



مؤشر المشاركة السياسية في دول مجلس التعاون الخليجي 2020

Political Participation Index in the GCC States 2020





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The Gulf House for Studies and Publishing is a think tank based in London, working as a- non-profit – institution for research and publishing. It is also concerned with the production and publication of monitoring and analysis studies as well as strategic and in-depth studies on policies and issues related to the Gulf states and the regional neighborhood.

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Chapter One: Introduction

The Political Participation Index in the Gulf Cooperation Council Countries, which is a research publication by the «Gulf House for Studies and Publishing», provides an annual overview and scientific monitoring of the degree of political, social and cultural participation in the six Gulf Cooperation Council countries: Kingdom of Bahrain, Sultanate of Oman, State of Qatar, Kingdom of Saudi Arabia and United Arab Emirates.

It is noteworthy that the Gulf House for Studies and Publishing, being the body that supervised the design and implementation of this index study, is a - non-profit - think tank based in London. It is an institution engaged in research and publishing, and concerned with the production and publication of monitoring and analysis studies, as well as strategic and in-depth studies on policies and issues related to the Gulf states and its regional neighborhood.

Why this index? What is the purpose of this index?

This index carries significance for being the first specialized research publication concerned with measuring the degree of «political participation» in the Gulf Cooperation Council countries. The uniqueness of the index is that it combines all conceptual contexts (academic, international agreements and covenants, knowledge and practical experiences), and the specifics, conditions of evolution and structure of governance systems in the Gulf Cooperation Council countries.

As the issue of «political participation» is considered to be one of the most important elements for achieving a democratic state, the existence of this index represents an urgent necessity for governments and civil society organisations in the Gulf states, as well as for international bodies concerned and research institutions. The index attempts to answer a major question pertaining to the extent and proportion of the Gulf Cooperation Council countries' engagement of their citizens politically, and the consequent desire and ability of citizens themselves, individuals and groups, to participate in decision-making and influence the state's policies, legislation, and in all aspects of political and social life in their states.

The index seeks to provide an adequate effort to shed light on the most prominent achievements, failures and recommendations regarding the ability of Gulf citizens to «participate politically» and contribute effectively to «decision-making».

This index benefits from regional and international indices, especially with regard to some approved standards of measurement. However, it differs in several ways: its «specific» scope by focusing on a more precise and specific topic, which is «political participation», taking into account the nature and specificity of the region covered in this study (the Gulf Cooperation Council countries). This enabled the researchers to formulate the index benchmarks for the desired level of accuracy and appropriateness.

The selection of countries in this index is based on the fact that they are primarily within the scope of interest and work of the «Gulf House for Studies and Publishing». In addition, the historical, cultural, social aspects these countries share, and their similar systems of government “hereditary monarchies», all contribute to making the measures adopted in the index consistent and homogeneous.

Space for «political participation»

While there is a consistent conceptual consensus that “political participation” is an inherent component of achieving a democratic state, it is, in practice, a “mechanism” that guarantees individuals' ability to achieve their “aspirations” and influence decision-making, politically, economically, socially, and culturally, in order to achieve “development” and “public welfare”.

In accordance with this index, the definition of “political participation” is based on the premise that individuals have the right to participate actively and fairly in political life and legislative institutions, to exercise oversight over the three branches of government as well as criticizing their actions, while taking into account the fair and proportionate representation of the various groups and minorities without discrimination, including the empowerment of women and the youth.

Chapter Two: Methodology

This study was prepared by a team of researchers from within the Gulf Cooperation Council States and specialists in studying the Gulf region, specifically those related to political and human sciences. This index is based on ten main scales to measure the degree of “political participation” in the Gulf Cooperation Council countries, and each “scale” includes a set of “elements” and “details” that are subjected to evaluation and research. The researchers began assessing, explaining, bringing on, and interpreting the circumstances of each country under study on each of the scales, elements, and details through monitoring forms used as a uniform guide to track cases of the existence, breakdown, obstruction, or absence of participation.

Each of the ten scales was divided into a number of sub-items, which the researchers found essential elements for weighing each scale and determining its correlation in inferring the state of participation.

Each element was also subsequently sub-divided into details with weights for each whose final points were determined according to the estimates of the research team based on reading the data and monitoring phenomena and events.

Under each detailed item, the researchers worked on answering key questions to asses and describe the current state of the country based on the resources adopted within the scope of this study.

A special workshop was conducted to define the areas of scales and their titles, and distribute points according to the importance of each scale, the extent of its engagement and impact on the nature of existing political systems in the six countries and their social conditions.

The weights were then distributed on the scales on the basis of (1,000) points as a hypothetical final outcome of the ideal state in which political participation is most effective and inclusive in all fields and sectors. Similarly, the internal points were distributed among the elements in each scale.

The authors of this research work were keen to ensure that the discrepancy in weights and test points between the various measures and elements is not large in order to avoid linking the final results to indicators and factors that overwhelm others, without having a real and effective weight and influence in the cases of the countries under this study.

This may result in deviant readings of the index based on a purely theoretical diagnosis, disregarding the complex political, social and cultural composition of these countries. The researchers' information was based on several sources, including official government data and statements, legislation and laws currently in

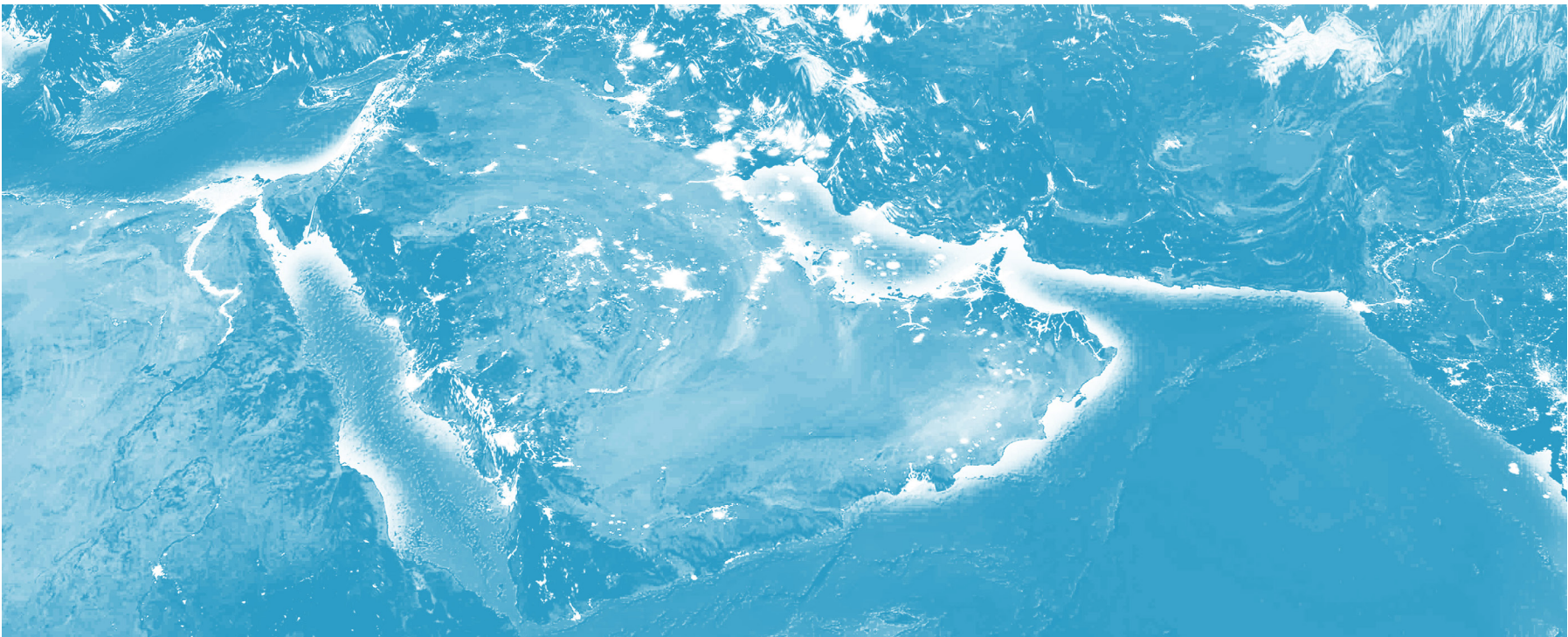
force, governmental and nongovernmental reports, in addition to statements of international organizations and bodies such as the International Monetary Fund, the World Bank, and reports of the United Nations organizations and committees.

The researchers were also keen to verify the data to ensure it is valid and correct so that the results are not biased towards what the official accounts may promote in portraying a sham case of openness and internal participation, or what may be touted by subjective and unreasoned political opinions of individuals or parties opposed to the ruling authorities. The researchers were also interested in observing the desire and potential of local communities in political interaction within the spaces available in a given state and in seeking to expand these spaces or develop mechanisms to access them or work within their limits, without contenting themselves with merely assessing the performance of the authorities alone in legislating, restricting, making available or monopolizing spaces for political participation and its tools.

It should be noted that the results of this first edition cannot provide an accurate and objective reading of the progress or decline in the six countries with regard to political participation or the nature of the areas in which a change has occurred, whether positively or negatively, but the results of subsequent editions may fill this void through a comparative evaluation over the years and an explanation of the areas of deficiency or improvement. This edition covers monitoring and measuring the data until the end of 2019.

In presenting the results, the index is based on ranking the countries alphabetically based on their English names. The progress or regression of any country in the final results of the index does not reflect its detailed results in all the measures adopted in the study.





Scales used to measure political participation

First scale: Constitutional Life 50 points: It deals with these elements:	
Constitutional Authority: Mechanisms for Issuance and Amendment.	10 points
Guaranteeing the right to political participation	15 points
Regulating / restricting laws	15 points
Compliance with the provisions of the Constitution	10 points

Second scale: General Elections 150 points: It deals with these elements:	
Electoral Areas (governmental, representative and municipal councils)	20 points
Power of elected institutions (authority / separation of powers / oversight / legislation / accountability /partnership in decision making / powers to dissolve institutions)	50 points
Effectiveness and efficacy of elected institutions	40 points
Mechanism for drafting the electoral system and drawing districts	40 points

Third scale: Political Organizations 100 points: It includes these elements:	
Legitimacy of political organizations.	30 points
Availability of opposition tools.	25 points
Safety for political activists.	25 points
Administrative and financial independence.	10 points
Participation in elections on slates.	10 points

Fourth Scale: Civil Society Organisations 100 points: It includes these elements:	
Legal environment: guaranteeing the right of individuals and groups to form NGOs and pressure groups.	40 points
Trade unions and professional societies: legislation / union pluralism and trade unions/ availability of union work tools, including the right to strike.	40 points
Institutional independence.	10 points
Restrictions and obstacles.	10 points

Fifth Scale: Gender Balance and Youth Engagement 75 points It includes these elements:	
Empowering women: the right to vote / a quota in elected councils / holding leadership and senior positions.	50 points
Youth engagement: voting age / holding senior positions.	25 points
Sixth scale: Transparency 50 points: It includes these elements:	
Information sharing: right to access, circulate and disseminate Information.	25 points
Independent oversight: the actions and performance of the executive, legislative and judicial authorities, sources of wealth, spending of public funds.	25 points
Seventh scale: Freedom of Opinion and Expression 150 points It includes these elements:	
Press freedoms.	30 points
Independence of media institutions.	30 points
Internet Censorship.	30 points
Freedom and safety of individuals to exercise criticism.	30 points
Confronting hate speech and incitement to violence.	30 points
Eighth scale: Representation of Groups and Minorities 100 points It includes these elements:	
Equality: ensuring the equal right of all citizens to full citizenship.	40 points
Discrimination: ensuring that there is no discrimination on political, religious, cultural, regional, ethnic, or class grounds.	40 points
Proportional representation: ensuring proportionate and fair representation of groups and minorities in State institutions.	20 points
Ninth scale: Foreign Communities 75 points: It includes these elements:	
Stable and effective residency: the existence of regulations that allow expatriates to have fair and clear residency that guarantees rights, including participating in the election of municipal institutions.	35 points
Union / professional representation: membership, election, candidacy and protection of interests.	20 points
Societal activities: the right of communities to organize activities and establish associations and clubs.	20 points
Tenth scale: Assuming Leadership and Sensitive Positions 150 points It includes these elements:	
Influence of the royal families: representation of royal family members in higher positions: government: ministries and authorities / judicial / security and military institutions.	100 points
Localization of positions: ability and priority for citizens to access leadership and sensitive positions in the judicial, security and military bodies.	50 points

Criteria for adopting scales

The scales used in this index were adopted based on several factors, namely:

- In-depth readings in: The Universal Declaration of Human Rights- the United Nations General Assembly – December 10, 1948, the International Covenant on Civil and Political Rights, United Nations General Assembly Resolution – December 16, 1966, and the Covenant International Conference on Economic, Social and Cultural Rights, “United Nations General Assembly Resolution of 16 December 1966.”
- A comparative study of other indices, including: Freedom House Index, the Arab Democracy Index – (ARAB REFORM INITIATIVE), the World Press Freedom Ranking – Reporters Without Borders, and other international and regional measures.
- The extent of the ability to access information, analyze it and verify its sources.
- The ability to apply and measure these scales – as much as possible – to all countries in accordance to the nature of the systems of government and the structure of the political system.
- Results of the workshops in which a group of experts, academics and other interested people participated, in addition to the technical observations the research working team received from the consultants.



Chapter Three: Summary of Results

The State of Kuwait ranked first with 535 out of 1000 points on the “Political Participation Index in the Gulf Cooperation Council Countries”, followed by the Kingdom of Bahrain in second place with 451 points. The Sultanate of Oman ranked third with 440 points, while the State of Qatar ranked fourth, scoring 405 points, then the United Arab Emirates, which ranked fifth with 316 points, followed by Saudi Arabia in last place with 192 points.

