

Royal Order No. 28 of 2011, 29 June 2011.

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Establishing an Independent Commission to Investigate and Report on the Events Which Occurred in Bahrain in February/March 2011

We, Hamad Bin Isa Al Khalifa, King of Bahrain, having reviewed the Constitution, have ordered the following:

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 Phillippe 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 and its results.

The Commission's work does not involve political issues or negotiations.

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:

- 1) A complete narrative of the events that occurred during February and March, 2011.
- 2) The context for these events.
- 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.
- 4) A description of any acts of violence that have occurred including the nature of the acts, how they occurred,

who the actors were and what consequences derived therefrom, in particular at the Salmaniya Hospital and the GCC Roundabout.

5) Instances of alleged police brutality and alleged violence by protestors and/or demonstrators against police and others, including foreigners.

6) The circumstances and appropriateness of arrests and detentions.

7) Examination of allegations of disappearances or torture.

8) Ascertain whether there was any media harassment, whether audiovisual or written, against participants in demonstrations and public protests.

9) Examination of alleged unlawful demolition of religious structures.

10) Ascertain any involvement of foreign forces and foreign actors in the events.

Article Ten.

The Commission is free to make any recommendations, in particular recommendations for further official investigation or prosecution of any person, including public officials or employees, recommendations for reconsideration of administrative and legal actions, and recommendations concerning the institutionalization of mechanisms designed to prevent the recurrence of similar events, and how to address them.

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.

Article Twelve.

This Order shall come into force on the date of issue and publication in the Official Gazette.

Hamad bin Isa Al-Khalifa King of the King of Bahrain

Issued at Rifa' Palace, 29 June 2011