees shall be as follows:

- (a) The Complaints, Monitoring, and Follow-up Committee. (CMFC)
- (b) Civil and Political Rights Committee. (CPRC)
- (c) Economic, Social, and Cultural Committee. (ESCC)

The Council of Commissioners may form, by the majority of members, *ad-hoc* committees, whenever necessary, according to work requirements and within the scope of NIHR competence.

Article 31

The Complaints, Monitoring, and Follow-up Committee shall have at least three members and shall have the following mandates:

- (a) Receiving, examining, and considering complaints related to human rights and grievances by citizens, residents and bodies in various means, and identifying the best ways to handle them.
- (b) Referring the complaints that were approved to the competent authorities through the Chairperson, and following-up these complaints effectively.
- (c) Informing the concerned citizens and residents of the procedures to be followed if there are any complaints, providing assistance on the complaints, or assisting the concerned authorities in the settlement of the complaints.
- (d) Preparing periodic statistical reports for the Council of Commissioners on the number of complaints received by NIHR, along with detailed data, including the actions taken thereon.
- (e) Monitoring matters of human rights violations in the Kingdom, conducting the necessary investigation about such violations, submitting a report thereon to the Council of Commissioners for discussion, taking a decision to send notice to the competent authorities, submitting proposals related to the initiatives to put an end to these violations and, when appropriate, expressing an opinion on the position of these authorities and their reactions.
- (f) Conducting field visits according to the applicable regulations to monitor the human rights conditions in reform institutions, detention centers, labor gatherings, health and education centers, or any other public place in which it is suspected that human rights violations are committed.
- (g) any other mandates delegated to the Committee by the Chairperson or the Council of Commissioners.

Article 32

The Civil and Political Committee shall be composed of at least three members and shall have the following mandates:

- (a) Preparing proposals and recommendations on any measures that would promote civil and political human rights, and submitting them to the Council of Commissioners to take the necessary action.
- (b) Expressing an opinion on issues related to civil and political human rights, which are referred to the Committee by the Chairperson or by the Council of Commissioners.
- (c) Reviewing the legal guarantees for the exercise of civil and political rights, proposing appropriate recommendations on these guarantees, following up the implementation of international conventions and treaties related thereto, developing the necessary proposals, recommendations, and

remarks to ensure appropriate implementation of these conventions and treaties, and submitting these proposals and recommendations to the Council of Commissioners.

- (d) Considering the alignment of legislative and regulatory provisions with the regional and international treaties on human rights issues, presenting proposals and recommendations on any measure that would promote and protect human rights, including the recommendation to accede to the regional and international conventions on civil and political rights, and reviewing the reservations that have been made by the Kingdom on the provisions of the conventions to which it has already acceded.
- (e) Examining the civil and political rights legislation and regulations in force in the Kingdom, recommending appropriate amendments, expressing its views on the alignment of these legislations with international human rights standards, making the necessary proposals on these legislations, and recommending new human rights legislation.
- (f) Taking part in drafting parallel reports committed by the Kingdom to be submitted periodically, and commenting on these reports in accordance with the regional and international conventions related to civil and political human rights.
- (g) Any other mandates delegated to the Committee by the Chairperson or the Council of Commissioners.

Article 33

The Economic, Social, and Cultural Committee shall be composed of at least three members and shall have the following mandates:

- (a) Preparing proposals and recommendations on any measures that would protect and promote economic, social, and cultural human rights, and submitting them reports to the Council of Commissioners to take the necessary action.
- (b) Expressing an opinion on issues related to economic, social, and cultural human rights, which are referred to the Committee by the Chairperson or by the Council of Commissioners.
- (c) Examining and evaluating the extent of tangible progress in the exercise of economic, social, and cultural rights in the Kingdom, following up issues of public opinion and relevant media programs, and expressing an opinion on these issues to the Council of Commissioners.
- (d) Considering the economic conditions in the Kingdom in terms of income and the level of prices and developing proposals and recommendations in this regard to the Council of Commissioners.