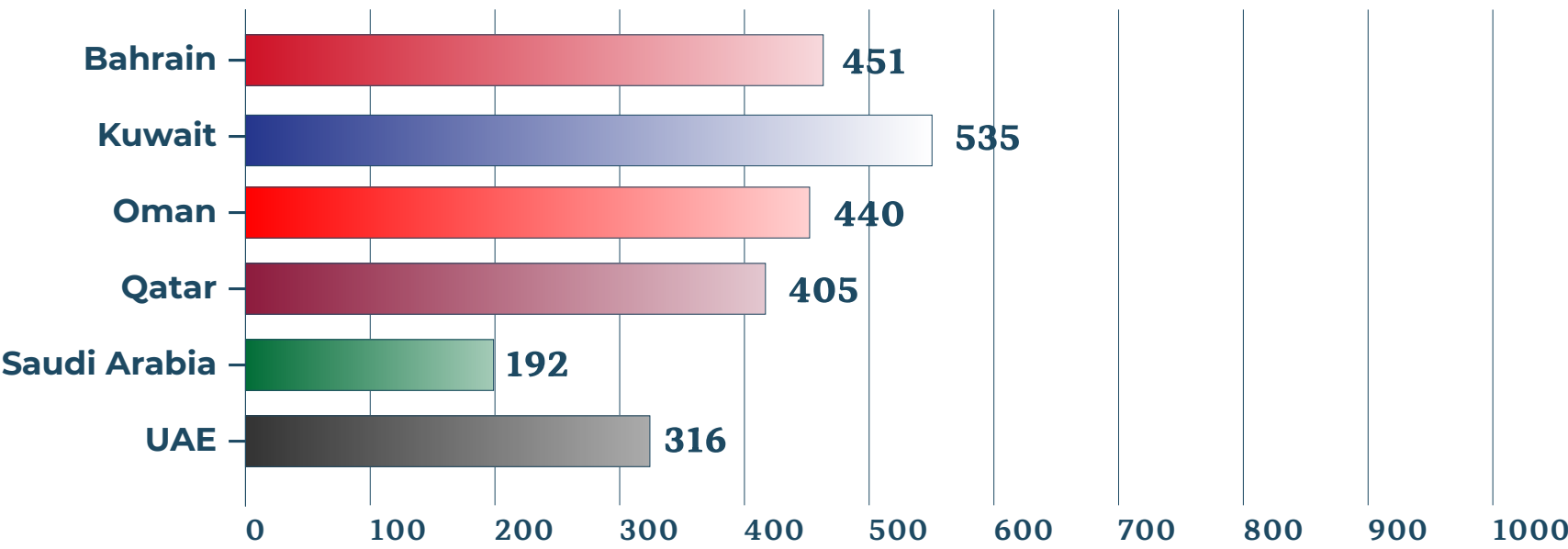


Figure 1: Index overall results

3.1 General observations

With the exception of Kuwait and Bahrain, all Gulf Cooperation Council states recorded a significant decrease on the scales of (constitutional life / general elections / political organizations).

It has been observed that certain Gulf countries (UAE, Kuwait, Qatar, Bahrain) adopt discriminatory policies with regard to ensuring the right of their citizens to political participation in legislative council elections, Shura councils and municipal councils. These policies are based on controls and prohibitions determined by their respective nationality laws, the exercise of political rights and the organization of elections in these countries.

While Bahrain, the Emirates, Saudi Arabia and Kuwait recorded a decline in the points on the scale related to (access to leadership and sensitive positions) due to the large presence of members of the ruling families in higher positions, both Qatar and Oman were characterized by high permeability for citizens of the two countries to reach higher positions (sovereign ministries in the councils of ministers and military and judicial institutions). All countries recorded modest results on the (freedom of opinion and expression) scale, with a relative advantage in the case of Kuwait and Qatar (foreign media as opposed to local media), and Oman (especially with regard to confronting hate speech and incitement to violence). Most of these countries are witnessing court cases and arbitrary arrests, and trials marred by legal defects involving dozens of citizens on charges related to freedom of opinion and expression.

Expatriate workers and foreign communities in all GCC countries face severe challenges with regard to trade union and professional representation, and obtaining stable and effective residency in these countries. On a related note, Bahrain, the Emirates and the Sultanate of Oman can be considered ideal environments – to some extent – for foreign communities with regard to the freedom to practice and participate in social and cultural activities.

With the exception of Kuwait, whose citizens have better access to information – compared with the rest of the Gulf Cooperation Council countries – as well the ability of citizens to establish community-based institutions concerned with transparency and oversight of the use of public funds, the Gulf countries recorded a decline on the scale of (transparency), noting that this scale is related to the issue of “public participation” in transparency and obtaining information, and is not related to the effectiveness of all state measures in combating corruption.

Accordingly, it can be seen that the ranking of the UAE and Qatar is lagging behind in this index (transparency), despite the progress of the two countries in the global transparency index, which is due to the efficiency and transparency of procedures and systems in the two countries.

With regard to the political participation of women and youth, it is observed that all Gulf Cooperation Council countries are moving towards adopting appropriate policies and procedures.

3.2 State of Kuwait

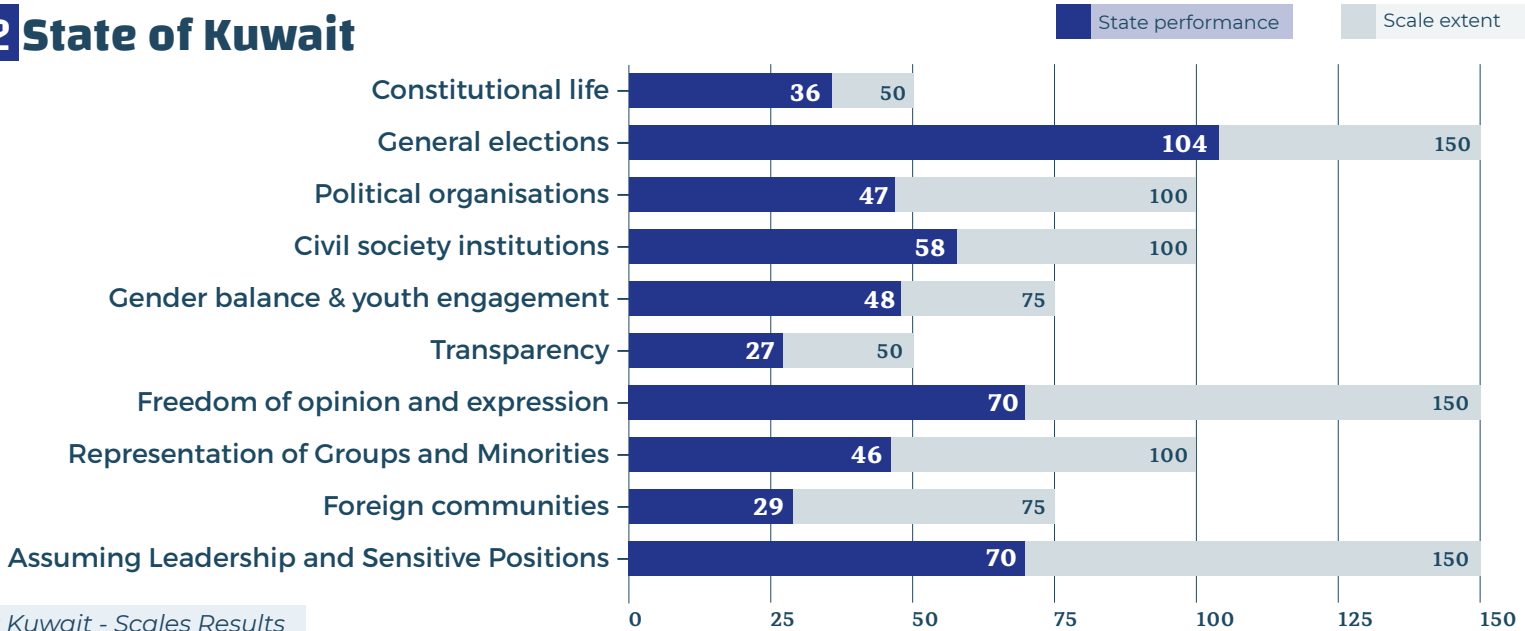


Figure 4: Kuwait - Scales Results

By scoring 535 points, Kuwait surpassed the 500-point mark of the total index points (1000 points), and ranked first among the GCC countries on the index. Kuwait came first on the following four out of the ten scales: (constitutional life / general elections / transparency / freedom of opinion and expression). Kuwait; however, scored low on the scales related to (political organizations / representation of groups and minorities / foreign communities), with significant emerging challenges with regard to legislation pertaining to the operation of political parties, resolving the stateless “Bidoon” dossier, and discrimination between its citizens with regard to political participation in elections, as well as foreign communities residing in the country.

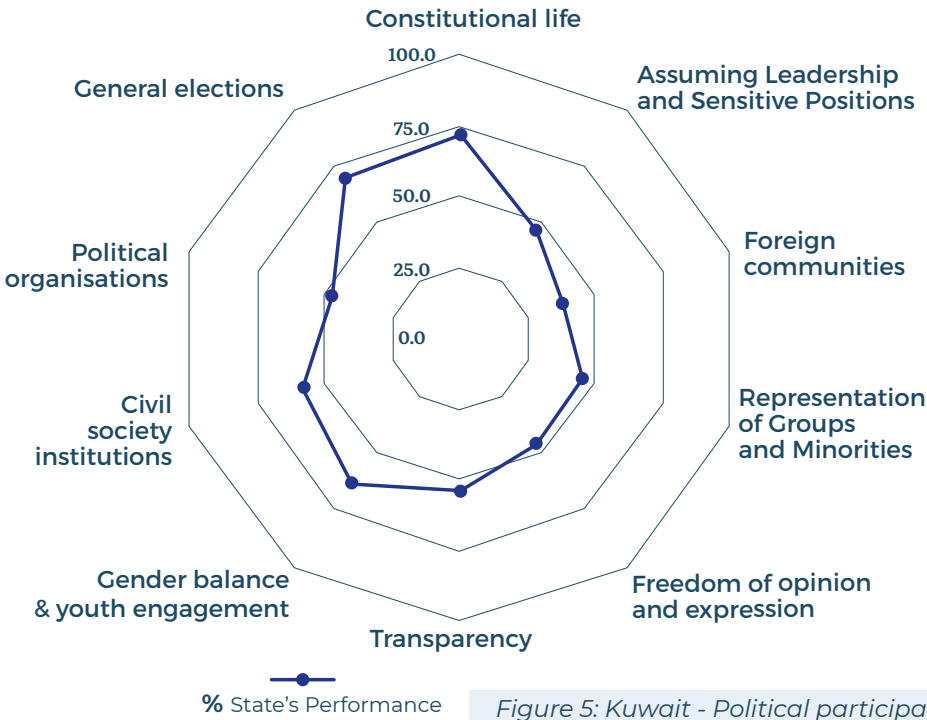


Figure 5: Kuwait - Political participation

3.3 Kingdom of Bahrain

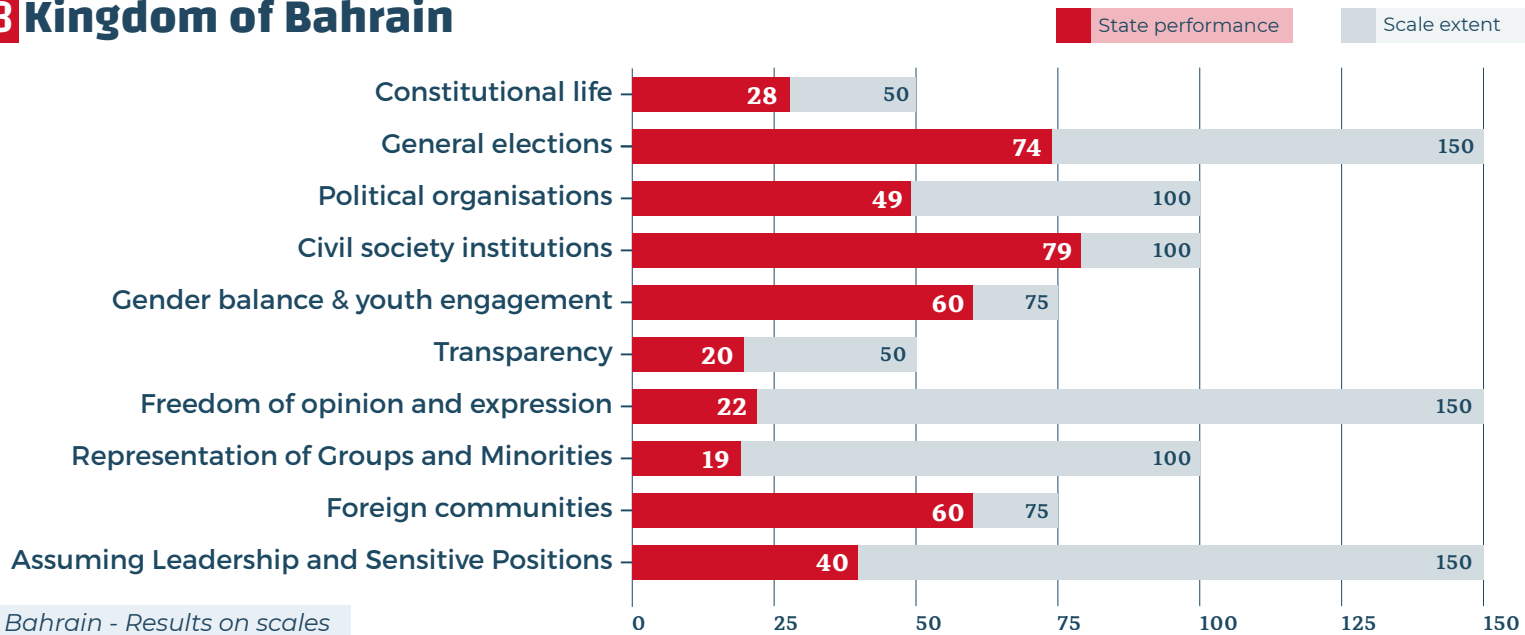


Figure 2: Bahrain - Results on scales

Bahrain is ranked second, with 84 points ahead of Kuwait. Bahrain came first on the following three scales: (political organizations/ civil society institutions / foreign communities). It's performance with regard to the local laws and regulations governing the work of civil society institutions and trade unions has been distinguished. The same applies to guaranteeing stable and effective residence for foreign communities and ensuring their union representation. Bahrain; however, scored low on the scales related to (freedom of opinion and expression / representation of groups and minorities).

The most important failures are related to discrimination, ensuring adequate representation of sections of the society, and the safety of citizens when exercising criticism. Bahrain scored lowest on the scale related to (access to leadership and sensitive positions), recording the highest presence rate of members of the ruling family in various senior state positions.

