

<b>Country/entity</b>	Bahrain
<b>Region</b>	Middle East and North Africa
<b>Agreement name</b>	Royal Order No.28 of 2011, Establishing an Independent Commission to Investigate and Report on the Events Which Occurred in Bahrain in February/March 2011
<b>Date</b>	29 Jun 2011
<b>Agreement status</b>	Unilateral document
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict

### **Bahraini Uprising (2011 - )**

Following uprisings across the MENA region in early 2011, protests ensued on February 14, 2011, aimed at generating social reforms and greater social equality for Bahrain's Shi'a majority. Following the deaths of two protesters in the first two days, a sit-in was held at the Pearl Roundabout in Manama on February. The next morning, security forces stormed the camp, killing 4 protesters, marking a turning point in the conflict. Protests picked up momentum and by April 2012, over 80 protesters and security forces had been killed in violence from both sides. In December 2013, there were impromptu 183 protests alone. Sectarian tensions are further heightened by the recruitment of Sunni Muslims into the National Army from abroad, and the deployment of soldiers from the predominantly Sunni GCC Joint Shield Force. There is also an indication of state-sponsored systematic destruction of Shi'a mosques across Bahrain following the protests.

On July 2, 2011, King Hamad bin Isa Al Khalifa instigated the Bahrain National Dialogue as a means to promote reconciliation between the government and Bahrainis. 300 participants were involved with 37% representation dedicated for political organisations, 36% for CSOs, 21% for opinion leaders and 6% for media representation. Opposition parties were only granted 5 seats, and there was much criticism of the un-balanced nature of the National Dialogue. The National Dialogues were suspended by January 2014. Parliamentary Elections later that year boycotted and dismissed by the Shia opposition as a farce, followed by the arrest of the opposition (Al-Wefaq) leader Sheikh Ali Salman, ensuing into protests and clashes between his supporters and security forces. Systemic harassment and prosecution of Shias continue.

Close

Bahraini Uprising (2011 - )

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Bahrain: Reform-based peace process

<b>Parties</b>	Hamad Bin Isa Al Khalifa
<b>Third parties</b>	-
<b>Description</b>	A royal decree creating an independent commission consisting of experts to analyze the events of Feb/Mar 2011 in Bahrain and make recommendations.

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**Agreement document** [BH\\_110629\\_Royal Order No. 28 of 2011.pdf \(opens in new tab\)](#) | [Download PDF](#)

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### Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/national group</b>	No specific mention.
<b>Religious groups</b>	Groups→Religious groups→Substantive Page 2, Article Nine. The Commission's final report, to be submitted to His Majesty no later than 30 October 2011, shall be made public in its entirety. The Commission's report shall contain, inter alia, the following: ... 9) Examination of alleged unlawful demolition of religious structures.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

**Women, girls and gender** Page 2, Article Two.  
The Commission consists of five eminent and internationally- renowned members, whose experience and reputation worldwide is well established. They are:  
...  
- Dr. Badria Al-Awadhi (member).

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** Page 1, Article Seven.  
The Commission shall have the authority to decide on all matters concerning the scope of its work and its methods of operation. The government shall ensure that no person or member of that person's family who has made contact with the Commission or cooperated with the Commission shall in any way be penalized, negatively affected or in any way harassed or embarrassed by any public official or representative of the government.

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## State definition

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/ secession** No specific mention.

**Accession/ unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

**Electoral commission** No specific mention.

**Political parties reform** No specific mention.

**Civil society** Page 1, Article Four.  
The Commission's mandate is to engage in fact finding and it has access to all concerned government agencies, government officials, government files and records. It is also free to meet with any person it deems appropriate, including but not limited to, representatives of civil society, human rights organizations, political groups, labor unions, and alleged victims and witnesses of alleged violations of internationally protected human rights. All relevant governmental departments shall put at the disposal of the Commission the results of their own inquiries into the above matters.

**Traditional/religious leaders** No specific mention.

**Public administration** No specific mention.

**Constitution** No specific mention.

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## **Power sharing**

**Political power sharing** No specific mention.

**Territorial power sharing** No specific mention.

**Economic power sharing** No specific mention.

**Military power sharing** No specific mention.

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## Human rights and equality

**Human rights/RoL general** Page 1, Article Four.  
The Commission's mandate is to engage in fact finding and it has access to all concerned government agencies, government officials, government files and records. It is also free to meet with any person it deems appropriate, including but not limited to, representatives of civil society, human rights organizations, political groups, labor unions, and alleged victims and witnesses of alleged violations of internationally protected human rights. All relevant governmental departments shall put at the disposal of the Commission the results of their own inquiries into the above matters.

Page 1, Article Nine.  
The Commission's final report, to be submitted to His Majesty no later than 30 October 2011, shall be made public in its entirety. The Commission's report shall contain, inter alia, the following:  
... 3) Whether during these events there have been violations of international human rights norms by any participants during the events or in the interaction between the public and the government.

