**Report on the negative impact of corruption on the enjoyment of Human rights: Bahrain**

1-Examples demonstrating the effectiveness of anti corruption efforts through the use of human rights standards, and procedures.

-the most important pillar that the anti corruption policies were based upon in the kingdom of Bahrain, is the adopting of human rights as one of the basis for legislation in order to ensure the protection of individual right and protect his human dignity in all cases even if the individual is a suspect or a victim which has contributed to the success of the anti corruption efforts in the kingdom.

-on the level of legislation, all legislation in the kingdom guarantees the civil, political ,economic , social and cultural rights and at the front of these legislation is the kingdom’s constitution that was issued in the year 2002 which stated in article 18 that and in order to safeguard the most important rights the Bahrain legislation criminalized bribes in the public and private sector and the abuse of influence as these crimes cause a sever violation to a fundamental principle of human rights which is that all are equal in rights and obligations in the eyes of the law.

- the principle of equal opportunity has been established in the laws, systems and procedures in all fields of work in the state and any act contrary to this is considered criminal by law.

-((people are equal in human dignity and nationals/citizens are equal in the eyes of the law in rights and common obligations, with no discrimination in that based on sex, origin/ethnicity , language, religion or belief)).

2-examples of the national establishment for human rights specifying corruption as a reason for the violations of human rights and the effective corrective actions taken.

3-examples on how the anti corruption national agencies are linked with the national establishment for human rights subjectively, structurally , organizationally (e.g. existing memorandums of understanding ,other work relationship, and the focal contact point responsible for anticorruption/human rights).

-All entities in the kingdom of Bahrain work as one organization and the coordination at all levels exists between the general management of anti-corruption and the national establishment for human rights and thus there is no need for the signing of memorandums of understanding due to the mentioned ease of dealing and the high level of coordination between all state sectors and entities.

-contact point for the general management of anti corruption and economic and electronic security is:

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4-examples of dealings with the mechanisms of regional and international human rights which has resulted in changes in the efforts of compacting corruption.

5-examples of the inclusion of human rights in the self assessment of the implementation of UN agreements on compacting corruption.

6-examplesof successes of human rights court cases or conflicts relating to investment, or civil law court cases whereby human rights conflicts played a decisive role in corruption cases

7-good practices for the protection of human rights in relation to compacting corruption particularly relating to the criminalization of corruption (unlawful wealth) investigating corruption and court cases for the recovery of illegally obtained assets.

The kingdom of Bahrain criminalized unlawful wealth in law no. 32 for the year 2010, with regards to the declaration of wealth and the following groups are included:

The head and members of both the consultative council and the parliament, the deputies of the head of the council of ministers, ministers and those similar to them, deputy ministers and assistant deputies general managers in the civil sector and general security sector or those similar to them from government employees and agencies attached to it and authorities and public establishments and the consultative council and parliament members, municipalities: the governors and their deputies, heads of diplomatic missions etc. and then it continues to list the jobs and positions that are covered by this law.

And the head of financial monitoring/control department and his deputy and assistant deputies are also included in relation to the submission of the declarations of wealth as per the legislation in law no. 16 for the year 2002 upon the issue of the law of the department of financial monitoring/ control .

And those covered by this law are referred to as an “Obliged person”

And wealth in relation to the implementation of this law means the total of what he and his wife and his underage children own in properties and funds in the state of Bahrain or abroad. And it includes loans what others may owe him, his wife and/ or his underage children and what they own in part or shares in companies.

Every obliged person is to submit his financial declaration for him and his wife and his underage children within sixty days from the day he has been provided with the templates and forms specific for required information for this purpose as specified in the execution procedures of this law.

And the obliged person must submit regularly the financial declaration in the month of January following the completion of three years from the date of submission of the last declaration and this will apply for the entire period during which he is subjected to this law and he has to submit a declaration within 60 days of leaving his job or position.

The declaration is to be submitted to the authority specified in article 4 in this law and it must include at the time of submission all the elements of wealth and their sources.

And the law have entrusted “ The agency of financial declarations review” and it reports to the higher council of judges specifically to receive financial declarations , review them and investigate complaints relating to them according to the legislations in this law and the procedures and control mechanism that are specified in the execution procedures, anyone analyzing this financial declaration law will find out that the legislator has taken into consideration the rights from several aspects one of which is considering the rights of he that does not have direct relation with the obliged person and become obliged to declare his wealth as the legislator included the wife and the underage children due to the strong relationship governed by the framework of one family .