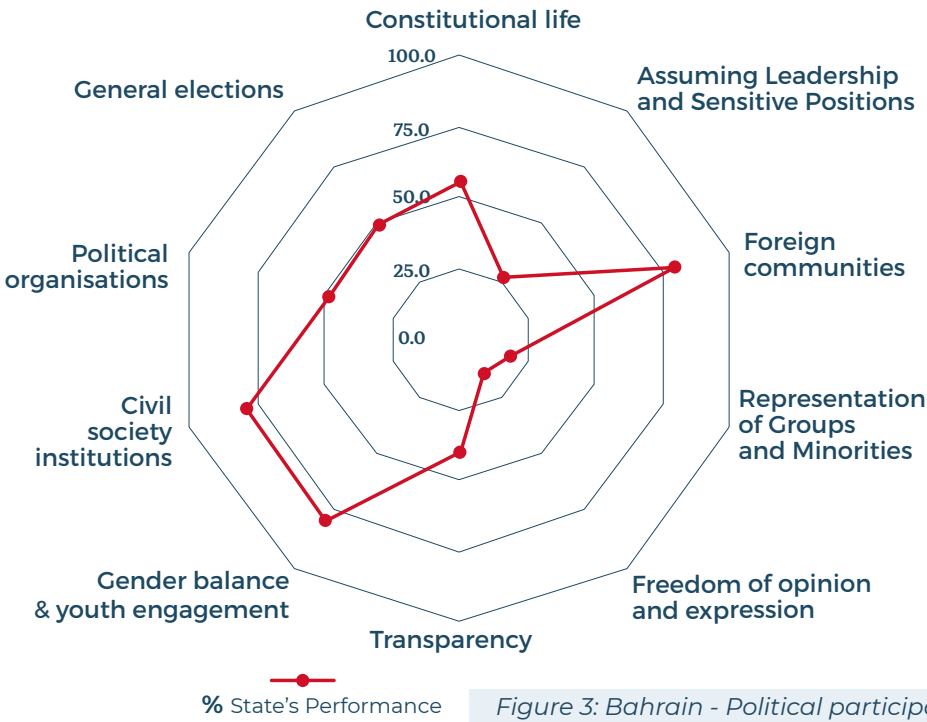


Figure 3: Bahrain - Political participation

3.4 Sultanate of Oman

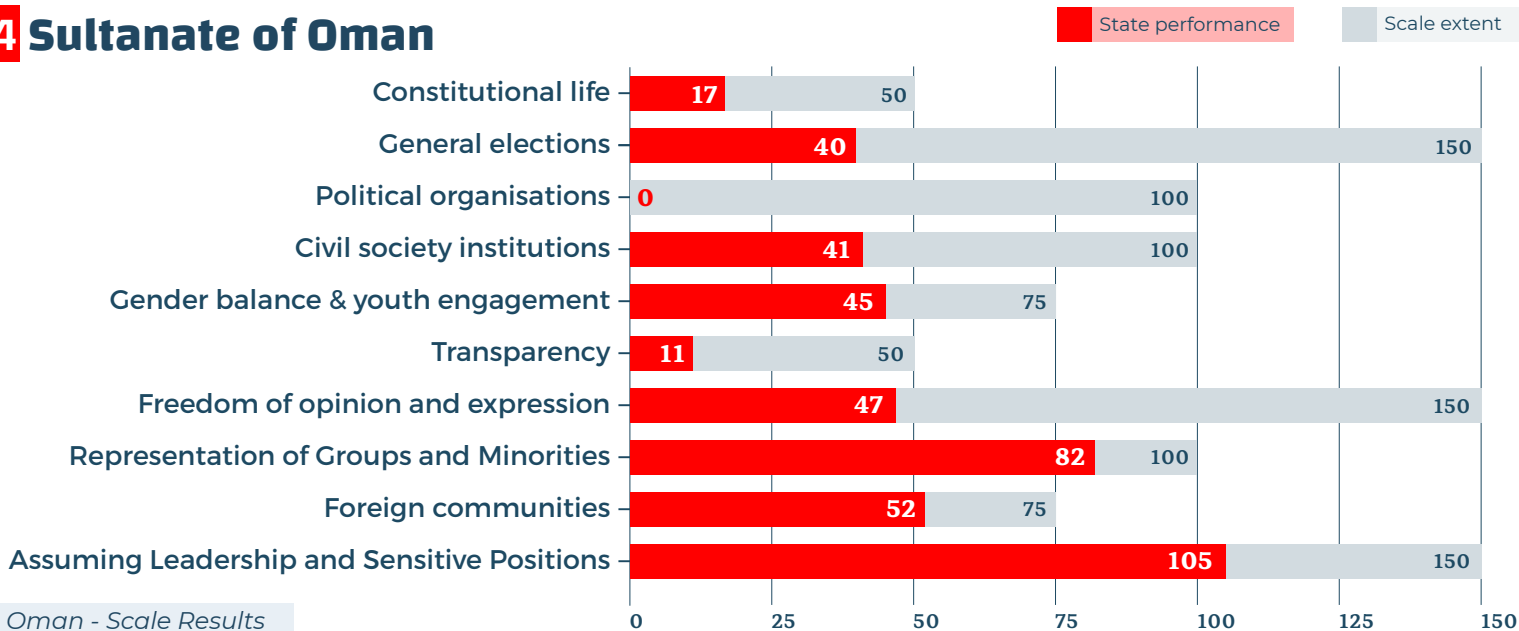


Figure 6: Oman - Scale Results

With an-eleven-point difference, Oman came third, leading on the (representation of groups and minorities) scale, due to the Government's policies that guarantee equality among its citizens and adequate representation of the various sections of society. The Sultanate's performance was also distinguished on the scale of "access to leadership and sensitive positions", on which it came second. Although the Sultan holds the position of Prime Minister and a number of ministerial positions, the permeability of Omanis from outside the ruling family to higher state positions is high. The Sultanate scored "zero" on the (political organizations) scale, as forming or joining political parties are prohibited. It also recorded a decline on other scales such as (general elections / freedom of opinion and expression).

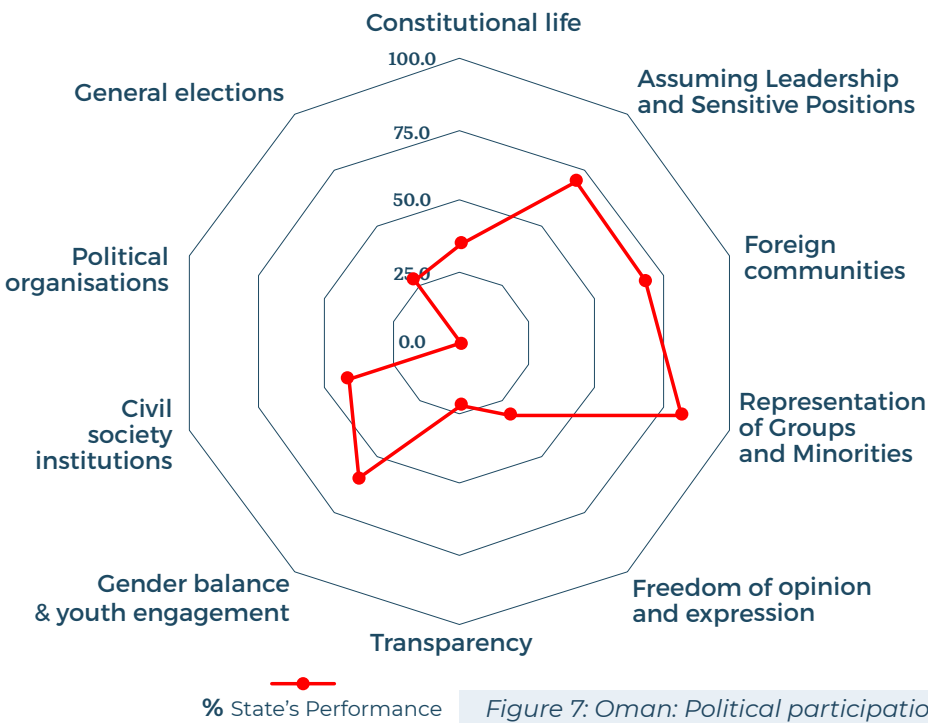


Figure 7: Oman: Political participation

3.5 State of Qatar

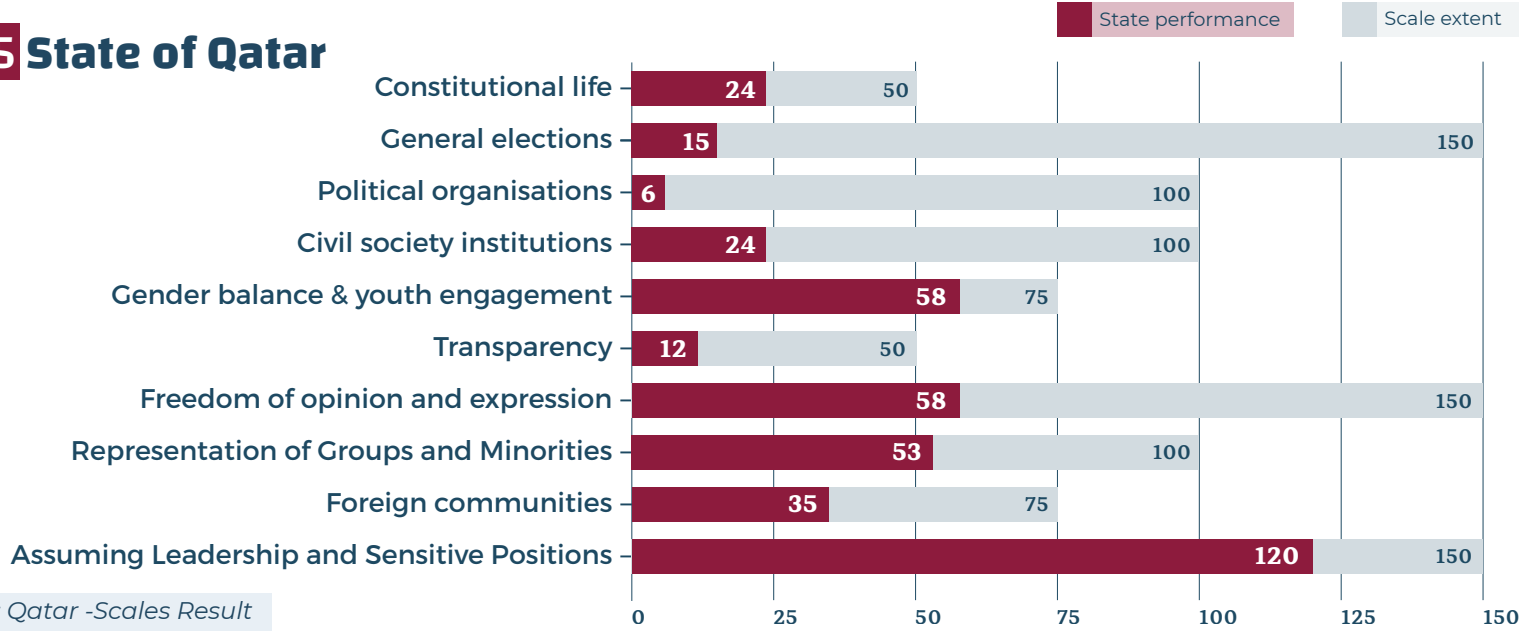


Figure 8: Qatar -Scales Result

By scoring 405 points, Qatar ranked fourth, and was leading on the scale related to (access to leadership and sensitive positions), with two figures from the ruling family in the Council of Ministers (the Prime Minister, who also holds the position of Minister of Interior, in addition to the Minister of Foreign Affairs, also from the ruling family). It is also noteworthy that the country's Constitution does not stipulate that the Emir is the Head of the Judiciary. Despite documenting a difference in the area of freedom of opinion and expression in dealing with internal and external issues, Qatar achieved an advanced rank on the scale related to (freedom of opinion and expression). The State; however, has noticeably failed on the scales related to (general elections / political organizations) by not implementing the articles relating to the Legislative Council in the Constitution, as two-thirds of the members of the Shura Council are supposed to be elected and that its powers should be wider than it is now.

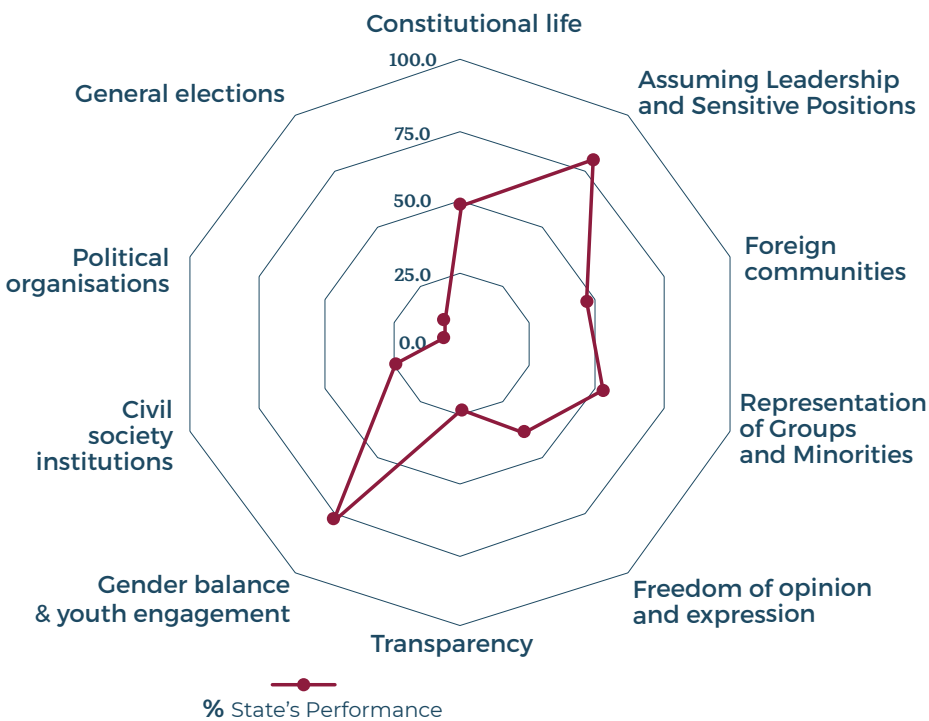


Figure 9: Qatar - Political Participation

3.6 The United Arab Emirates

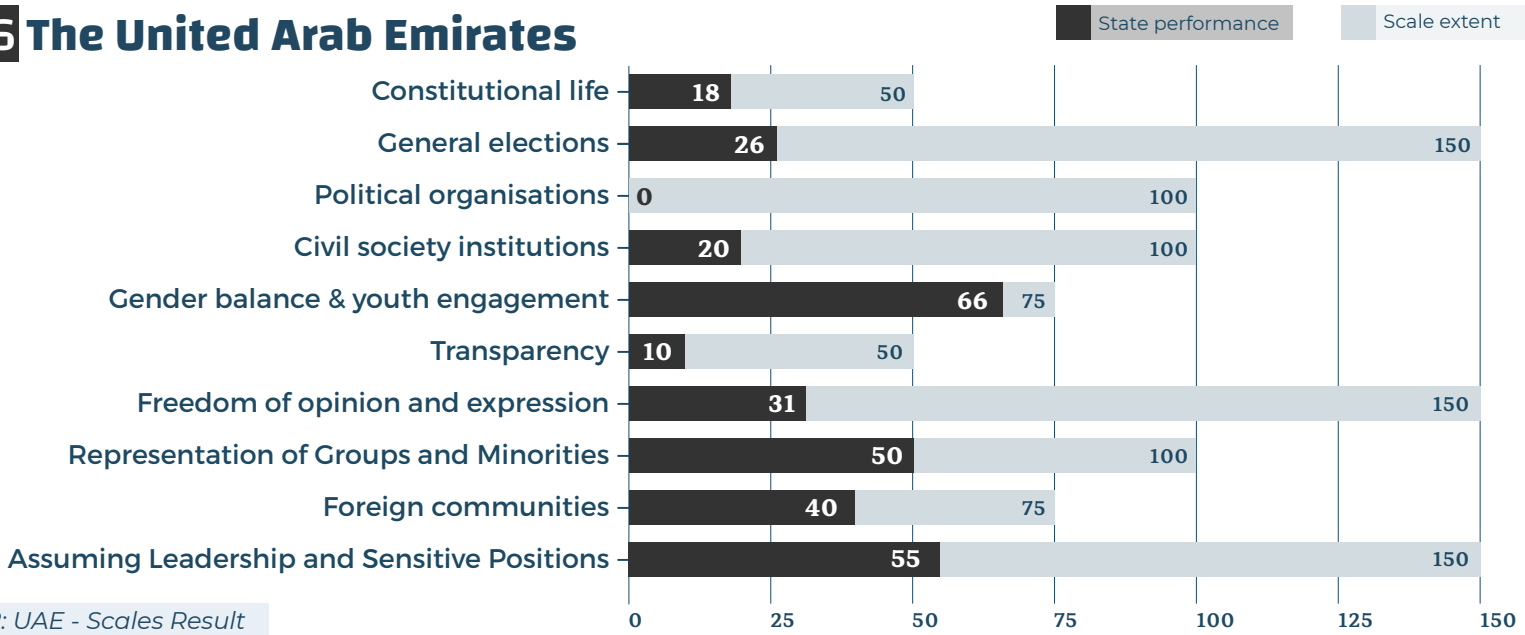


Figure 12: UAE - Scales Result

The UAE, which ranked fifth, came first on the scale related to (gender balance and youth engagement) due to the special policies and measures followed to ensure Emirati women and the youth group are represented in various State institutions in a significant way. The UAE has also achieved a high rank (third place) on the scale related to (foreign communities) and a balanced rank on the (representation of groups and minorities) scale, taking a unique step ahead of all countries of the Gulf Cooperation Council by enacting a law “criminalizing discrimination and hatred”. However, the UAE scored a “zero” on the (political organizations) scale and low points on the (general elections / civil society institutions / freedom of opinion and expression) scales.

