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right to be elected? Which measures have been put in place to overcome these obstacles?

Legislative Decree No. (14) of 2002 with respect to the Exercise of Political Rights states in Article 3 that: "The following shall be forbidden from nominating to the Council of Representatives:

Any person who is sentenced in a felony; even if he was pardoned or rehabilitated.

Any person who is sentenced to imprisonment in misdemeanor crimes for a period more than six months even if he was pardoned and that is after 10 years starting from the day following the date of execution of the sentence or its forfeiture or from the date of which the judgment becomes final if it was covered by a stay of execution."

7. What positive measure have been take to ensure that women, members of minorities, indigenous peoples, persons with disabilities and members of other disadvantaged groups are able to stand for elective office?

The Legislative decree no.(15) of the year 2002 with respect to the consultative and the representatives councils ensures the equal right to stand for elective office to all those who fulfill the legal requirement whether women, members of minorities, indigenous peoples, persons with disabilities and members of other disadvantaged groups.

Practically, the Royal Order No.(42) of 2010 with respect to the nomination of members of the Shura Council has nominated a women with disability to become a member of the Shura Council.

8. What measures (including legislative measures) are in place to ensure that candidates for elective office are not faced with discrimination, harassment, and violations of their rights to freedom of opinion, expression, assembly and association?



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Legislative decree No.(15) of the year 2002 with respect to the consultative and the representatives councils states in Article 22 that: "Election Campaign shall be free according to the provisions of this Law and any Candidate shall be allowed to launch such Campaign from the date of accepting his nomination according to the following rules:

(a) Upon launching his election Campaign, a candidate shall comply with the following:

1. To comply with the provisions of the Constitution and to observe the supremacy of law.
2. To respect the freedom of thought and opinion of others.
3. To maintain national unity and national security and stability, and to avoid any action that would cause factions or sectarianism between citizens.
4. Not to carry out any campaigning in government ministries and their directorates and affiliating bodies and public institutions.
5. Not to interfere in the campaign of other candidates personally or by other intermediaries in his election campaign.

(b) It shall be prohibited to organize and hold election meetings and deliver election speeches at places of worship, universities, academic institutes, government and private schools, squares, streets, public roads and buildings occupied by ministries, their departments, agencies and public organizations and institutions."

9. Please explain how possible interferences with the electors' will and with voter or candidate registration are avoided. Is undue interference prohibited by law? How does the State ensure effective access to judicial and other remedies in case of violations?

Legislative decree no. (14) of 2002 with respect to the exercise of political rights states in Article 30 that: "Without prejudice to a severer penalty provided for in the Penal Code or in any other Law, anyone who commits any of the following acts shall be sentenced for imprisonment for a period not exceeding six months and a fine not exceeding BD500 or by either penalty:



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1. Intentionally gave a false statement in any of the documents he presents relating to the voters' schedules or if he deliberately uses any other means to add a name to the schedules or delete a name from it in breach of the law.
2. Falsified, fakes, disfigured, hid, destroyed or stole a voters' schedule, a nomination form, a ballot paper or any document related to the referendum or the election process with the intention to change the results.
3. Cast his vote in the referendum or election with his knowledge that he is not eligible to vote or if he forfeits the required conditions to exercise the right in these two processes after the schedules were finalized.
4. Violated the freedom of the referendum or election, or its procedures by using force or threat or disturbance or take part in demonstrations or gathering.
5. Used his right to the referendum or election more than once on the voting day, or impersonated someone else.
6. Insulted any of the committees mentioned in this law or any of its members while they were carrying their duty.
7. Published or broadcast false statements about referendum or the conduct of a candidate or his morals intending to influence the outcome of the referendum or election."

Any citizen with any complaint regarding interferences with the electors' will was entitled to file a complaint to the "Supreme Committee for overall supervision of the soundness of the referendum and election"

Other

1. Please provide information on restrictions to freedom of association, in particular the right to form and join associations concerned with political and public affairs? If there are any conditions to the exercise of the rights guaranteed in articles 19, 21 and 22 of ICCPR, are they prescribed by law, necessary and proportionate?



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Article (27) of the Constitution of Bahrain states that: " The freedom to form associations and unions on national principles, for lawful objectives and by peaceful means is guaranteed under the rules and conditions stipulated by law, provided that the fundamentals of the religion and public order are not infringed. No one can be forced to join any association or union or to continue as a member."

Whereas the restrictions imposed on the right of formation or joining of associations concerned with political and public affairs, are stipulated under Articles (4) and (5) of the Law No.(26) of 2005 with respect to Political associations, which states as follows:

Article (4)

" For the establishment of any political association or its continuance the following has to be satisfied:

1. The association shall have a written statute signed by the founders.
2. The number of founders of any association shall not be less than fifty members.
3. The principles ,objectives, programs and policies and methods of the Association shall not contradict with:
 - a) The principles of Islamic law as the main source of legislation.
 - b) The national principles underlying the system of governance in the Kingdom.
4. The Association shall not established on any caste, sectarian, factional, geographic or occupational, or on the basis of discrimination due to gender, origin, language, religion or creed.
5. The association shall not be established for the purpose of any military or paramilitary organizations or undertake exercises of violent nature which aims to combat setting, or inciting ethnic, national or religious enmity.
6. The association shall not be a branch of any political association or political party or any other political organization abroad.
7. The association shall not be linked to or cooperate with any political parties or organizations, groups or individuals or political forces that stands against any principles, rules or provisions stipulated in the Constitution or clause (3) of this Article.



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8. The headquarters and the branches of the association shall be in the Kingdom of Bahrain, and shall operate in the territory of the Kingdom.

9. The Association shall announce its principles, objectives, programs, tools, organizational structure and sources of its fund."

10. The Association shall not use the religious rostrum to promote for its principles, objectives, programs or as a source for its reference.

Article (5)

" The founding member, or the member who joins the association after the announcement of its establishment, shall satisfy the following conditions:

- 1- He/she shall be a Bahraini, enjoying full civil and political rights.
- 2- Must have reached the age of twenty-one at the time of providing for the application for the formation or membership of the Association, or at the time of standing for any leadership position in such association, and shall have reached the age of twenty-one at the time of joining the association after its formation.
- 3- Shall be a usual resident of the Kingdom.
- 4- Shall not be a member of any other Bahraini political association or a non-Bahraini political organization.
- 5- Shall not be an affiliate to the Bahrain Defence Force , the National Guard or the state's security agencies, and shall not be a member of the judiciary or the public prosecution or a member of the diplomatic or consular corps".

والله الموفق،،

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