- (e) Evaluating curricula and making comments on them in order to be developed in accordance with international standards in coordination with the relevant government institutions.
- (f) Reviewing the legal guarantees for the exercise of economic, social, and cultural rights, proposing appropriate recommendations on these guarantees, following up the implementation of international conventions and treaties related thereto, developing the necessary proposals, recommendations, and remarks to ensure appropriate implementation of these conventions and treaties, and submitting these proposals and recommendations to the Council of Commissioners.
- (g) Considering the alignment of legislative and regulatory provisions with the regional and international treaties on human rights issues, presenting proposals and recommendations on any measure that would promote and protect human rights, including the recommendation to accede to the regional and international conventions on economic, social, and cultural rights, and reviewing the reservations that have been made by the Kingdom on the provisions of the conventions to which it has already acceded.
- (h) Examining the legislation and regulations in force in the Kingdom in connection with economic, social, and cultural rights, recommending appropriate amendments, expressing its views on the alignment of these regulations with international human rights standards, making the necessary proposals, and recommending new human rights legislation.
- (i) Taking part in drafting parallel reports committed by the Kingdom to be submitted periodically, and commenting on these reports in accordance with the regional and international conventions related to economic, social, and cultural human rights.
- (j) Any other mandates delegated to the Committee by the Chairperson or the Council of Commissioners.

Article 34

- (a) In its first meeting, the committees, referred to in Article 30 of this Regulation, shall elect its Head from among its members for one year, renewable for similar period(s), by the majority of members. If more than one member obtains this majority, the Head shall be elected by poll.
- (b) The first meeting of the committee shall be chaired by the most senior member in terms of age, to whom nominations shall be submitted in writing. In the beginning of the meeting, the most senior member in terms of age shall announce these nominations to the members of the Committee. Candidates shall be elected by secret ballot. If only one member runs for election, he/she shall be elected as Chairperson by acclamation.

Article 35

Each member shall have the right to participate in any of the Committees set out in Article 30 of this Regulation, provided that the participation right does not prejudice the freedom to form the committees in close groups in terms of number and efficiency. No member shall be allowed to head more than one committee.

Article 36

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

Article 37

- (a) The Committees shall meet at least once a month. The Head of each committee shall administer its works, convene meetings, develop agenda, and present the recommendations drawn by the committee to the Chairperson in coordination with the Secretary General.
- (b) The meeting of the committee shall be validly convened in the presence of the majority of its members. The recommendations and resolutions of the committee shall be adopted by the majority of its present members. In the event of equal vote, the Head of the meeting shall have a casting vote.
- (c) The most senior member shall act in place of the Head of the committee when he is absent.

Article 38

- (a) The meetings of the Committees shall be secret and may not be attended by any person other than the members and the Secretary General.
- (b) The Committees may seek the experience of any staff from or outside the Secretariat upon considering the issues that fall within their mandates. Such person shall not have the right to vote. The Committees, in performing their tasks, may also seek the assistance of research centers and civil society institutions concerned with human rights in coordination with the Secretary General and with the approval of the Chairperson.

Article 39

- (a) The issues to be deliberated during the meeting of the committee shall be coordinated between the Head of the committee and the Secretary General. The Secretary General shall prepare and submit the draft items of the agenda to the Head of the committee at least five business days prior to the date of the meeting for approval.
- (b) The draft items of the agenda shall be sent via email in the name of the Head of the committee to its members at least four business days prior to the date of the meeting. Any member may request including any item which falls within the competence of the committee in the agenda, provided that the request is sent in writing in the name of the Head of the committee to the Secretary General, with a detailed description of the item at least three business days prior to the meeting date.
- (c) The agenda of the meeting, along with all documents attached thereto, shall be circulated via email to all members of the committee at least two business days prior to the meeting date.