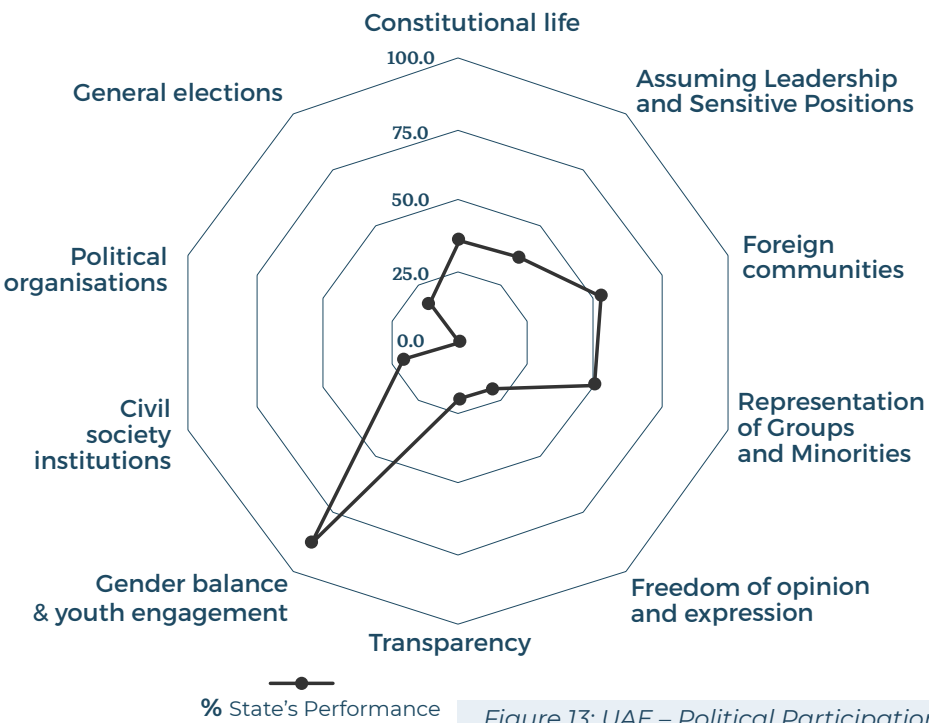


Figure 13: UAE – Political Participation

3.7 Kingdom of Saudi Arabia

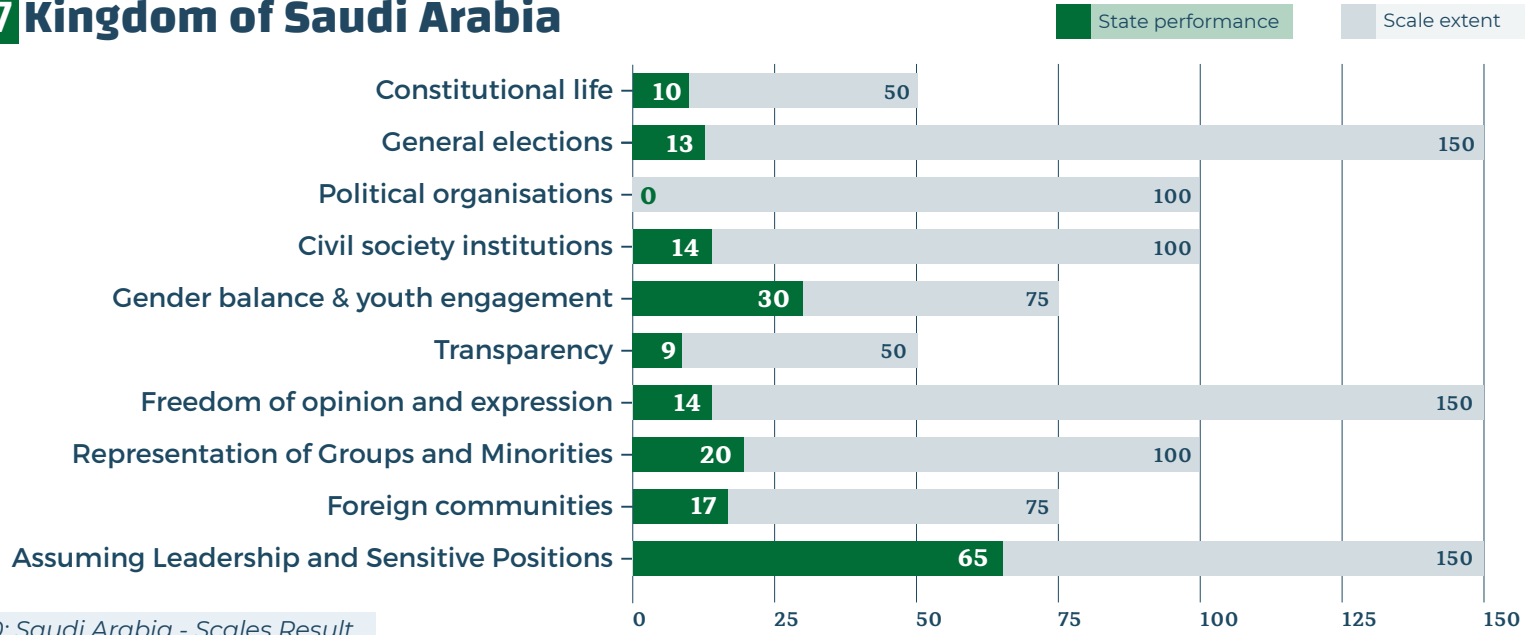


Figure 10: Saudi Arabia - Scales Result

Saudi Arabia, which ranked last among the six GCC countries, recorded a noticeable decline on several scales, the most important of which is the scale of (political organizations), on which it scored “zero”. It also had low points on the scales related to (constitutional life / general elections / transparency / freedom of opinion and expression), with very complex problems on various of these scales, especially with regard to public freedoms, and freedom of opinion and expression. Despite this, Saudi Arabia achieved an average ranking on the (access to leadership and sensitive positions) scale, ranking fourth on this scale. The country has witnessed a significant improvement on the (gender balance and youth involvement) scale of in recent years.

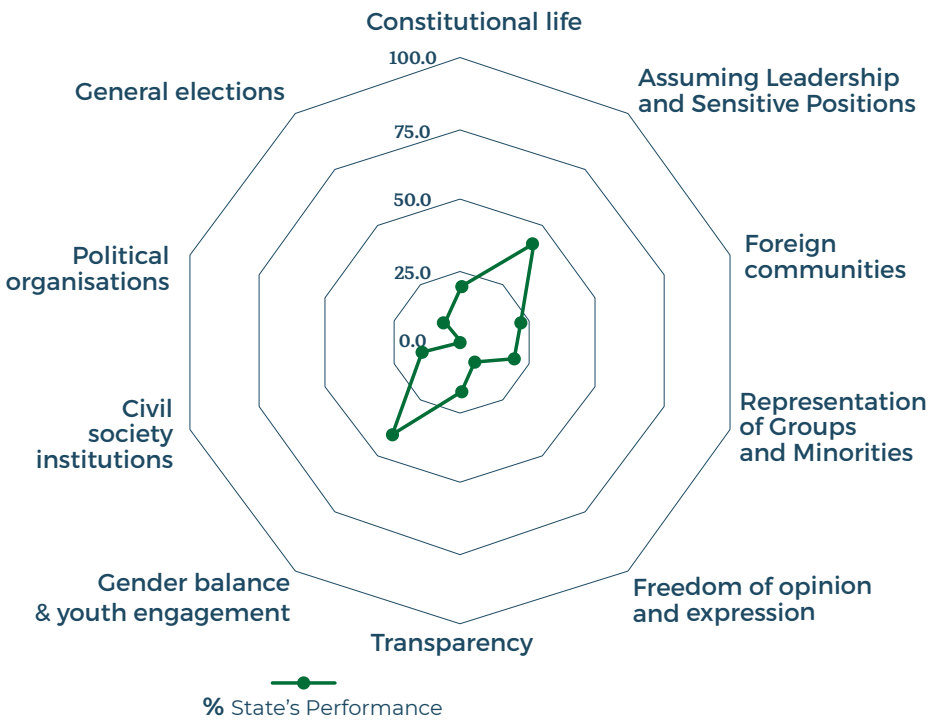


Figure 11: Saudi Arabia – Political Participation

Chapter Four: Presentation of Results

4.1 First Scale: Constitutional Life

State	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Constitutional Authority: Mechanisms for Issuance and Amendment	6	8	3	7	2	5
Guaranteeing the right to political participation	8	9	3	9	1	3
Regulating / restricting laws	7	10	5	5	3	5
Compliance with the provisions of the Constitution	7	9	6	3	4	5
Total 50 Points	28	36	17	24	10	18

Table 1: Results/ First Scale - Constitutional Life

Kingdom of Bahrain

The Constitution of the Kingdom of Bahrain was promulgated on February 14, 2002 by Royal Order. While some opposition parties describe it as a “non-contractual” constitution, it is considered by the Government as an outcome of the mandate of the National Action Charter referendum, which won 98.4% popular approval in 2001.

Any constitutional amendment requires the approval and ratification of the King of the country of the amendments, and the approval by two-thirds

of the members of the National Assembly, which includes the Council of Representatives (elected) and the Shura Council (appointed by the King). The Constitution includes a clear and explicit provision to guarantee the right to political participation without discrimination among citizens.

The Kingdom of Bahrain has a good package of laws that regulate candidacy and election affairs, but some include obstacles or exceptions involving some groups.

State of Kuwait

The Constitution of the State of Kuwait, which was promulgated on November 11, 1962, was laid down by an elected Constituent Assembly composed of twenty members, but it was not directly submitted to a popular referendum.

The Emir or one-third of the members of the National Assembly the right to propose amendment to the Constitution, but for any amendment to come into force, it requires the approval of two-thirds of the

members of the National Assembly and the Emir’s endorsement.

The Kuwaiti Constitution provides for political participation by the citizens, which is evident in the National Assembly elections.

Some State laws; however, restrict the rights and freedoms stipulated in the provisions of the Constitution.

Sultanate of Oman

The Basic Statute of the State was promulgated by virtue of Royal Decree No. 101/96 on 6 November, 1996 A.D and was a gift bestowed directly by the Sultan without a democratic mechanism for its drafting or a referendum to approve it. This Basic Statute can only be amended in accordance with the same mechanism of issuance (i.e. by a Royal Decree).

This Basic Statute can only be amended in accordance with the same mechanism of issuance (i.e. by a Royal Decree).

The Basic Statute does not explicitly refer to the right to participate in elections, but there are references to participation in public affairs.

Despite adherence to the articles of the Basic Statute, the “judicial body that is competent to settle disputes related to the extent of conformity of laws and regulations to the Basic Statute of the State and non-violation of its provisions” has not been established.w

State of Qatar

The Constitution of the State of Qatar was promulgated in 2004 following the approval by a popular referendum in 2003 of the draft drawn up by a drafting committee formed of 32 appointed members. The draft constitution was overwhelmingly approved, with 96.6% in favour, replacing the temporary Basic Statute of government issued at the beginning of the seventies of the last century.

The Constitution provides for a number of principles related to political participation, such as freedom of assembly, association and communication with the authority, but at the same time it leaves the organization of these principles to laws that issued in a way that they sometimes hinder individuals' ability to exercise some of these rights, and they also give the executive authority in some cases the powers of approval for the practice of such rights.

Kingdom of Saudi Arabia

The Kingdom of Saudi Arabia still relies on the Basic Law of Governance promulgated in 1992, which combines the Consultative Council (Shura Council) system and that of the Council of Regions in defining the system of government in the Kingdom.

None of these three systems have any articles that define the concept or nature of political participation.

According to the Basic Law of Governance, the King has the exclusive authority to enact and amend

laws, and it defines him as the point of reference for all authorities. The competencies of the Allegiance Commission (not elected and concerned with the sons of the Founding King Abdulaziz Al Saud) do not seem clear in regulating the transfer of power, and its decisions in this regard do not seem necessary or binding, as heirs to throne were removed and appointed without referring to the Allegiance Commission. Accordingly, there does not seem to be a fixed text that can be relied upon as legal reference.

The United Arab Emirates

The Constitution of the United Arab Emirates was issued as an interim constitution in 1971 and was declared a permanent constitution for the country in 1996 by the Federal Supreme Council, which is the highest constitutional authority in the country, and highest legislative and executive body that draws general policies and approves federal legislation.

No member of the Federal Supreme Council is elected, and the Constitution has not been

submitted to a popular referendum. Although the Constitution does not explicitly refer to the right to political participation, its preamble indicates that the final intent is to reach "a full-fledged representative democratic regime," which has not yet been reflected as far as State institutions are concerned.

Some State laws restrict the rights and freedoms stipulated in the provisions of the Constitution



4.2 Second Scale: General Elections

State	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Electoral Areas (governmental, representative and municipal councils) 20 points	8	9	4	2	1	3
Power of elected institutions (authority / separation of powers / oversight / legislation / accountability /partnership in decision making / powers to dissolve institutions) 50 points	28	37	12	5	4	9
Effectiveness and efficacy of elected institutions 40 points	18	28	12	4	4	11
Mechanism for drafting the electoral system and drawing districts 40 points	20	30	12	4	4	3
Total 150 Points	74	104	40	15	13	26

Table 2: Results/ Second Scale - General Elections

Kingdom of Bahrain

Despite the existence of periodic parliamentary and municipal elections that take place through direct elections, several laws have been in force since 2018 that bar everyone who was registered in a political association that has been judicially dissolved from running in elections. All those convicted for criminal offences are also barred from this right even if a royal special pardon has been issued, or they have been rehabilitated. These laws are considered permanent barriers that deny those involved the right to run for life. These laws also include elected members who decide to step down or leave parliamentary work in a manner that is deemed to “intentionally harm or disrupt of the constitutional or parliamentary life,” in accordance to the law.

