

*(Translated from Arabic)*

**Reply to joint allegation letter AL Assembly and Association (2010-1) G/SO 214 (107-9), dated 19 April 2013, concerning the new draft law on associations**

In an effort to achieve its vision of creating a community-based partnership with civil society, the Ministry of Social Development resolved to produce amendments to Decree No. 21 of 1989 promulgating the Law on Associations, Social and Cultural Clubs, Private Youth and Sports Organizations and Private Foundations. All civil society organizations were engaged in producing these amendments, the aim of which was to give more flexibility to organizations in carrying out their role and to broaden understanding of new objectives and a future vision attuned to global developments taking place in this sphere.

The Ministry of Social Development accordingly examined international laws and legislation, attending international workshops and organizing local workshops in the interest of conformity with the latest international practices, as follows:

- The Ministry took part in a workshop held in Jordan to discuss ways of updating laws on non-governmental organizations (NGOs). The workshop was attended by representatives of Bahraini human rights organizations, civil society and parliamentary councils;
- A workshop to discuss the development of not-for-profit law was held in April and attended by representatives of various sectors;
- Last October, the Ministry organized a workshop to present the features of the draft law to all NGOs. The workshop was attended by over 80 representatives of different NGOs, including charitable funds, women's and youth associations and various others. Their views on the new law were canvassed in a dialogue with Ministry representatives. Some of the NGO representatives requested more time to examine the draft law. The Ministry responded favourably to their request and also disseminated a copy of the draft law, which was additionally made available on the Ministry's website;
- Numerous associations stated their views on the draft, making some 100 comments in all, and the proposed law was amended in the light of those views;
- The proposed draft law was presented to United Nations experts through experts from the International Centre for Not-for-Profit Law (ICNL). The assistance of international bodies experienced in developing NGO laws and organizing explanatory workshops and meetings was also engaged in order to elaborate an NGO law based on international principles and having a development perspective of service to civil society;
- A workshop took place at the National NGO Support Centre in Tubli, at 10 a.m. on 10 November 2007, and was attended by 25 representatives of civil society, in particular human rights associations, and representatives of the Council of Representatives and the Shura Council. The purpose of the workshop was to review key trends in NGO laws worldwide;
- The draft law was presented at a workshop following its amendment in the light of comments made by NGOs and ICNL;

- NGOs were afforded the opportunity to discuss the matter and state their views;
- NGOs began meeting in order to consult and express their views on the draft law;
- Comments from NGOs were received as from November 2007;
- The law was redrafted;
- It was approved.

Workshop held in Jordan to discuss ways of updating NGO laws

Workshop held in April for representatives of various sectors in order to discuss the development of not-for-profit law

Workshop held last October to present the features of the draft law to all NGOs

Receipt of some 100 comments from NGOs on the draft law

Presentation of the proposed draft law to United Nations experts through ICNL experts

Workshop held on 10 October 2007 at the National NGO Support Centre, attended by 25 representatives of civil society

Workshop to present the draft law following its amendment in the light of comments made by NGOs and ICNL

Opportunity afforded to NGOs to discuss and express their views on the draft law

NGO consultations begun

Receipt of NGO comments as from November 2007

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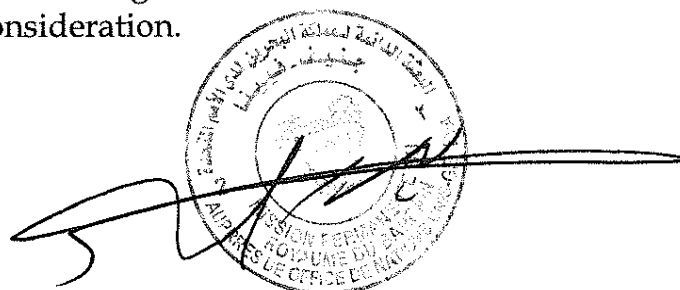
Geneva, 5<sup>th</sup> June 2013  
1/5(4) - 204 (wg)

The Permanent Mission of the Kingdom of Bahrain to United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and would like to refer to the joint urgent appeal, ref. Al Assembly & Association (2010-1) G/SO 214 (107-9) BHR 1/2013, dated 19<sup>th</sup> April 2013, sent by the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders, on the information received concerning a new draft law on associations which if adopted would violate international norms and standards related to the right to freedom of association and could seriously compromise the work of civil society organizations, including human rights organizations.