Article 40

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

Article 41

- (a) The Secretary General shall finalise the draft minutes of the meeting and send it to the Head of the committee for remarks well in advance of the next meeting.
- (b) The minutes of the committee shall be certified by its members in the next meeting, shall be signed by the Head of the committee and the Secretary General, and shall be sealed with NIHR seal.
- (c) The Secretary General shall undertake implementing the resolutions of the committee, and submit its recommendations, based on an assignment letter

by the Head of the committee. The committee shall be informed of the actions taken concerning these resolutions and recommendations in its next meeting.

Article 42

- (a) The committee shall submit its resolutions to the Secretariat and shall submit its recommendations to the Chairperson or the Council of Commissioners, as the case may be, as per a letter signed by the Head of the committee in order to take the appropriate action concerning these resolutions and recommendations.
- (b) The committee shall send its minutes of meetings to the Chairperson by a letter signed by the Head of the committee no later than five business days from the date of certifying the minutes.

Article 43

- (a) A unit shall be created in the Secretariat to provide technical and legal support to the Complaints, Monitoring and Follow-up Committee. The unit shall include a sufficient number of experts, consultants, and qualified legal researchers in human rights field. The unit shall receive and follow-up the complaints by citizens and residents, shall gather data and information on these complaints, and any necessary data on these complaints, and shall prepare an initial legal opinion, in order to enable the committee to take the appropriate resolutions concerning the complaints.
- (b) A manual shall be issued by a resolution by the Chairperson and with the approval of the Council of Commissioners. The manual shall set out the controls and criteria for receiving the complaints by NIHR and the assistance requests filed by NIHR, the measures for considering, following up the complaints, and the mechanism for monitoring the violation of human rights cases.

Presence and Absence of Members

Article 44

- (a) The member shall attend the meetings of the Council of Commissioners and the committees regularly. The member who is assigned special formal tasks related to NIHR shall be considered on leave throughout the period determined for such task.

- (b) If the member requires to be absent or to leave the meetings of the Council of Commissioners or the committees before the conclusion of the meeting, the member shall request the permission of the Chairperson, or the Head of the committee, as the case may be.
- (c) A periodic report shall be presented by the Head of the committee to the Chairperson every three months, which shall include information on the presence and absence of the members of the committee.

Immunity and Confidentiality

Article 45

No member may be reproached for his opinions and ideas concerning the issues that fall within NIHR mandates. No investigation may be carried out with the member concerned, except with the approval of the Chairperson and in the presence of a representative of the Council of Commissioners.

NIHR premises may not be inspected except by a judicial order and in the presence of a representative of the public prosecution, provided that the Chairperson is notified to this effect and a representative of the Chairperson is notified to attend the inspection.

In any event, any measure that does not comply with these regulations shall be deemed invalid.

Article 46

The Members shall be prohibited to disclose any information or data to which they had access in the course of performing their duties, except based on an order issued by the public prosecution or the competent court. This prohibition shall survive the termination of membership.

Penalties

Article 47

Subject to Clause (2) of Article 10 of the Law, and without prejudice to civil or criminal liability, any member who is proved to have violated membership duties, or committed any of the prohibited actions, shall be penalized as follows:

- a. Verbal warning.
- b. Written warning.

- c. Termination of membership.

Article 48

- (a) In order to impose any of the penalties set out in Article 47 of this Regulation, the approval of the majority of the members of the Council of Commissioners shall be obtained.
- (b) The penalties set out in Article 47 of this Regulation may not be imposed on the member before presenting the issue to the Council of Commissioners Office which shall decide to listen to his/her statements and verify his/her defense. These proceedings shall be noted in a minutes and the issue together with the proposed penalty shall be presented to the Council of Commissioners to take the appropriate action.

Termination of Membership

Article 49

Subject to the provisions of Article 4, Clauses (a) and (e), and Article 10 of the Law, the membership in the Council of Commissioners shall be terminated in any of the following events:

- (a) Death or incapacity that prevents the performance of the membership tasks.
- (b) Resignation.
- (c) Loss of Bahraini nationality.
- (d) A final decision for a criminal punishment or freedom restraining punishment in a crime against honor or honesty.