Although the parliamentary and municipal electoral process has continued since 2002, the Elections Executive Committee is still controlled by the Government, and is not independent. No clear violations of the articles of the Constitution have surfaced, but it is possible to observe that a number of some provisions of several laws issued may contradict the principles and rights stipulated in the Constitution.

Since 2014, the Municipal Council of the Capital Governorate has been the only council (among the four governorates) to be formed by royal decree. The laws allow resident foreigners the right to vote - but not run - in municipal elections, provided they own real estate in the country, which allows a good percentage of this group to participate in municipal elections.

Electoral districts (40 constituencies) are drawn in Bahrain by a special royal decree, and some opposition groups considered the existing distribution to be “unfair” and gives a numerical preference to regions over others.

The Constitution and the relevant laws restrict the powers of members of the legislative authority (Council of Representatives). While the right to

question ministers was provided for, the Prime Minister was exempt from this. Furthermore, the Council of Representatives does not have the authority to grant confidence to or withdraw confidence from the Government, but it has the power to grant confidence to the Government’s program.

The Constitution includes explicit provisions on the mechanism for withdrawing confidence from one of the Government ministers, (who are appointed by royal decree), or declaring the inability to cooperate with the Prime Minister, (appointed by royal order), which is to be submitted to the King. However, no such a case has yet been recorded in which a minister has been removed from office through this mechanism, which requires a two-thirds majority of members of the Council of Representatives.

In accordance with the Constitution, annual detailed financial and administrative oversight falls under the jurisdiction of the National Audit Office (NAO), which reports to the King. The bylaws of the Council of Representatives restrict members’ roles within the Council. A member may ask no more than one question per month, and a parliamentary committee is assigned the task of examining the “seriousness” of questioning requests submitted by members and determining their validity.

The King has the right, in accordance with the Constitution, to dissolve the legislative authority after consulting the Speaker of the Council of Representatives and the Shura Council Chairman, or based on the Prime Minister’s opinion.

In accordance with the Constitution, the King has a direct role in the legislative process through issuing decrees that have the force of law (unless one of the two legislative chambers rejects them later). It has been observed that the King has frequently used this right. The King also plays an indirect role by appointing all members of the Shura Council.



State of Kuwait

According to Article (82) of the Constitution, “a member of the National Assembly must be originally of Kuwaiti nationality in accordance with the Law”. The nationality law further defines “Original Kuwaiti nationals as those persons who were settled in Kuwait prior to 1920 AD.”

The law also prohibits those with acquired citizenship from voting as well, except after prolonged periods of time have elapsed. According to the election law, men of the armed forces and the police are denied the right to vote. The National Assembly has relatively influential powers and has broad authority to legislate and monitor government performance. The Constitutional grants to the Emir right to dissolve the National Assembly, and it has been noted that Kuwait frequently resorts to this right.

The National Assembly has the Constitutional right to discuss decisions made by the Government, direct questions at ministers and the Prime Minister, submit requests for discussion or form investigation committees, receive and process petitions and

complaints from citizens, is also entitled - after the questioning process - propose a motion of no confidence against the minister concerned, or submit a letter to the Emir related to the inability to cooperate with the Prime Minister. The Emir is supposed to replace the Prime Minister in this case, but until now the National Assembly has not reached the stage of proposing a motion of no confidence against the Prime Minister, and usually the National Assembly is dissolved before reaching step.

As for the Municipal Council, Law No. 5 of 2005 reduced the powers of the Council and its president, so its decisions are similar to those of an advisory that are not binding the Government-controlled municipality executive body. Article 12 of the law specifies many powers for the Municipal Council, of which more than a third of the members are appointed, the most important of which is the authority to allocate land plots, as the Government cannot utilize any land owned by the State for any projects without the Municipal Council's approval. This is almost the most important authority of the Council.



Sultanate of Oman

Elections are held In the Sultanate of Oman to elect half of the members of the bicameral Shura Council, and two-thirds of the members of municipal councils, while the remaining members are appointed by the Sultan.

Elections take place within all provinces according to the administrative division determined by the Government, so that each administrative division, known as a province, with more than 30,000 citizens is represented by two deputies in the Shura Council, while provinces with fewer than 30,000 citizens are represented by one deputy. This distribution resulted in a variation in the number of voters in districts.

There is debate in society concerning the fairness of the electoral system and the distribution of electoral districts. Additionally, certain cases have been monitored of people excluded from the candidate list, some of whom had opposing views. Omani law expressly prohibits all security and military personnel from running for office or voting in general elections

until two years after their departure from service.

The law does not regulate the issue of campaign financing, but it has recently increased the penalties for buying and selling votes. Members of the Government are appointed by the Sultan, who also holds the position of Prime Minister, and assumes the positions of defense, finance, and foreign ministers.

The Basic Statute of the State provides for specific functions of the Shura Council in the representative, legislative, and oversight fields, including reviewing or amending draft laws or proposing laws, forming hearing and fact-finding committees, asking parliamentary questions, debating issues, and the right to question ministers.

The Basic Statute of the State also grants the Shura Council the right to withdraw confidence, issue its regulations and bylaws, obtain the information it requires, summon and question any service ministers - only - and submit the result of any investigation to the Sultan.



State of Qatar

The Constitution provides for the right to political participation through the Shura Council, and provides for the election of 30 members out of 45 (15 members appointed by the Emir). The Constitution explicitly stipulates that the Shura Council shall assume the power to legislate, approve the State's general budget, and monitor the performance of the executive authority. The powers of the representative authority are considered good, but they have not been practically tested since the issuance of the Constitution due to the suspension of the texts and laws stipulating the holding of elections.

Municipal council elections have been held in Qatar since 1999 and are continuing periodically. As

for members of the Government, all are appointed by the Emir. The only institution whose members are elected is the Central Municipal Council, which in effect has control only over the implementation of laws and decisions related to municipal affairs, but has no control over the performance of the executive authority bodies relevant to municipal affairs. The Council has the right to present proposals with desire to the executive authority, but it has the discretionary power to adopt or disregard them. The municipal electoral process remains in compliance with the electoral system formulated by the Government (represented by the Ministry of the Interior), which has drawn the constituencies.



Kingdom of Saudi Arabia

The experience of the municipal councils (178 councils) is the only experience - in recent times - in which an election process was conducted to select two-thirds of the seats, (thirty in total) in each council, while the Minister of Municipal and Rural Affairs appoints the remaining third.

The electoral process that took place in 2005 was the first and last, as the Council of Ministers decided in 2009 AD to postpone the elections with the aim of “expanding citizen participation”, but it is noticeable that citizens’ right to participate has been completely stripped. The body authorized to set the election mechanism as a system and districts is the Ministry of

Municipal and Rural Affairs, which also has the right to amend the election system and districts.

The Shura Council is composed of a president and 150 members appointed by the King. Members’ rights, duties and all their affairs are defined by royal decree. The Council’s role is limited to providing non-binding advice to the executive authority.

The power relationship between the Shura Council and the Government is unbalanced, making it devoid of any legislative or oversight powers, leaving the Government the final and supreme reference authority in public affairs.



The United Arab Emirates

The Federal National Council is defined as the legislative authority of the State, whose powers are still advisory, is the federal authority is considered fourth of the five federal authorities stipulated in the Constitution, which are: (“The Supreme Council of the Union, the President of the Union and Vice President, the Council of Ministers of the Union, the Federal National Council, and the Federal Judiciary”).

The Constitution does not provide for the right to vote nor does it deal with it as the formation of the Federal National Council was originally by appointment by the rulers of the Emirates; however, since the end of 2006 AD, elections have been conducted to select half of the members, a process in which a limited number of citizens from each emirate voted. Those are selected by the ruler of the emirate and their

names are registered within the Electoral College. It is noticeable that there is no law regulating the electoral process, with a guide issued by the National Election Committee in 2019 considered to be sufficient.

In accordance with the Constitution, the powers of the Federal National Council are limited to discussing, approving or rejecting constitutional amendments presented to it, draft laws, the federation’s annual general budget and its final accounts, international treaties and agreements.

While all members of the Council (those elected and appointed) have the right to direct questions and inquiries to members of the government, they lack the right to question them and set up investigation committees, or propose a motion of confidence.



4.3 Third Scale: Political Organizations

State	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Legitimacy of political organizations 30 points	22	8	0	0	0	0
Availability of opposition tools 25 points	5	10	0	0	0	0
Safety for political activists 25 points	7	20	0	6	0	0
Administrative and financial independence 10 points	6	3	0	0	0	0
Participation in elections on slates 10 points	9	6	0	0	0	0
Total 100 Points	49	47	0	6	0	0

Table 3: Results/ Third Scale – Political Organizations



Kingdom of Bahrain

The Kingdom of Bahrain has a law that regulates the work of political organizations as “political societies,” which exercise political work similar to that of political parties, except for participation in Government.

The electoral system does not oppose the participation of political societies in the parliamentary and municipal elections through their own electoral lists.

Some political societies – particularly the opposition – have been dissolved by court decisions, while some opposition groups operate underground or from outside the country. It is also noteworthy that many

leaders of opposition political groups have been arrested, while some are living in exile.

In accordance with the Political Societies Law, political societies are prohibited from receiving donations or funding from outside the framework of the organization, and their financial resources are limited to member donations and membership subscriptions, in addition to the funds provided by the Ministry of Justice. These societies are also subject to the supervision of the Ministry of Justice and the audit by National Audit Office, controlled by the King’s Court.



State of Kuwait

There is no law in Kuwait that legalizes the work of political parties. However, there are major political blocs of various streams that operate openly. These political blocs work on the ground and have their positions and groupings as political forces that voice their positions on events and participate in elections

through candidates whose identity is clearly known to the Kuwaiti public opinion. Some of these groups have complained about the one person one vote electoral system that makes it difficult for them to win as slate of candidates. There is lack of transparency in the work of these blocks and their funding sources.



Sultanate of Oman

Forming or joining political organizations is criminalized under Omani law. Although the Basic Law of the State grants citizens civil rights, such as peaceful assembly, addressing public authorities, and expressing opinion, laws that govern the exercise of these rights have not yet been issued.



State of Qatar

There are no laws in Qatar to regulate or allow the formation of political organizations in any way, and any organized work practiced by citizens to address issues of politics and public affairs is nonexistent.



Kingdom of Saudi Arabia

Political organizations of all kinds are prohibited in Saudi Arabia, and in accordance with the law, membership in any political organization is a crime.

In according with the Basic Law of Governance, demands related to public affairs are dealt with as individuals’ demands, as stipulated in the Basic Law of Governance that “the King’s Council and the Council of the Crown Prince shall be open for all citizens and anyone else who may have a complaint or a grievance,

and every individual shall have the right to address public authorities in matters of concern to him”.

The political groups active (internally or externally) are not officially recognized. Some are organised in overt, secret or semi-secret organizations, and the leaders are always arrested or forced into exile. Targeting political activists has increased noticeably in recent years.



The United Arab Emirates

Laws in the United Arab Emirates do not permit the existence of any type of political action, and it has been noted that a number of previous attempts to organise political activities or others critical of the performance of the authorities expose organisers to harassment, imprisonment, citizenship revocation or deportation.



4.4 Fourth Scale: Civil Society Organisations

State	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Legal environment: guaranteeing the right of individuals and groups to form NGOs and pressure groups 40 points	35	30	15	10	6	12
Trade unions and professional societies: legislation / union pluralism and trade unions/ availability of union work tools, including the right to strike 40 points	30	18	20	10	4	2
Institutional independence 10 points	8	5	3	2	2	3
Restrictions and obstacles 10 points	6	5	3	2	2	3
Total 100 Points	79	58	41	24	14	20

Table 4: Results/ Fourth Scale - Civil Society Organisations



Kingdom of Bahrain

Bahrain has more than 700 registered Non-Governmental Organizations (NGOs) in various sectors. The law requires that NGOs applications for registration be submitted to the Ministry of Social Development, and there are a limited number of applications that have been suspended, and founders have not received a rejection decision. The law obligates board members of NGOs to hold periodic elections and submit annual reports. A number of NGOs have been dissolved because they were deemed “ineffective or because they were unable to provide something that would benefit society.”

It has been noted in recent years that local laws have restricted sources of funding for NGOs and banned any of their board members to be affiliated with any of the political societies that were dissolved. The names of candidates for membership in the boards of NGOs are subject to security scrutiny by the Ministry of Interior. The Government also restricts all NGOs’ relations with any party outside the country, whether

in terms of obtaining funding, scholarships, training, or field visits. The Government also requires NGOs to obtain prior official approvals in this regard. With some exceptions, the Government generally does not interfere in directing the internal activities of NGOs.

Bahrain enjoys reasonable freedom of trade union activity, as the law provides for the formation and operation of trade unions, including the formation of federations of trade unions. The Government does not interfere in the formation and management of these trade unions, where members freely elect their leaders. The law also guarantees the right to protest, including the to strike, but in recent years extensive restrictions have been placed on organizing protests.

Employees working in Government institutions are not allowed to form trade unions that represent them, but they can join professional societies under the NGOs law, as is the case with doctors, engineers and journalists, but these entities lack many of the privileges and legal status enjoyed by trade unions.



State of Kuwait

Kuwaiti law regulates the right to form civil societies, and although the Government resorts to the same law to dissolve a number of NGOs for committing “violations” or carrying out overseas activities “without permission”, the margin of work for NGOs is still noticeable.

Kuwaiti law regulates the right to form civil societies, and although the Government resorts to the same law to dissolve a number of NGOs for committing “violations” or carrying out overseas activities “without permission”, the margin of work for NGOs is still noticeable.

The law allows the formation of trade unions in all sectors (private and Governmental) with the

requirement of approval of the Minister of Social Affairs for the trade union to acquire legal status. The Kuwait Trade Union Federation has continued its activities since its establishment in 1961.

There is no legal framework governing professional trade unions, so professionals in Kuwait organize activities under the framework of the Clubs and Public Welfare Societies Law. Despite the nonexistence of legal articles regulating the right to strike, a number of strikes were organized. It is noticeable that the Government interferes in financing trade union organizations, all of which receive various forms of funding, and some of which are continuous on an annual basis.



Sultanate of Oman

The law in the Sultanate of Oman regulates the formation and operation of NGOs, but it gives the Minister of Social Development broad range of supervisory powers. A number of cases have been recorded for societies whose establishment registration requests were rejected without explaining reasons for rejection. The Government interferes with the nature of NGOs' funding, but some receive financial support from the Government.

Trade unions in Oman are regulated by provisions within the labor law, and some administrative regulations that clarify the procedural aspects and licensing requirements for trade unions and trade union federations, which also prohibit the formation of trade unions in the public sector as well as vital sectors. It is noticeable that Omani trade unions - despite their limited powers - have financial independence from the Government, and to some extent freedom of movement uncontrolled by the Government.