In this regards, the Mission has the honour to enclose herewith the reply of the Government of the Kingdom of Bahrain to the aforementioned urgent appeal in Arabic language.

The Permanent Mission of the Kingdom of Bahrain avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurance of its highest consideration.

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الرد على النداء العاجل رقم (1-2010) AL Assembly & Association (107-9) G/SO 214 المؤرخ في ١٩ ابريل ٢٠١٣ بشأن مشروع قانون جديد للجمعيات.

سعياً من وزارة التنمية الاجتماعية إلى تحقيق رؤيتها في إحداث الشراكة المجتمعية بينها وبين المجتمع المدني فقد عازمت على إحداث تعديلات في المرسوم رقم ٢١ لسنة ١٩٨٩ الخاص بإصدار قانون الجمعيات والأندية الاجتماعية والثقافية والهيئات الخاصة العاملة في ميدان الشباب والرياضة

والمؤسسات الخاصة والذي أشركت من خلاله جميع منظمات المجتمع المدني في إحداث هذا التعديل من أجل إعطاء مرونة أكبر للمنظمات لتفعيل دورها وتفهماً أوسع لما يستجد من أهداف ورؤية مستقبلية تتماشى مع إحداثيات العالم في هذا المجال.

وبناء عليه قامت وزارة التنمية الاجتماعية بدراسة القوانين والتشريعات الدولية عن طريق حضور ورش العمل الدولية وتنظيم ورش العمل المحلية لتتبع الممارسات الدولية المتقدمة على النحو التالي:

- حرصت الوزارة على حضور ورشة عمل مناقشة سبل تحديث قوانين المنظمات التي أقيمت في الأردن والتي حضرها ممثلي من جمعيات حقوقية بحرينية ومشاركة المجتمع المدني والمجالس النيابية.

- ورشة عمل في ابريل لمناقشة تطوير القانون الغير هادف للربح بحضور ممثلين من مختلف القطاعات

- عقدت الوزارة ورشة عمل في أكتوبر الماضي لعرض ملامح مسودة القانون بمشاركة جميع المنظمات الأهلية وحضر الورشة أكثر من ثمانين ممثل عن مختلف المنظمات الأهلية "الصناديق الخيرية، الجمعيات النسائية والشبابية وجمعيات من مختلف المجالات وتم التماور بينهم وبين ممثلي الوزارة من أجل استطلاع آرائهم حول القانون الجديد حيث عرض بعض الممثلين عن المنظمات بطلب تمديد فترة مراجعة مسودة القانون موضوع النقاش وقد استجابت الوزارة لطلبهم كما تم توزيع نسخة من المسودة و توفيرها على الموقع الإلكتروني للوزارة.

- استجابت عدد من الجمعيات بوضع مرئياتها على المسودة أي ما يقارب ١٠٠ رأي، وتم عمل التعديل على القانون المقترح في ضوء هذه المرئيات.

- عرض المسودة المقترحة على خبراء دوليين من برنامج الأمم المتحدة من خلال خبراء من ICNL واستعانت بجهات دولية ذات خبرة في وضع قوانين المنظمات الأهلية وعقد الورش التوضيحية واللقاءات لوضع قانون يخدم المنظمات الأهلية مبني على أسس دولية وذو منظور تنموي لخدمة المجتمع المدني.

- نظمت ورشة عمل بتاريخ ١٠ نوفمبر ٢٠٠٧ بالمركز الوطني لدعم المنظمات عند العاشرة صباحاً بمنطقة توبلي بحضور ٢٥ من ممثلي المجتمع المدني وخاصة الجمعيات الحقوقية ومجلس النواب والشورى وذلك لعرض أهم التوجهات في قوانين المنظمات الأهلية في العالم.
- عقد ورشة عمل عرض فيها مسودة القانون بعد التعديل والأخذ بمرئيات المنظمات والمنظمة الدولية ICNL.
- فتح باب المناقشة وإبداء المرئيات للمنظمات.
- بدأت المنظمات عقد اجتماعات فيما بينها للتشاور وإبداء المرئيات حول القانون.
- استلام المرئيات الموضوعية من قبل المنظمات بدء من نوفمبر ٢٠٠٧.
- إعادة صياغة القانون.
- يعتمد.

