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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Alsalam Foundation, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 May 2021]

* Issued as received, in the language(s) of submission only.



Corruption and Nepotism in Bahrain

Nepotism

In Bahrain, members of the al-Khalifa Royal Family occupy major judgeships. King Hamad bin Isa al-Khalifa has the power to appoint all ministers, judges, and one of the two houses of a weak parliament. His family holds twelve of twenty-six cabinet posts, including the roles of prime minister, deputy prime minister (three out of four posts), and ministers of interior, finance, justice, and foreign affairs.¹

While international financial institutions are important actors towards the achievement of the Sustainable Development Goals (SDGs) and local good governance, Alsalam Foundation is concerned about Bahrain's potential for progress. Bahrain has repeatedly received monetary or financial assistance from international financial institutions without any consultation with local NGO or transparency groups, which has led to mass corruption by several members of the al-Khalifa family.² In itself, this shows a serious lack of impartiality, independence, and integrity.

The country's legal system perpetuates this lack of accountability, especially for high-ranking members of the Royal Family who are protected from prosecution for serious crimes they have committed. Prince Nasser bin Hamad al-Khalifa, most notably commander of the Bahrain Royal Guard, was directly implicated in both the torture of various individuals after anti-government protests in 2011, and the devastating Saudi Arabia-led military operation in Yemen, the nature of which has potentially amounted to the commitment of war crimes.

Arms Procurement and Corruption

In 2012, the Bahraini Parliament tried to formulate a strategy to handle the budget deficit and the country's debt. In doing so, it concluded that military spending had led to a reduction of the resources available for spending on health and education.³

According to the 2015 edition of Transparency International's "Government Defence Anti-Corruption Index," Bahrain was in the highest risk category for corruption in the defense and security sector, with procurement as providing the highest risk potential. Bahrain exempts all military procurement from public tender, and information on military procurement can only be shared with the Supreme Defense Council. With the security sector consuming so much of the government budget and spending with no independent oversight or accountability, the potential for corruption is very high. The Bahraini Royal Family is not obligated to put many of its public accounts to scrutiny, so there is little transparency or accountability for these purchases. Large purchases of weapons come at the expense of paying for other public goods and services, like adequate housing and economic development. Those same arms have frequently been turned on the population itself to repress dissent.⁴

Aggravating the risk of corruption is that any individual in the country who publicizes information about corruption associated with the security sector is severely punished. In March 2018, five individuals who had previously reported on corruption and government

¹ Jodi Vittori, Bahrain's Fragility and Security Sector Procurement, Carnegie Endowment for International Peace, 26 February 2019, <https://carnegieendowment.org/2019/02/26/bahrain-s-fragility-and-security-sector-procurement-pub-78443>.

² Corruption and Nepotism in the International financial institutions aids, Americans for Democracy & Human Rights in Bahrain (ADHRB), 23 September 2021, <https://www.adhrb.org/2020/09/corruption-and-nepotism-in-the-international-financial-institutions-aids/>.

³ Vittori, Bahrain's Fragility and Security Sector Procurement, 26 February 2019.

⁴ Ibid.

abuses were arrested. Considering these arrests along with the additional restrictions on social media rolled out in 2014, corruption is likely to be significantly underreported.⁵

In 2019, the International Institute of Strategic Studies (IISS) estimated that Bahrain was among the top 15 military spenders in the world having spent US\$1.5 billion on its defense budget, or 3.9% of its GDP. The consolidation of power between the al-Khalifa Royal Family and the State has meant that the al-Khalifas are in near-total control of defense spending. No doubt, they stand to personally gain from these increases, whether financially or by increased political control.⁶

From 2012 to 2020, the statistics of the Corruption Perception Index in Bahrain show that the perception of public-sector corruption in the Kingdom fluctuated. Since 2012, the country has dropped nine places in the Global Corruption Perception ranking, placing it at number 42 worldwide.⁷

Legal Framework to Combat Corruption in Bahrain

In 2016, Bahrain set up a legal framework to combat corruption. As part of this, the Penal Code now criminalizes most corruption offenses—including passive and active bribery, as well as abuse of office—in both the public and the private sectors. The government, however, has not fully implemented the laws, enforcement is poor, and some officials reportedly continue to engage in corrupt practices with impunity. At times, officials have been dismissed for what has been widely believed to be blatant corruption, but the grounds for dismissal have rarely officially been tied to corruption.⁸

Human rights activists and members of the political opposition who have spoken out about corruption have at times been detained, prosecuted, and banned from travel for reasons related to their broader political activism. All civil society groups are required to register with the Ministry of Labour and Social Development, which has the discretion to reject registration if it determines the organization's services unnecessary, already provided by another society, or contrary to state security.⁹ Civil societies are normally banned from registering if their work is related to creating close mutual cooperation between the civil sector and political parties, also if their work is related to human rights and combating corruption.

Conclusion and Recommendations

Corruption remains a central challenge in Bahrain and this is perpetuated by the lack of accountability from the authorities. The absence of a strong partnership between the government and civil society, nepotism stemming from the al-Khalifa Royal Family, and the lack of transparency regarding public sector processes are among the largest obstacles to tackling corruption in the country. The aforementioned issues are strongly tied to the corruption within the Bahraini legal systems, and it is no surprise that corruption remains such a rampant issue.

As a member of the UN HRC, Bahrain should be held to high standards when it comes to its commitment to a good and efficient management of public finances and public

⁵ Bahrain Vows Greater Crackdown on Online Criticism Amid New Arrests, ADHRB, 28 March 2018, <https://www.adhrb.org/2018/03/bahrain-vows-greater-crackdown-on-online-criticism-amid-new-arrests/>.

⁶ Zoltan Barany, Arms Procurement and Corruption in the Gulf Monarchies, Jstor, 11 May 2020, https://www.jstor.org/stable/resrep24773?seq=8#metadata_info_tab_contents.

⁷ Transparency International 2021, Corruption Perceptions Index Database, 10 January 2021, <https://www.transparency.org/en/cpi/2020/index/bhr>.

⁸ Bahrain Corruption Report, Gan Integrity 2020, <https://www.ganintegrity.com/portal/country-profiles/bahrain/>.

⁹ 2020 Investment Climate Statements: Bahrain, report overview, the U.S Department of State, 4 April 2021, <https://2017-2021.state.gov/reports/2020-investment-climate-statements/bahrain/index.html>.

procurement practices. It is also essential that authorities protect activists and journalists who work to expose and fight corruption. Without serious reform, corruption will continue to flourish, hindering Bahrain's social and economic development.

Therefore, Alsalam Foundation urges the Government of Bahrain to:

- Create an independent agency tasked with monitoring corruption and regularly reporting its findings to the public;
 - Take long-term action to establish transparent and accountable institutions;
 - Provide transparency in public financing by ensuring that Bahrain's budget takes into greater consideration the allocation of funding for economic and social development projects;
 - Publicly declare assets and interests.
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