State of Qatar

Qatari law grants the Minister of Interior the right to approve or reject the formation of civil organizations, and a number of formation requests have been rejected without providing any reasons.

As for trade union work, workers in an establishment in which the number of Qatari workers is not less than 100 workers have the right to form a workers'

committee from among Qataris only. Although the law restricts the powers of Workers' Committees, strikes are allowed under many conditions including Government's approval.

As for professional associations, licensing is granted for three years only, to be renewed by a Government's decision.



Kingdom of Saudi Arabia

The organization of civil society organisations is considered late in Saudi Arabia, and it began with the issuance of a special royal decree in late 2015, which stipulated that the Ministry of Interior is the competent authority for licensing and rejection, along with the Ministry of Human Resources and Social Development, in addition to any other authority overseeing the sector in which the organization will

operate. The number of NGOs has exceeded 700, but a number of formation requests have not been approved. Some activists have been arrested for their activities in "unlicensed" organizations.

Saudi legislation does not provide for trade union formation, and there are no labor organizations in the country, except for some associations and bodies that represent some professions.



The United Arab Emirates

There are more than 200 licensed civil societies operating in various sectors in the UAE, and they are regulated by a law that grants the Ministry of Community Development the authority to license non-governmental organizations, in addition to a wide range supervisory powers the Ministry assumes. In the past, there were cases of NGOs that were dissolved for

reasons linked to funding or engaging in politics.

In the absence of a law on the formation of trade unions, the labor law permits the employer to deprive a worker of his/her wages if he/she takes part in strikes. Although there are some professional associations, they are closer to civil work than to trade unions.



4.5 Fifth Scale: Gender Balance and Youth Engagement

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Empowering women: the right to vote / a quota in elected councils / holding leadership and senior positions 50 points	45	38	35	40	15	46
Youth engagement: voting age/ holding senior positions 25 points	15	10	10	18	15	20
Total 75 Points	60	48	45	58	30	66

Table 5: Results/ Fifth Scale - Gender Balance and Youth Engagement

Kingdom of Bahrain

In accordance with the Bahraini Constitution, Bahraini women have the right to vote and run for office. There are no binding laws or special measures that guarantee gender balance in the government, the appointed Shura Council, or the elected Council of Representatives. Nevertheless, the Supreme Council for Women (an official body affiliated with the king) leads projects and initiatives to empower women. There is no clear policy to empower women to assume leadership and senior positions in the country, and there are also no sectors or positions in the country from which women are formally excluded. In general, Bahrain has taken positive steps in empowering women and getting them to senior positions,

including the position of the speaker of the Council of Representatives.

In the field of youth engagement, the conditions for running for the House of Representatives stipulate that the age of the candidate must not be less than 30 years on the day of elections, and among the conditions for participating in the vote is that the citizen has reached the age of 21, which excludes a segment of the youth from the electoral process. There is no clear policy relating to involving the youth in decision-making despite the existence of a national strategy for youth as well as a section related to youth development in Bahrain Economic Vision 2030. However, in general, the presence of youth in leadership positions is visible.

State of Kuwait

Kuwaiti women have the right to vote and run for office in the National Assembly and Municipal Council elections. There are no laws or measures that guarantee gender balance in the government or in the elected institutions, and the state also lacks a clear political program to empower women politically.

With regard to youth engagement, the voting age is 21 years, and to run for office a candidate must beat least 30 years, which excludes a segment of the youth from the electoral process. In addition, the Kuwaiti authorities do not have a clear policy towards involving youth in decision-making, and the youth are not clearly present in Government formation.

Sultanate of Oman

Omani women have the right to vote and enjoy equal opportunities to run for office in the Shura Council and Municipal Council elections. There are no laws that guarantee gender balance in the Government or elected institutions, nor is there a written national policy or national strategy aimed at empowering women to reach leadership or higher positions in the State.

With the exception of the position of Sultan, there are no fields or positions in the State which women are legally excluded from accessing.

The voting age in the Sultanate of Oman is 21 years, and to run for office, a candidate must be at least 30 years old, which leaves a segment of the youth outside the electoral process. With the exception of the statute of the National Youth Commission, formed by the Government following the events of the Omani Spring in 2011, there are no laws guaranteeing the inclusion of youth in the Government or elected institutions, nor is there a written national policy or a national strategy aimed at youth engagement.



State of Qatar

Qatari women have the right to vote and run for office, but there are no laws or customs that guarantee gender balance, whether in Government formation, the Shura Council, or Municipal Council, through election or appointment. There is a clear tendency to empower Qatari women, and they occupy many positions in the public and private sectors (large corporations and institutions owned or partly owned

by the Government), but women are excluded from positions in the military and judiciary.

With regard to youth inclusion, Qatar sets the age for voting in municipal councils at 18 years, and 30 years for running for office. There is no clear policy regarding the empowerment of youth and their political participation, but it is noticeable that many hold important positions in the State.



Kingdom of Saudi Arabia

In December 2015, Saudi women participated for the first time as voters and candidates in the municipal council elections and won 20 seats. There are no laws in Saudi Arabia that guarantee gender balance in Government or State institutions, including municipal councils. In 2013, 30 women were appointed out of 150 members of the Shura Council. A royal decree stipulated that 20% of the seats be allocated to women. The highest position held by women is undersecretary, and Princess Rima bint Bandar bin Sultan was appointed Saudi Arabia's ambassador to the USA.

Despite the announcement of the establishment of a committee for the empowerment of women, so far none of them has held a ministerial position. Government policies; however, have recently shown

clear flexibility in allowing women to engage in public affairs compared to previous years.

With regard to youth engagement, and in accordance with the municipal council elections system, the voting age was set at 18 years and candidacy at 25 years. Since the appointment of Prince Muhammad bin Salman Al Saud as Crown Prince, discussion has focused on the role of youth, and a several have undertaken sensitive advisory and executive roles, including young princes who have held the positions of regional princes, undersecretaries and ambassadors. The policies of empowering young people who have been promoted to senior positions and in the decision-making circle are facing criticism that they do not represent the various factions of Saudi society.



The United Arab Emirates

Emirati women have the right to run for office and voted in the Federal National Council elections. In order to enhance the presence of women in State institutions and gender balance at work, the Government established the UAE Gender Balance Council in 2015, which seeks to establish positive discriminatory measures to ensure the participation of women in appropriate fields of work and membership of representative councils and boards of directors of companies, especially public and listed companies.

In 2019, the Federal Supreme Council issued a decree mandating that women represent half of the elected seats in the Federal National Council.

With regard to youth engagement, the laws stipulate that the age to run for office in elections is 25 years. Laws; however, do not specify the age for voting, and there is an emphasis in media coverage on the participation of the elderly due to the novelty of the idea. The researchers were not able to find a written or approved policy or strategy on engaging youth in decision-making, but in 2016 the Government created a youth council, which has an advisory role on topics and areas that concern youth.

It is also noteworthy that there are several young ministers in the Federal Government, and there are many projects, and financial and political support for youth of both sexes.



4.6 Sixth scale: Transparency

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Information sharing: right to access, circulate and disseminate Information 25 points	10	12	6	7	4	5
Independent oversight: the actions and performance of the executive, legislative and judicial authorities, sources of wealth, spending of public funds 25 points	10	15	5	5	5	5
Total 50 Points	20	27	11	12	9	10

Table 6: Results/ Sixth Scale – Transparency

Kingdom of Bahrain

The law regulating the press, printing and publishing provides for the right to obtain and publish information. There are cases where journalists, photographers, activists, and citizens were subjected to pressure, threats or arrest for publishing or circulating information, or by participating in the media.

Such cases were subject to the penal code, which, in accordance with Article 168 and Article 169,

provides for prison sentences and fines. With regard to community oversight, the Bahrain Transparency Society was licensed in 2001, but it is not specialized in monitoring aspects of public spending. Its activity is limited to issuing statements and participating in events to promote the values and principles of transparency and anti-corruption, and affirm the sanctity and protection of public funds.

State of Kuwait

There is no law guaranteeing the right of access to information. There have been frequent summons of program presenters on television channels in accordance with the provisions of the Audio-visual Media Provisions Law. Sometimes broadcasters are summoned for opinions made by their guests. According to this law, the Public Prosecution has the right to summon the guest, broadcaster, program host and channel director.

Nevertheless, in reality, it can be said that the margin of media freedoms in Kuwait allows public opinion access to (some) information.

With regard to community participation in oversight, the Kuwaiti Transparency Society was established in

2006, but it was dissolved by the authorities, and in March 2018 the General Assembly of the Transparency Society elected a new board of directors.

The Kuwaiti Association for the Defense of Public Funds, established in 2005, is a public benefit society whose aim is to educate citizens about the importance of guarding, defending and maintaining public funds.

The Kuwait State Audit Bureau (KSAB) reports directly to the National Assembly, and assists the Government and the Assembly in monitoring the collection of state revenues and its expenditure within the limits of the budget. Despite this, sharp criticism of rampant corruption in State institutions is increasing in Kuwait.

Sultanate of Oman

There is no law that regulates or guarantees the right of access to information. Official state data is generally available, but according to some observers and opposition figures, it is inaccurate and subject to manipulation for political or other reasons.

The Law for the Protection of Public Funds and Avoidance of Conflicts of Interests requires officials to disclose their property, assets, and wealth, but they are kept secret and not made public. There were documented cases of journalists or activists who were harmed, threatened, arrested, or imprisoned for

publishing or circulating information, and newspapers, media and press institutions were also closed for the same reasons.

With regard to community participation in oversight, there are no independent civil society institutions dedicated to transparency and monitoring public expenditure. The Omani Economic Association, in cooperation with Transparency International, sometimes performs this role within a limited framework due to the strict laws and the wide discretion of those responsible for law enforcement.



State of Qatar

There is no law regulating or guaranteeing the right of access to information in Qatar. The Press and Publications Law and the Cyber-crime Law (the two laws criticized by Amnesty International) serve as a controlling power.

The Qatari Council of Ministers and the Shura Council approved a new law that organizes and guarantees the flow of information, but it has not yet been published, and its details are not known. There are cases that have been raised in the media of

tweeters or journalists being harassed and pressured in Qatar due to circulation of information.

With regard to community oversight, there are no independent civil institutions in Qatar that are specialized in transparency and oversight of public expenditure. There is a Governmental body, the “Administrative Control and Transparency Authority (ACTA),” as well as the “National Committee for Integrity and Transparency, which is a Governmental committee.



Kingdom of Saudi Arabia

There is no law regulating or guaranteeing the right of access to information in Saudi Arabia. In 2014, the Shura Council submitted a project called the “Freedom of Information System” aimed at giving citizens the right of access to information, but it was not approved.

The system proposes the establishment of a committee called “Transparency and Information Committee” in all governmental or quasi-governmental entities, and the information is divided into three levels: confidential for 5 years, very confidential for 10 years, and strictly confidential for 30 years, and this applies to all national records and documents held by public institutions, except for those not covered by this system.

In 2019, the Committee to Protect Journalists ranked Saudi fourth, after Eritrea, North Korea, and Turkmenistan, among the ten countries with the most censorship, threats of prison sentences, and restriction of access to the Internet to silence the press. According to human rights organizations concerned

with freedom of opinion and expression, including Reporters Without Borders and the Committee to Protect Journalists - the United States - Saudi Arabia is witnessing a significant decline in freedom of the press, and laws against terrorism and cyber-crime give courts absolute power to imprison journalists and bloggers.

Saudi Arabia detains dozens of journalists and online activists. Human rights reports by Amnesty International and Human Rights Watch confirm that journalists and activists have been subjected to torture.

With regard to community participation, there is no presence for any civil institutions concerned with transparency and scrutiny in the areas of public expenditure, despite the popular demands in form of petitions and articles stressing the need to fight corruption. Citizens can address the National Anti-Corruption Commission, which was established in 2011.



The United Arab Emirates

There is no law that regulates or guarantees the right of access to information. There is what is known as a Guide to Access Government Information from federal agencies, as well as the Law on Data Dissemination and Exchange in the Emirate of Dubai, which is primarily concerned with establishing the Dubai Data Authority. It is noted that the provisions of the articles of the Penal Code and the Law on Combating IT and Cyber-crimes have broad discretionary power and heavy penalties, especially with regard to accessing or disseminating information.

More than 110 activists and Government critics have been prosecuted or imprisoned on broad charges related to national security or information technology crimes since 2011, some of whom had their citizenship revoked and were exiled.

Some were contained and curtailed, and some are still imprisoned (about 75 people).

With regard to society participation, there are no civil society institutions specialized in transparency and scrutiny of the public expenditure.



4.7 Seventh Scale: Freedom of Opinion and Expression

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Press freedoms 30 points	5	15	5	10	2	4
Independence of media institutions 30 points	5	15	5	7	5	5
Internet Censorship 30 points	5	15	5	7	4	4
Freedom and safety of individuals to exercise criticism 30 points	2	10	7	15	0	3
Confronting hate speech and incitement to violence 30 points	5	15	25	19	3	15
Total 150 Points	22	70	47	58	14	31

Table 7: Results/ Seventh Scale - Freedom of opinion and expression

Kingdom of Bahrain

Bahrain is constantly imposing restrictions on freedom of opinion and expression, especially on opinion leaders who do not express official positions. Such restrictions may involve legal prosecution, defamation, arbitrary dismissal, revocation of citizenship and other measures. These are sometimes justified legally by resorting to such laws as the Law on Protecting Society from Terrorism or the Law on Regulating Printing and Publishing, and some other times outside the rule of law (e.g. Association Bahraini Press, Bahrain Center for Human Rights).

In 2019, the Committee to Protect Journalists - the United States - ranked Bahrain among the worst countries that imprison the highest number of journalists. Among the cases related to freedom of the press and publishing are the closure of the Bahraini newspaper Al-Wasat, the closure of several electronic news newspapers, the prosecution of social media activists, and the arrest of journalists and photographers.

Media institutions do not enjoy real independence from State policies, and individuals cannot freely establish media institutions due to the political, legal and financial restrictions imposed by the State. The Constitution of the Kingdom of Bahrain (Articles 23-26), as well as the law regulating the press, printing

and publishing, guarantees freedom of opinion, expression, press, and communication. Despite the clarity of these articles, they are being used to restrict freedom of the press due to their disproportionate discretionary interpretation. There are many arrests and court cases involving citizens and residents related to expressing their views. These arrests have involved many journalists, opposition activists and human rights defenders.

Bahrain's Anti-Cyber Crime Directorate pursues the social media activists, exposing them to legal accountability and intimidation, blocking and disrupting sites or targeting the owners of influential accounts.

The Penal Code in Bahrain addresses the issue of incitement to hatred in Article 172, which stipulates that “a punishment of imprisonment for a period of no more than two years and a fine not exceeding BD 200 or either penalty, shall be inflicted upon any person who incites others by any method of publication to hate or show contempt for a certain faction, if such incitement undermines the public peace”.

Despite this, hate-provoking messages and targeting driven by political and sectarian factors are widespread in the country, and it is also observed that the State applies this Article selectively.

