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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 The Next Century 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.

[20 August 2021]

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



## **Bahrain: the need for free and inclusive elections**

Bahrain has been a constitutional monarchy since 2002. The Parliament has a bi-cameral legislature, composed of the lower house, the Chamber of Deputies, and the upper house, the Shura Council. The Chamber of Deputies was created by the Constitution of Bahrain in 2002 and is formed by forty members elected by universal suffrage; they are appointed for four-year terms using a two-round system. Under the Constitution of Bahrain 2002, the Chamber of Deputies has a crucial role in the government: it can propose constitutional amendments, legislation, accept or reject the decrees of law.

The last two General Elections, in 2014 and 2018, encountered several challenges which did not allow the inclusive participation of candidates from all parties, and thus undermined the credibility of the Chamber of Deputies as a democratic legislature. The Next Century Foundation sees the holding of free and fair elections as essential, and this requires the participation of the opposition groups. This reformed Chamber of Deputies would allow the representation of the Bahrain population as a whole and embrace its diversity. This transition is possible if National Dialogue is restored between the Bahrain government and the opposition.

### **National Dialogue**

King Hamed bin Issa Al Khalifa created the Bahrain National Dialogue on July 2 2011, after mass demonstrations which occurred in February 2011. This initiative relied on consensus building and was meant to promote reform and discussions regarding the governance of Bahrain around the topics of political, social, economic and human rights issues. Chaired by the Crown Prince, 300 organisations were invited to participate, 37% of which were political groups, 36% non-governmental organisations, 21% were opinion leaders and prominent figures of Bahrain and 6% were media.

In 2011, two weeks into the National Dialogue, Al Wefaq (National Islamic Society), the main Shiite opposition, withdrew from the talks complaining that only 35 of the 300 participants in the National Dialogue were representatives of the opposition groups. In 2013, the National Dialogue was relaunched and after a couple of months, the opposition groups withdrew from the talks as they again felt underrepresented claiming this made it difficult to arrive at a consensus. In January 2014, the Bahrain government officially suspended the talks. The government was hopeful the National Dialogue would enable open communication and the involvement of diverse organisations.

The Next Century Foundation calls for the restructuring and resuming of the National Dialogue to allow the diverse voices of Bahrain to all have seats at talks around healing and reform. Like the Bahrain government, the Next Century Foundation believes these talks could foster open communication and constructive discussion regarding the governance of Bahrain. For these talks to resume, it is paramount to have the active participation of the opposition groups.

### **2014 and 2018 General Elections**

In 2011, demonstrators took to the streets to demand democratic reforms. This uprising was then quelled with the support of Gulf Cooperation Council forces, principally from Saudi Arabia and Kuwait. The 2011 General Elections had a record number of candidates: 266 candidates for 40 seats at the Chamber of Deputies.

The 2014 General Elections were the first elections since 2011.

The main opposition parties, Al Wefaq and Wa'ad (National Democratic Action Society), called for a boycott of the elections, in particular to protest against a redistribution of electoral districts ostensibly less favourable to the opposition than in the previous election. This was despite the fact that, in private discussion, they had been offered what amounted to parity in the Chamber of Deputies (they had been offered 18 of the forty seats plus two they would have to contest which – if successful – would mean they had half of the seats). This they

refused despite the fact that the international community were begging the opposition parties to stand in the elections, as this would have enabled the opposition to be back in the political system and improve their ability to work for political reform. This decision to boycott the elections, notably from Al Wefaq the principal Shiite political group, left little prospect for the Shia community's political advancement.

During the subsequent two years many groups, including the Next Century Foundation, urged Al Wefaq to reconsider their position. They did not. In 2016, Al Wefaq was dissolved by a court in Bahrain and had its assets frozen, after a case was filed against them by the Ministry of Justice on the basis of alleged involvement in terrorism. In 2018, Bahrain's Court of Cassation ruled to uphold the apparently arbitrary dissolution of Al Wefaq. Meanwhile, in 2017, the Bahrain government had also dissolved Wa'ad on charges of incitement to violence (charges that in this instance arguably may have had a more credible basis). In 2018, the Bahraini government approved a bill that banned dissolved opposition groups from running independently in elections. The Next Century Foundation believes this bill was unnecessary and prevented opposition groups, especially Al Wefaq, from registering themselves for the elections. We call on Al Wefaq to attempt to re-register itself under a slightly amended name. For example "New Al Wefaq" just as in the United Kingdom of Great Britain and Northern Ireland Tony Blair coined the name "New Labour" for the Labour Party. This would put the onus on the government to allow opposition political groups to register candidates in the 2022 General Elections.

The Next Century Foundation calls for the full participation of the government and the opposition in the next General Elections in 2022. The Next Century Foundation believes it is in the best interest of all Bahrain to make the 2022 General Elections as inclusive as possible.

## Recent Developments

Former Prime Minister Khalifa bin Salman Al Khalifa, serving as Prime Minister since 1970, died on November 11 2020. Crown Prince Salman bin Hamad bin Isa Al Khalifa was chosen to succeed him as Prime Minister.

The government had already taken a decision to widen the implementation of the 'alternative sentencing law', converting jail terms to non-custodial sentences, in 2018. The prominent human rights activist Nabeel Rajab has been released on that basis. The World Health Organisation has also praised Bahrain for letting prisoners, of whom an important part are dissidents and members of the opposition, get vaccinated in the fight against Covid-19.

The new Prime Minister has also given more opportunities for young people from the Shiite community to take senior positions in the administration and supported engagement with the Shiite community. The Next Century Foundation welcomes the liberalisation efforts of the Bahrain government and is hopeful that their future efforts to allow dialogue and uphold human rights in the pluralistic and, in many ways, progressive society that is Bahrain will be successful.

The Next Century Foundation recommends that the Bahrain government accept the visits of the Special Rapporteur on extrajudicial, summary or arbitrary executions, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the situation of human rights defenders and the Special rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The Next Century Foundation calls for the Bahrain government to cooperate with the UN on human rights issues. This would allow Bahrain to show its willingness to uphold international human rights standards.

The Next Century Foundation also recommends the Bahrain government restore the citizenships of those whose citizenship they revoked. The authorities have revoked the citizenship of 738 nationals without legal safeguard since 2012. These nationals are mostly linked to protests and opposition movements. The revocation of citizenship does not only impact the individuals but their families as a whole, as citizenship is mainly acquired by descent through a Bahraini father. The King of Bahrain, however, has restored the citizenship of 551 Bahrainis. The Next Century Foundation welcomes the 2019 initiative by King Hamed

bin Issa Al Khalifa to reinstate the citizenships of these 551 individuals. The Next Century Foundation hopes the government will continue to restore citizenships and be guided by Article 15 of the UN Declaration of Human Rights.

## **Conclusion**

The Next Century Foundation calls for the resumption and restructuring of the National Dialogue. This National Dialogue is needed as a first step towards free and fair elections. The Next Century Foundations urges both the government and the opposition groups to fully participate in the next General Elections in 2022. Finally, the Next Century Foundation welcomes recent steps by the Bahrain government and is hopeful Bahrain will continue to restore citizenships and cooperate with the UN. As the 2022 General Elections are happening the same year as the Universal Periodic Review of the Kingdom of Bahrain, the Next Century Foundation believes in the Bahrain government's ability to embrace diversity and allow dialogue, which would set Bahrain on the path to becoming a democratic model for the region.

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