**Bill of rights/similar** No specific mention.

**Treaty incorporation** Page 2, Article Eleven.  
The Commission may utilize such staff as it deems necessary to complete its work, and may determine the locations and facilities in which it will operate, which shall be under its full control. The Commission's Chair will propose the budget necessary for the Commission to fulfill its mandate, which budget shall be provided from the funds of the Royal Court. The expenses and compensation of the Commissioners shall be in accordance with United Nations standards and shall be disclosed in the final report.

**Civil and political rights** No specific mention.

**Socio-economic rights** No specific mention.

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### Rights related issues

**Citizenship** No specific mention.

**Democracy** No specific mention.

**Detention procedures** No specific mention.

**Media and communication** Rights related issues→Media and communication→Other  
Page 2, Article Nine.  
The Commission's final report, to be submitted to His Majesty no later than 30 October 2011, shall be made public in its entirety. The Commission's report shall contain, inter alia, the following:  
8) Ascertain whether there was any media harassment, whether audiovisual or written, against participants in demonstrations and public protests.

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

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### **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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### **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** No specific mention.

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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## **Security sector**

**Security Guarantees** Page 2, Article Nine.  
The Commission's final report, to be submitted to His Majesty no later than 30 October 2011, shall be made public in its entirety. The Commission's report shall contain, inter alia, the following:  
... 10) Ascertain any involvement of foreign forces and foreign actors in the events.

**Ceasefire** No specific mention.

<b>Police</b>	Page 2, Article Nine. The Commission's final report, to be submitted to His Majesty no later than 30 October 2011, shall be made public in its entirety. The Commission's report shall contain, inter alia, the following: ... 5) Instances of alleged police brutality and alleged violence by protestors and/or demonstrators against police and others, including foreigners.
<b>Armed forces</b>	No specific mention.
<b>DDR</b>	No specific mention.
<b>Intelligence services</b>	No specific mention.
<b>Parastatal/rebel and opposition group forces</b>	No specific mention.
<b>Withdrawal of foreign forces</b>	No specific mention.
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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**Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.



## Mechanism

Page 1, Article One.

An independent Commission of Inquiry is hereby established to investigate and report on the events occurring in Bahrain in February/March 2011, and any subsequent consequences arising out of the aforementioned events, and to make such recommendations as it may deem appropriate.

Article Two.

The Commission consists of five eminent and internationally- renowned members, whose experience and reputation worldwide is well established. They are:

- Professor Mahmoud Cherif Bassiouni (Chair);
- Judge Phillipe Kirsch (member);
- Sir Nigel Rodley (member);
- Dr. Mahnoush Arsanjani (member);
- Dr. Badria Al-Awadhi (member).

Article Three.

The Commission is wholly independent of the Government of Bahrain or of any other government, and the members of the Commission are acting in their personal capacity and do not represent any government, international organization, public official or any economic or political interest.

Article Four.

The Commission's mandate is to engage in fact finding and it has access to all concerned government agencies, government officials, government files and records. It is also free to meet with any person it deems appropriate, including but not limited to, representatives of civil society, human rights organizations, political groups, labor unions, and alleged victims and witnesses of alleged violations of internationally protected human rights. All relevant governmental departments shall put at the disposal of the Commission the results of their own inquiries into the above matters.

Article Five.

In connection with its work, which the Commission will determine on its own and without any interference by the government, the Commission will be able to meet with alleged victims and witnesses of alleged violations in secrecy and in accordance with measures that it shall develop to protect the privacy and security of individuals it meets with, in line with international human rights norms.

Article Six.

The government shall not interfere in any way with the work of the Commission nor shall it prevent access to it by anyone seeking to make contact with the Commission or its staff. Moreover the government shall facilitate the Commission's and its staff's access to such places and people as the Commission deems appropriate.

Article Seven.

The Commission shall have the authority to decide on all matters concerning the scope of its work and its methods of operation. The government shall ensure that no person or member of that person's family who has made contact with the Commission or cooperated with the Commission shall in any way be penalized, negatively affected or in any way harassed or embarrassed by any public official or representative of the government.

Article Eight.

The work of the Commission shall be independent of any national or judicial processes even if it concerns the same subject matter. No administrative or judicial body shall have the authority of stopping, curtailing, preventing or influencing the Commission's work

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** Page 1, Article Four.  
The Commission's mandate is to engage in fact finding and it has access to all concerned government agencies, government officials, government files and records. It is also free to meet with any person it deems appropriate, including but not limited to, representatives of civil society, human rights organizations, political groups, labor unions, and alleged victims and witnesses of alleged violations of internationally protected human rights. All relevant governmental departments shall put at the disposal of the Commission the results of their own inquiries into the above matters.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** Lauterpacht Centre for International Law, Arab Spring Project  
[http://www.lcil.cam.ac.uk/sites/default/files/LCIL/documents/arabspring/Bahrain\\_9\\_Royal\\_Order\\_No28.pdf](http://www.lcil.cam.ac.uk/sites/default/files/LCIL/documents/arabspring/Bahrain_9_Royal_Order_No28.pdf)

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