State of Kuwait

Kuwait ranked 108th out of 180 countries in the 2019 World Press Freedom Index released by Reporters Without Borders (first in the Gulf). It is worth noting that Kuwait, despite its record, which is marred by instance of targeting freedom of opinion and expression, enjoys wider space for the expression of opinion and criticism of Government's officials. Since 2011, the Government has closed three opposition satellite channels and daily newspapers. The state does not deal repressively with every criticism of the Government and its performance, but it strictly

punishes any opinion that criticizes matters pertaining to the Emir or provokes criticism against any other Gulf state.

Most of the local newspapers and private television channels are owned by powerful families, and accordingly, it seems difficult to consider them completely independent from the executive authority in the country, especially since licensing procedures require Government's approval. According to a study conducted by the Kuwaiti Journalists Association in 2005, the press freedom in Kuwait is in practice based

mainly on tolerance by the authority, not on a tight legal regulation, and the Government can at any time curtail or revoke this freedom.

Kuwait monitors what is published on the Internet through the Cyber- Crime Law issued in 2015, which provides for penalties that involve imprisonment and fines, resulting in a backlog of cases before Kuwaiti courts. The Anti-Cyber Crime Department (affiliated with the Ministry of Interior) pursues everything it considers a breach of the law. Because of the Cyber-Crime Law, (which has been criticized by international human rights organizations), a number of bloggers and other opinion leaders have been imprisoned.

Occasionally, Kuwait blocks some sites of political content.

Kuwait enacted the Law for the Protection of National Unity and Rejection of Hate, issued in 2012, the first article of which prohibits the initiation, advocacy, or incitement by any means of expression of hatred or contempt for any group of society, or incite sectarian or tribal strife or spread ideas calling for the superiority of any race or Group, color, origin, religious sect, gender, lineage, or incitement to violence. Despite this, there is documentation of hate speech on sectarian grounds and towards migrant workers.



Sultanate of Oman

Freedom of opinion, expression and the press in the Sultanate of Oman appears to be restricted, and high levels of self-censorship are observed. There is a climate of fear of raising many issues in a way different from official line due to the vagueness in the laws and wide discretionary authority to interpret what is published and apply the relevant articles of the law. Media institutions do not have real independence from state policies or public discourse in society, and any institution departs from official line may suffer rejection, persecution, or banning the activity.

Any individual may establish a media organization, but within restrictions and conditions that some regard to be financially insurmountable, and are also linked to security approvals. As for radio stations and live broadcasting services, they are prohibited except under restrictions or on subjects that the Government does not consider political or critical.

There is a set of laws related to censorship, some of which are general, such as the Law on Censorship of Artistic Works and the Law of Publications and Publishing, and some of them are special, such as the Omani Penal Code and the Law on Cyber Crimes.

These laws generally clarify practices that warrant arrest, detention, or banning the activity. There is close monitoring and follow-up on the content posted on the Internet, which includes blocking websites that publish political analyses or studies classified by the Government to be anti-government or causing trouble.

According to international institutions concerned with freedom of opinion and expression, and press freedoms, many (citizens and residents) have been subjected to arrest or harassment for expressing their opinions or supporting opinions expressed by others. As for residents, they are deported from the country. The accusations leveled vary from public defamation, insulting or outraging public decency, or what might be considered inconsistent with the traditions and customs of society, as well as stirring up public opinion, disturbing public order or violating public morals.

The Omani Penal Code deals well, clearly and strictly with regard to confronting hate speech and incitement to violence, and the application of the law in this aspect is strict to everyone, giving a high sense of coexistence and protection.



State of Qatar

Qatar ranks low in the Reporters Without Borders index (129 out of 180 countries). The State allows media institutions within the country to deal with Arab and international situations with high level of freedom, which is not seen when dealing with local issues.

Local media do not appear to be independent, and in accordance with the law, establishing a newspaper requires approval from the Minister of Information. A number harassment and targeting cases of citizens and residents for expressing their opinions have been documented. The authorities monitor the Internet using a set of laws, including the Anti-Cyber Crime Law issued in 2014, which received widespread criticism from international human rights organizations. Freedom of opinion and expression is also subject to monitoring, as Article 19 of the Law on Combating Terrorism grants the authorities broad powers to conduct surveillance by any means for a period of 90 days before any judicial review. The Anti-Cyber Crime Law includes similar provisions that are broad and vague, as it permits, for example, the imprisonment

of anyone for setting up or running a website that publishes “fake news, with the intent to endanger the safety of the State, its public order, its internal or external security.

“Qatari activists on social media have been repeatedly harassed for their critical views of the Government, and Western journalists have also been harassed while carrying out their work.

There are laws that criminalize incitement to hatred and violence. Qatar acceded to a number of international conventions related to confronting racial discrimination, such as the Convention on the Elimination of All Forms of Racial Discrimination of 1965, the International Convention for the Suppression and Punishment of the Crime of Apartheid of 1973, and the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), but the State has not yet enacted clear laws in this context. It is commonplace to monitor inflammatory and racist speech towards foreign workers.



Kingdom of Saudi Arabia

According to Reporters Without Borders (2020) World Press Freedom Index, Saudi Arabia is at the bottom of the Gulf Cooperation Council countries in terms of press freedom (ranked 170 out of 180 globally).

There is no free media in Saudi Arabia, and journalists and activists are subject to tight surveillance, and the assassination of Saudi journalist Jamal Khashoggi in Istanbul (Turkey) in October 2018 is a vivid indication of the reality of freedom of opinion and expression, and the cruelty that the authorities resort to in dealing with journalists, political activists, and human rights defenders.

Saudi Arabia arrests many activists and human rights defenders, and prisoners, (according to the State's record in Amnesty International and Human Rights Watch), are subjected to systematic torture. The Committee against Torture confirmed in a report that Saudi Arabia is a country that practices torture.

Reporters Without Borders believes that there are 32 journalists behind bars, while the Organization to Protect Journalists believes that there are 26 journalists. Penal, anti-terrorism and anti-cyber-crime laws provide for imprisonment or suspension of journalists for any criticism in any matter of State affairs, including religious matters.

The accusations vary from blasphemy, harming religion, threatening national unity, or harming the image of the king and the State.

Saudi Arabia does not allow any internal criticism of its foreign policies, whether with regard to the war on Yemen, the Gulf crisis, or opposition to normalizing relations with Israel. The kingdom is accused of spying on its citizens inside and outside the country.

The state exercises strict control over the press, and most media institutions are owned by those close to the ruling establishment. The ban on issuing licenses for newspaper establishments has also been documented.

In 2011, an amendment was made to the Press and Publications Law allowing the practice of "objective and constructive criticism intended to serve the public interest". Nevertheless, the law gives immunity to the institution of Government and official clerics from any criticism.

Saudi authorities use the Cyber Crime Law to silence dissidents, journalists, and human rights defenders on a large scale and block their websites. The State justifies the reasons for blocking websites on the pretext of violating the Saudi state's religious belief and criticising the State's foreign or internal policies.

Numerous cases of hate speech and incitement on sectarian grounds are documented, often against Shiites, Ismailis and Sufis. The edicts (fatwas) of takfir (declaring that a fellow Muslim is guilty of apostasy) are still rife on the website of the Permanent Committee for Scholarly Research and Ifta, which is an official Government agency.



The United Arab Emirates

Freedom of the press and publishing the UAE faces restrictive measures, and the State relies on high levels of self-censorship. The penal code criminalizes insulting the rulers of the Emirates or criticizing the ruling families of the seven emirates as well as the governments of friendly countries.

According to Reporters Without Borders (2020) World Press Freedom Index, the UAE become proficient in electronic surveillance of journalists, who are regularly targeted by the State through the Cyber-Crime Law. They are subjected to defamation and judicial charges that include insulting the State or spreading false information with the aim of defaming the country.

Media institutions are not independent from State policies, and in accordance with the law, any violation is subject to prosecution or suspension of activity. While the law permits anyone to establish media institutions, it sets exaggerated restrictions and conditions linked to security approvals.

There is a vast number of private media organizations that operate only in the entertainment and commercial fields.

There is a well-established legal system to prosecute any criticism of the State, including what is general, such as the UAE Press and Publications Law, and the UAE Penal Code, and what is special, such as the Law

on Combating Cyber Crimes. These laws generally clarify practices that require arrest, detention, or banning an activity.

The State blocks websites that publish political analyses or studies that may be classified as violating State policies. There are societal and legal restrictions and broad discretionary powers for law enforcement authorities such as the public prosecution, police and security agencies to interpret what is said, written, or published, which makes freedom of opinion restricted.

Citizens and residents have been arrested or harassed for expressing their opinions or supporting the opinions of others.

As for residents, they were expelled from the country, and for some citizens, some had their citizenship revoked, and some received prison sentences.

In a number of articles, UAE laws criminalize incitement to hatred, division, or anything that would harm national unity or social peace. If religion, religious institutions, or any public institutions or civil organizations are used for these purposes, this is considered a compounding circumstance to double the penalty.

Despite this, cyberspace witnesses sectarian posts from some of the tweeters who are not subject to any legal prosecution.

4.8 Eighth Scale: Representation of Groups and Minorities

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Equality: ensuring the equal right of all citizens to full citizenship 40 points	12	16	35	22	7	20
Discrimination: ensuring that there is no discrimination on political, religious, cultural, regional, ethnic, or class grounds 40 points	5	22	30	19	6	20
Discrimination: ensuring that there is no discrimination on political, religious, cultural, regional, ethnic, or class grounds 40 points	2	8	17	12	7	10
Total 100 Points	19	46	82	53	20	50

Table 8: Results/ Representation of Groups and Minorities

Kingdom of Bahrain

There are ample constitutional provisions stipulating the right to Equality between Citizens, among which are Article 4 and Article 18. Bahrain has also ratified international conventions on the elimination of all forms of racial discrimination and the Convention on the Elimination of All Forms of Discrimination Against Women. Bahrain has also joined the International Covenant on Political and Civil Rights, which states the right to equality between citizens. Despite this, there is widespread criticism related to Bahraini government’s lack of commitment to implementing and adhering to this body of legislation and laws.

Local and international reports confirm the existence of policies involving sectarian, ethnic and sectarian discrimination (the periodic review of human rights during the past ten years, Amnesty International, reports of the US and British Foreign Ministries). The Shiite opposition in Bahrain accuses the government of adopting discriminatory policies on multiple grounds: Sectarian discrimination in

appointments in the various parts of the state and its institutions, appointments to senior positions and in sovereign ministries, drawing electoral districts, judicial appointments, distribution of wealth and housing services, and in the distribution of student scholarships. (Letters of the Special Rapporteur in the Field of Cultural Rights, Special Rapporteur on Extreme Poverty and Human rights, Special Rapporteur on Freedom of Religion or Belief, and Special Rapporteur on Human Rights Defenders).

There is no law criminalizing discrimination in Bahrain, and the Government has previously rejected a proposal submitted to the Council of Representatives.

he State institutions do not reflect a representation commensurate with the size of groups and minorities in the country, and there are certain groups whose dominance of some or all of the State’s institutions is proportionally higher than their actual size in society. The majority of Bahrainis are not represented in State institutions in proportion to their size in society.

State of Kuwait

The Constitution of the State of Kuwait refers to the principle of equality. Article 7 states that “Justice, Liberty, and Equality are the pillars of society; co-operation and mutual help are the firmest bonds between citizens.” Only an (original) Kuwaiti citizen is eligible to run for office, that is, to be a member of the families who settled in Kuwait before 1920. As for Kuwaitis who obtain citizenship under other articles (such as non-Kuwaiti women married to Kuwaitis or who acquired citizenship because of their great services to Kuwait), they cannot vote in the elections until many years after acquisition of citizenship.

There is no clear law in Kuwait that criminalizes discrimination, but in 2021, a Law on the Protection of National Unity and Rejection of Hate was enacted, but it does not seem sufficient to address the gaps and manifestations of discrimination in the State.

The stateless (Bidun) issue represents the harshest manifestations of discrimination in the State, and this group is considered the minority most marginalized in Kuwait. They are deprived of citizenship rights, as well as access to positions and representation in the State.



Sultanate of Oman

The Sultanate's Basic Law states that justice, equality, and the Shura are the basis for governance, and it prohibits "discrimination between citizens on the grounds of gender, origin, colour, language, religion, sect, domicile or social status. "However, there is no national law criminalizing discrimination.

The Sultanate has ratified the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, these conventions have not been translated into laws, regulations or practices that criminalise discriminatory practices.

There are special laws, such as the Civil Service Law and the Labor Law, which prohibit discrimination between equally qualified citizens in obtaining a job being applied for, but such these laws do not criminalise such discriminatory practices. Some court cases were filed against Government bodies based on the Civil Service Law to invalidate appointment decisions. Cases have also been filed against some Government agencies related to discrimination between males and females. Citizens are treated equally, but there are exceptions that may be due to

individual practices - tribal or traditional - that do not appear to be systematic.

The manifestations of discrimination appear to be limited because the Omani Penal Code criminalizes insulting religions (Articles 269 and 273). Discrimination is also interpreted as inciting religious, sectarian or tribal strife, which is also criminalized under the Omani Penal Code.

The most visible example of discrimination in Oman is the qualification for jobs advertised in entities that are not subject to central or unified operation, such as state-owned companies, regulatory bodies, and public bodies established for special purposes. There are also manifestations of discrimination and social pressure against Omani women married to non-Omanis. In addition, there is discrimination in interpreting competency requirements contained in the Personal Status Law, and there are cases where the Supreme Court adopted the interpretation of the Court of First Instance or the Appeals Court regarding the ethnic or class dimension (social status) as one of the interpretations of competency requirement, which was subsequently used as the basis to annul marriage contracts.



State of Qatar

The Qatari Constitution stipulates that citizens are equal in public rights and duties, and that there is no discrimination between them on the grounds of sex, race, language, or religion. Despite this, the Qatari Nationality Law denies naturalized Qataris the right to run for office or vote in elections. In general, Qatari citizenship is divided into "original" citizens and "others", which indicates the existence of a social "class", and housing services is where discrimination is mostly visible.

Despite Qatar's accession to the Convention on the Elimination of Racial Discrimination in 1976, country lacks any special legislation that criminalizes or

prosecutes acts of racial discrimination and racial segregation that may be committed by individual, groups or organization.

It seems difficult to understand the distribution of formations in State institutions and to ensure fairness, especially in the absence of accurate statistics. There are allegations that tribes that are closer to the ruling family have a greater share in the State's institutions, from highest Government positions to the rest of civil, security and military institutions. There are marginalized minorities compared with some other groups in society, such as Shiites and citizens of Persian descent or those of black African backgrounds.



Kingdom of Saudi Arabia

There are no constitutional or legal texts guaranteeing equal representation among the components of society. Addressing the concepts of citizenship and national unity is not based on any legal background. In contrast, there are government positions and rhetoric based on Islamic law, and the principle that discrimination is forbidden in Islam.