Article 50

Subject to Clause 2 of Article 4, and Article 10 of the Law, the membership in the Council of Commissioners may be terminated before its expiry by Royal Decree upon the recommendation of the Council adopted by the majority of two-thirds of its members in any of the following events:

- (a) If the member violates the provisions of the law, the regulations, or the resolutions enacted in implementation of the law.
- (b) If the member takes up a position that is inconsistent with NIHR objectives or obstructs the performance of its tasks and mandates.
- (c) If he does not attend five meetings of the Council of Commissioners or the committees without an excuse acceptable to the Chairperson despite a written notice to this effect.

- (d) If he does not maintain the dignity of membership by not meeting the condition of good conduct.

Article 51

If the position of any member of the Council of Commissioners becomes vacant for any of the two events set out in Articles 49 and 50 of this Regulation, the position shall be filled by another member. The new member shall continue the term of office of the former member.

Remuneration and Travel Allowances

Article 52

- a. The remuneration of the Chairperson, Deputy Chairperson, and Members shall be determined by Royal Decree. The remuneration shall be paid in full every month according to the procedures and financial controls in place by the Secretariat.
- b. Subject to the provisions of Article 44 and Article 50, Clause “c”, of this Regulation, the remuneration shall be reduced by the number of absences from the meetings of the Council of Commissioners or the committees without any excuse acceptable to the Chairperson.

Article 53

- a. Full travel allowances shall be paid to the Members and Secretary General assigned with business travel abroad the country at the rate of BHD 200 (Bahraini Dinars Two Hundred) per day. The allowance shall include stay, communication, transportation, additional weight, and other personal expenses.
- b. In the event the stay cost per night exceeds 60% of the total travel allowance per day, NIHR shall pay the stay costs. A reduced allowance by 60% of the total allowance shall be paid.
- c. Notwithstanding the above, the travel allocation set out in Clause (a) of this Article may be exceeded by no more than 20% by virtue of a reasoned decision by the Council of Commissioners.

Article 54

In the event NIHR pays the stay expenses, the Secretariat General shall reserve the accommodation for all members of the delegation in a five-star hotel, or any

hotel of equivalent standing, in ordinary rooms in the place where the event will be held. Whenever possible, the accommodation and the route of the trips shall be the same for all members of the delegation.

Article 55

In the event the allowance is paid in full due to not providing the accommodation by the inviting party, and it transpires later that the accommodation is made available by the inviting party, the person to whom the allowance was paid in full shall return the difference between the full allowance and the reduced allowance to NIHR upon his return.

Article 56

The Members and the Secretary General assigned with business travel abroad the country shall be paid travel expenses as follows:

- a. One-day travel expenses before and after the period specified for the mission, if the mission is based in an Arab or European country, Iran, India, Pakistan, Afghanistan, Bangladesh, Thailand, Singapore, Malaysia, Indonesia, Sri Lanka, and the other East Asian countries.
- b. Travel expenses for two days before and after the period specified for the mission, if it is based in any countries other than those stated in the previous Clause.

Article 57

Out-of-pocket expenses shall be paid to the head of the delegation to cover the other expenses of the delegation as follows:

- a. BHD 600 (Bahraini Dinars Six Hundred) in respect of missions that last for five (5) days or less.
- b. BHD 800 (Bahraini Dinars Eight Hundred) in respect of missions that range from six (6) to ten (10) days.
- c. BHD 1,000 (Bahraini Dinars One Thousand) in respect of missions that last for eleven (11) days or more.

The head of the delegation shall provide the amounts that are proportionate to the amounts expended from out-of-pocket expenses and shall refund any excess amounts to NIHR upon his return.