On the other hand the Bahraini legislator has maintained the protection of government positions from the spread of corruption through putting in place legislations that will make any position holder or responsible person directly responsible for any increase in his wealth which is not legally justified.

8-good practices for the protection of victims, witnesses , informers and anti corruption activists, whistle blowers and other persons concerned with compacting corruption which has been clearly built on the level of human rights.

The Bahraini legislator took all necessary actions wither in legislations or procedures in order to protect victims, witnesses, informers and anti-corruption activists as article 127 (repeated) of the criminal procedure law from legislation no. 46 for the year 2002 specified in the issue of the criminal procedure law the procedures that ensure their protection and thus the above article stated.

“The prosecutor general in response to a request from the victims or the witnesses or those who provide information on the court case and for acceptable considerations which relates to their safety and that of others closely related to them, can order to take necessary actions for their protection from what may threaten them due to or because of providing testimony or information. And it can order with the agreement of the victims or the witnesses or the persons to be protected all or some of the following actions until the danger is gone.

1-Change of place of residence

2-Change of identity.

3-The banning of providing any information relating to the identity and the locations of the persons that require protection and their places of residence or putting in place restrictions on the handling some of this information.

According to the new amendments that impacted article 127 in the law “ the prosecutor general in response to a request from the victims or the witnesses or those who provide information in a court case and for agreeable considerations which relates to their safety and that of the others closely related to them , can order that the necessary actions are taken for their protection from what is endangering them due to or because of their testifying or their protection and take all or some of the following actions: Change of place of residence, change of identity, the banning of releasing any information relating to the identity and the locations of the persons that are to be protected and their places of residence or putting in place restrictions on the exchange of some of this information.

The legislator also allowed the use of technology to secure increased protection for them as article 82 from the above mentioned law states:

In addition to this the general persecution can record all events and developments of the investigation both audio and visual including the questioning of the suspect and the testimony of the witnesses and it can excuse the attendance of a witness if circumstances existed that necessitate his protection for considerations it assess . It can opt to use modern technology for listening to and recording his testimony”.

This paragraph three was added to this article through legislative law no. 53 for the year 2012 amending some of criminal procedure law that was issued in legislative law no. 46 for the year 2002 and also article 115 which stated:

“A member of general prosecution names the witnesses that they have decided to listen to and they are summoned by a member of the general authority, the summons must state that they are called upon as witnesses and the event that they are to testify about and he can hear the testimony of any witness that comes on his own accord and in this case it is recorded.

These new amendments also allow the prosecution to opt to listen to the witnesses or those who have information about the case using modern technology both audio and visual. In the event that the witness is abroad or it is difficult or impossible for him to attend, or there exists an obstacle for the witness preventing him from attending in person during the court hearing as this may result in physiological or social harm. The reference to which is the nature of the crime or the relationship between the suspect and the wetness or the expectancy that the witness may be exposed to harm or the fear of that.

And also what has been stated in article (223 repeated) from the above law:

“Taking into consideration articles 220, 221, 222, and 223 of this law the court can opt to listen to the testimony of witnesses and those have information on the court case to use modern technology both audio and visual wither this was on air during the court hearing or a display of a recorded testimony according to the court’s assessment for the following considerations:

The witness being abroad or is unable or it is difficult for him to attend or he may be delayed which will result in the obstruction of the progress of the case or the taking of a decision.

There exist an obstacle for the witness to attend in person in the court hearing as it may result in physiological or social harm, the reference to this being the nature of the crime or the relationship between the wetness and the suspect.

The expectancy that the witness may be exposed to harm or fear of this or the existence of circumstances that necessitate his protection.

The presence of excuses as pointed out in article 231 of this law.

In addition article 231 from the same law states:

“the court if the witness submitted acceptable excuses justifying his inability to attend is transferred to him and listen to his testimony after informing the general prosecution and other adversaries and they can attend themselves or though representatives and to ask the witness the questions that they consider necessary to ask.

And if the court becomes aware after the transfer that the excuse was not valid it can order a fine not exceeding 200 Bahraini dinar or imprisonment for a period not exceeding three months.

9 -good practices to ensure the independence and enhance the effectiveness of the anti corruption agency that adopts the principle of a united nation and the practice and the ways to follows to enhance the independence and effectiveness of the national institute for human rights, (for example the committee for international coordination in the national institute of human rights shares the operation of the review of piers for the technical and administrative aspects of work.

10-any other issues that relate to the scope of this study. Including information on the use of indicators to measure the negative impact of corruption on human rights or the link between corruption and human rights violations and vice versa.