Article 12 of the Basic Law of Governance states that "Promoting national unity is a duty, and the State shall prevent whatever leads to disunity, sedition and division." However, this article is rarely applied in documented cases of discrimination in the country on sectarian, tribal, or regional grounds.

There are serious and repeated allegations confirming the imbalance of representation and the

existence of discriminatory policies at the levels of the State apparatus, economic opportunities, distribution of wealth, public positions, educational institutions and the media. (Reports of the US and British State Department and the Universal Periodic Review file for the Kingdom of Saudi Arabia in the Human Rights Council).

There is no law criminalizing discrimination, and Saudi Arabia has entered many reservations to international covenants and treaties it has signed, some of which relate to women's rights of citizenship (including the Convention on the Elimination of All Forms of Discrimination against Women) and others about other rights that the State considers in violation of the provisions of Sharia (including the Convention on the Elimination of All Forms racism).



The United Arab Emirates

The Constitution stipulates in Articles (14 and 25) that “equality, social justice, ensuring safety and security and equality of opportunity for all citizens shall be the pillars of the Society”, and that “all persons are equal before the law, without distinction between citizens of the Union in regard to race, nationality, religious belief or social status”.

Nevertheless, there is an implicit discrimination in enjoying some rights or preferential treatment related to whether a citizen’s nationality is acquired by law, by Citizenship, naturalization or dependency in accordance with the provisions of the law (the UAE Nationality Law).

Discrimination in this regard includes denying Emiratis citizens by naturalization or dependency from running for office or voting in elections, and revoking citizenship in the event of absence from the country for two years.

In 2015, a decree-law was issued to combat discrimination and hatred, but it does not adequately define discrimination and its various forms. There are also special laws such as labor laws that prohibit discrimination between equally qualified citizens in obtaining a job being applied for or failure to treat them equally, but these laws that do not criminalize

discrimination. In the event that a violation of this prohibition occurs, no criminal or freedom-depriving penalty is imposed. In such cases, the only action taken is to nullify the decision, restore the rights, and provide compensation for material and psychological harm suffered in such cases.

The enforcement of international conventions ratified by the UAE, including the Convention on the Elimination of All Forms of Racial Discrimination (1974) and the Convention on the Elimination of All Forms of Discrimination against Women (2004 CE), requires the State to amend national laws, issue legal tools, or take appropriate administrative measures.

Officially, there are no specific ratios or preferential criteria that give one class or group of people priority or accessibility to leadership and sensitive positions in State institutions. Despite this, international human rights organizations (Amnesty International and Human Rights Watch) confirm that citizens have been subjected to discrimination related to rights due to their political stances, in addition to some tribal considerations, as most sensitive positions in the State are held by members of specific tribes falling under tribal alliances that have accompanied the establishment of the Emirates.



4.9 Ninth scale: Foreign Communities

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Stable and effective residency: the existence of regulations that allow expatriates to have fair and clear residency that guarantees rights, including participating in the election of municipal institutions 35 points	30	10	20	15	10	18
Union / professional representation: membership, election, candidacy and protection of interests 20 points	10	11	12	2	2	2
Societal activities: the right of communities to organize activities and establish associations and clubs 20 points	20	8	20	18	5	20
Total 75 Points	60	29	52	35	17	40

Table 9: Results/ Ninth Scale - Foreign Communities

Kingdom of Bahrain

The Kingdom of Bahrain has ratified ten ILO conventions, five of which are fundamental. Bahrain has a distinguished and pioneering record in the fair treatment enjoyed by migrant workers and their families, and the country rarely faces human rights criticism in this regard.

With regard to participation in municipal elections, resident expatriates who own real estate have the right to vote in elections but not run for office.

State laws allow foreign workers the right to membership and voting in elections for unions and professional societies, but they do not allow them the right to run for office. According to the Ministry of Labor and Social Development guide, there are 37 expatriate community-based organizations and societies, in addition to 19 community organizations as well, ranging from cultural to sports clubs.

State of Kuwait

The State of Kuwait joined the International Labor Organization in 1961 and ratified nineteen of its conventions, including seven of the eight fundamental agreements.

Kuwait is facing widespread criticism regarding the rights of migrant workers (Human Rights Watch). In 2015, Kuwait issued a standard contract for expatriate workers, and in 2016 it allowed some workers to transfer their sponsorship to a new employer after 3 years of work without any conditions. However, these reforms do not include migrant domestic helpers and

workers. A large number of expatriate workers fall prey to residency dealers. Foreigners are not entitled to vote in municipal elections. State laws allow expatriates to join unions but not the right to run for office, which is restricted to Kuwaiti citizens only.

The labor law also allows foreign workers the right to choose a representative to communicate their opinion to the union's board of directors.

There are no clubs for foreign communities in Kuwait, but they are allowed to organize their national, social, sports and religious activities on a small scale.

Sultanate of Oman

Oman has ratified four of the eight fundamental conventions of the International Labor Organization since joining the ILO in 1994.

International human rights criticism continues with regard to the application of the sponsorship system, including withholding of passports. Foreigners residing in the Sultanate of Oman are prohibited from participating in municipal elections that are restricted to Omanis.

The Foreigners' Residence Law and its executive bylaws allow non-Omani workers to bring their families or their dependents within specific rules and conditions, including the minimum wage for the worker who can bring his family. Sponsors are responsible for ensuring that the worker and his family have access to adequate health care coverage, and there are exceptions depending on the circumstances to take into consideration Family and cultural conditions.

Foreign workers can participate trade union activities through joining the General Assembly of Trade Unions, and participating in all aspects related to the tasks of the General Assembly, but they cannot establish trade unions or run for its administrative body, a right restricted to Omanis.

In coordination with the Ministry of Social Development, members of foreign communities can organize their own social, cultural and sports activities, as well as establish and manage private associations or clubs.

State of Qatar

Qatar faces widespread criticism regarding the rights of foreign workers, and in order to respond to this criticism, Qatar allowed the presence of an office for the International Labor Organization on its territory. It also began a technical cooperation program with the International Labor Organization with the aim of carrying out reforms that put an end to the infamous sponsorship system.

On October 16, 2019, the Government passed new legislation allowing workers to change employers freely. Likewise, the Minister of Interior signed a decree removing exit permit requirements for all workers, except for the military.

Foreigners do not participate in the municipal council election, as only Qataris have the right to vote. Law No. 12 of 2004 on Private Associations and Foundations, under which professional associations operate, does not permit migrant workers to join or run as candidates except in exceptional cases.

There is a club for the Egyptian community in Qatar that was established in the year 2011, and also the Indian Community Benevolent Forum, a forum for the Indian community as well as another for the Pakistani community. Foreign communities in Qatar have their own schools, and there are more than 70 community schools in Qatar.

Kingdom of Saudi Arabia

Saudi Arabia joined the International Labor Organization in 1976 and has ratified 16 conventions, including six fundamental conventions.

Foreigners face prosecutions, homes raids, and mass forcible deportations without fair trials or guarantees of their material rights. The Euro-Mediterranean Human Right Monitor (Euro-Med Monitor)

(October 2017) described the situation of migrant workers in the Kingdom as a form of “slavery”, referring to the sponsorship system that does not allow a migrant worker to leave the country or move to another job without permission from the employer, in addition to the State’s policies in dealing with foreigners.

Migrant workers face a tax of 100 riyals per month (about \$ 27) for each dependent in the first year, adding greater financial burden.

There is no provision in the Saudi labor system regarding the rights of migrant workers to run or vote in professional societies, and they are not permitted to participate in municipal elections.

Saudi laws do not include any reference to the right of migrant workers to establish or even organise social or sports clubs, and such activities remain limited and confined to closed labor accommodation compounds, subject to agreement between workers and employers, and are not based on a clear and published legal code.

It can be pointed out that non-Muslim expatriates do not have the right to freely practice their religious rituals except on a small scale, and in the event that foreigners worship in private, they risk of arrest and imprisonment.

The United Arab Emirates

Among the most common criticism levelled at the in relation to labour issues in the UAE is the sponsorship system and the restrictions attached to it in terms of freedom of movement and travel for foreign communities in the country. Human rights organizations have also documented cases of expelling foreign workers in violation of the law and deporting them for political reasons.

Expatriate residents, whether employees, investors or business owners, may sponsor immediate family members and request a residence visa for them in the UAE. Currently, the profession of an employee or worker is no longer a condition for bringing in family members, as this condition has been replaced by income, which requires only a salary with a minimum of AED 4,000 per month (about a thousand dollars) or

a salary of AED 3,000 plus accommodation.

There are no trade unions in the Emirates, which means citizens and foreign workers are not permitted to defend their rights and represent their interests.

Expatriate businessmen can run in the Dubai Chamber of Commerce and Industry elections. As for professional associations, this right is to limited to citizens only. Expatriates may become members, and participate in voting and running for office to the boards of some of these associations.

Members of foreign communities can organize their own social, cultural and sports activities, or establish and manage their own societies or clubs, subject to the approval and supervision of the Ministry of Community Development.

4.10 Tenth scale: Assuming Leadership and Sensitive Positions

Details	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Influence of the royal families: representation of royal family members in higher positions: government: ministries and authorities / judicial / security and military institutions. 100 points	25	50	65	80	35	35
Localization of positions: ability and priority for citizens to access leadership and sensitive positions in the judicial, security and military bodies. 50 points	15	20	40	40	30	20
Total 150 Points	40	70	105	120	65	55

Table 10: Results/ Tenth Scale - Assuming Leadership and Sensitive Positions



Kingdom of Bahrain

Members of the Bahraini ruling family constitute about 10 of the 25 members of the Council of Ministers, and many occupy other high-ranking positions at the rank of “minister” without being members of the cabinet.

All appointments to senior positions in ministries and sovereign bodies, such as the Ministry of Interior, Bahrain Defense Force, National Guard, Royal Guard, Ministry of Finance, and Supreme Defense Council go to members of the ruling family, with one exception in the Ministry of Foreign Affairs.

For appointments to senior Government positions (undersecretaries/ directors general) a significant share goes to members of the ruling family. Similarly, the judiciary, in which family members hold a significantly high number of positions, with the

rest held by members of other sections of society in unequal proportions.

It can be said that a third of the leadership and high-ranking positions in the State belong to members of the ruling family, and as it is observed that there are recruitment policies that tend to depend on how close to the royal family one is, and this applies to specific tribes and families that enjoy preferential advantages over the rest of the citizens in the Kingdom.

There are existing policies favouring reliance on foreigners in the military and security services due to discriminatory policies against Shiite citizens (reports of the Bahrain Center for Human Rights, reports of the US State Department, and the periodic review of the Human Rights Council).



State of Kuwait

Members of the ruling family in Kuwait predominate in the sovereign and other high-ranking positions in the state.

The family does not have a monopoly on all important positions in Government, including the ministries of finance and justice, as ministers from outside the family have been appointed to these positions.

No presence of the royal family is observed in the judiciary compared to the significant presence in the security and military institutions. The leadership of the security and military agencies appears to be monopolized by the Al-Sabah family, except for

the Ministry of Interior. It should be noted that only Original Kuwaiti nationals are permitted to occupy high positions in these bodies as well.

In general, Kuwait allows citizens to take up jobs in the judicial, security, and military institutions. It is not yet certain that there are noticeably “foreigners” in the Kuwaiti security and military forces. According to a paper prepared by the Carnegie Center for Peace in 2020 on contracted soldiers in the Gulf, Kuwait has not renewed contractual foreign soldiers due to demographic and economic pressures, and because of its imposition of compulsory military service on citizens.



Sultanate of Oman

Members of the Omani ruling family do not dominate senior positions of the State in significant way. It is noticed that they are present in some senior and academic positions, while high-ranking military positions are all occupied by citizens who do not belong to the ruling family.

As for the Ministries of Defense and the Interior, it is customary that they are run by a member of the ruling family, but the Sultan is the Minister of Defense, and the Supreme Commander of the Armed Forces. In general, appointment policies tend to depend on the factor of loyalty to the State more than on membership

in the ruling family, although this membership is often a good justification for major entitlements, and this applies to tribes loyal to the family as well as tribes with history of political opposition.

There are no specific ratios or preferential criteria that give one category of people priority or accessibility in leadership and sensitive positions in the judicial, security and military bodies. It can be seen that there is a rotation between different tribes or representatives of interests in leadership and sensitive positions. The Ministries of Foreign Affairs and Finance are in the hands of the Sultan, and they are administered by members of the public.

There is no mention of the ruling family members in the judicial institutions (courts and the Supreme Judicial Council). As for the senior positions in the security and military agencies (national security and intelligence institutions), there are some members of the ruling family by virtue of their military or administrative hierarchy, but there is no evidence of preferential treatment.

It is reassuring that, in principle and the practice, access to jobs in the judicial, security and military institutions in origin is open to everyone without discrimination.

State of Qatar

The presence of members of the Qatari ruling family in the Council of Ministers is restricted to the Prime Minister, Minister of Interior and Minister of Foreign Affairs. Qataris from other families may occupy senior and leadership positions, although it is noticeable that specific family names are appointed in these positions repeatedly.

The ruling family does not have a monopoly on judicial positions, nor does the Constitution stipulate that the Emir heads the judiciary, which is something

that is unique to Qatar compared to the rest of the Gulf countries. The Supreme Commander of the army is the Emir of the country, but most military positions in the army are open to citizens, who are allowed to assume judicial and military positions, although the priority is for the tribes and families that have been present in Qatar prior to 1930, and tribes and families close to the ruling family.

It was also worth noting that Qatar allows foreigners to work in its military and security institutions.

Kingdom of Saudi Arabia

The ruling family monopolizes most sovereign ministerial positions. These include the Ministry of the Interior, Foreign Affairs, Defense, National Guard, and the Ministry of Petroleum and Mineral Resources (energy), with the exception of the Ministry of Finance.

The Crown Prince oversees a number of bodies: Economic and Development Affairs Council, Political and Security Affairs Council, Supreme Council for Saudi Aramco, General Investment Authority, Supreme National Authority for Combating Corruption, and National Risk Assessment Unit.

The ruling family princes control the positions of regional princes in the kingdom, and most of the military institutions are headed by princes.

There is no indication of any presence of members of the ruling family in the judiciary, and foreigners do not assume any positions within the judicial institutions. Citizens can assume judicial, security and military jobs, but employment is subject to strict criteria determined by how close to the ruling family one is. There also seem to be regional and sectarian norms and influences involving access to public positions in the State.

The United Arab Emirates

Members of the ruling families in each emirate monopolize many sovereign ministerial and higher executive positions, but at the federation level, it seems possible for citizens to reach some important ministries, such as the economy, education and health. Members of the ruling families; however, retain the sovereign ministries such as foreign affairs, security, defense and the interior.

Members of the ruling families are predominant in higher positions of the State, but it is possible to note political and tribal balances in sovereign and

military portfolios. As for other service ministries, most occupants are citizens. There is a core of tribes and families linked to the ruling families that seem to have a monopoly over a part or share in the structures and positions of the State.

Judges are often from outside the ruling families. Even so, tribal and family connections play a role in these appointments. Members of the ruling families and tribal representatives have ample access to leading positions in security and military services.



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