Article 58

- a. In respect of delegation trips, the Secretariat shall deal with a national air carrier and shall reserve the trips on business class. If this is not possible, the Secretariat may reserve the trip on a higher class.
- b. If any member or the Secretary General wishes to change the route of the trip or replace the air carrier, the member or the Secretary General shall pay the resulting price difference.
- c. An allowance of 90% (ninety percent) of the due ticket value shall be paid to the members or the Secretary General who wishes to travel via land ports, inclusive of all related expenses.

Secretariat

Article 59

NIHR administrative body shall be composed of a secretariat, which shall act as NIHR executive organ. The Secretariat shall have a sufficient number of consultants, experts, researchers and other staff of the Secretariat, who shall be appointed by resolution of the Chairperson upon recommendation of the Secretary General.

Article 60

The Secretary General shall be appointed by resolution of the Chairperson based on the approval of the majority of the Members. The Secretary General shall be appointed for a period of four years, which may be renewed for similar periods. The candidate to the Secretary General position shall be of proven competence, integrity, and independence who has obtained at least a bachelor's degree or its equivalent and who has relevant experience, in addition to fulfilling the conditions required for Members under Article 4 of this Regulation.

Article 61

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

General supervision over the Secretariat, the affairs of the employees, and financial and administrative matters in accordance with the Law, and the rules and regulations promulgated in implementation of the Law.

- (a) Attending the meetings of the Council of Commissioners Office, following up its proceedings, and providing anything necessary for performing its mandates, without having the right to vote.
- (b) Attending the meetings of the Council of Commissioners, implementing its resolutions, without having the right to vote, as well as drafting periodic reports every three months which shall include NIHR activities, the Secretariat course of work, and the works that have been completed according to the plans and programs.
- (c) Attending the meetings of Committees, following up on their work and providing anything that is necessary to enable the Committees to pursue their mandates, without having the right to vote.
- (d) Presenting proposals for activating NIHR mandates, achieving its objectives, and developing any relevant plans and programs.
- (e) Coordinating and following up with the ministries, official and non-official bodies and institutions in the Kingdom, as well as with international and regional bodies and organizations concerned with implementing the plans and programs for developing, promoting and protecting human rights, and presenting reports in this regard to the Council of Commissioners.
- (f) Instructing the Secretariat staff to attend courses and represent NIHR in local, regional, and international forums and events, which are relevant to its mandate.
- (g) Preparing the draft annual budget and final account of NIHR.
- (h) Making remarks and recommendations on the contributions and donations received by NIHR and submitting these remarks and recommendations to the Council of Commissioners for decision making.
- (i) Performing any other mandates set out in NIHR regulations and resolutions.
- (j) Conducting any other works delegated to the Secretary by the Chairperson or the Council of Commissioners.

The Secretary General may delegate, in writing, some of his tasks and responsibilities to any employees of the Secretariat.

NIHR Financial Resources

Article 62

NIHR shall have sufficient financial resources to enable it to undertake its mandates and the tasks assigned to it to the best of its ability. These resources shall consist of:

- (a) Financial resources allocated to NIHR in a separate item of the state budget; and
- (b) Unconditional donation and aid which are in line with NIHR objectives and which are decided to be accepted by the Council of Commissioners in accordance with the laws and regulations in force in the Kingdom.

NIHR shall manage and control its financial resources with complete independence. NIHR accounts shall be subject to the supervision of the Financial and Administrative Audit Court.

Closing Provisions

Article 63

NIHR shall have a human resources regulation promulgated by a resolution of the Chairperson based on the approval of the majority of the Members. The human resources regulation shall include, in particular, the organisational structure of the Secretariat, and scale of grades, salaries, and allowances, and shall regulate the affairs of its employees.

Article 64

NIHR shall have a financial regulation to organise its financial, accounting and administrative affairs to be promulgated by a resolution by the Chairperson based on the approval of the majority of Members. The financial regulation shall include controls for retaining external auditing firms approved in the Kingdom to conduct the regular auditing of NIHR accounts.

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