



مؤشر المشاركة السياسية
في دول مجلس التعاون الخليجي 2021
Political Participation Index
in the GCC States 2021



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The Gulf House for Studies and Publishing is a think tank based in London, working as a not-for-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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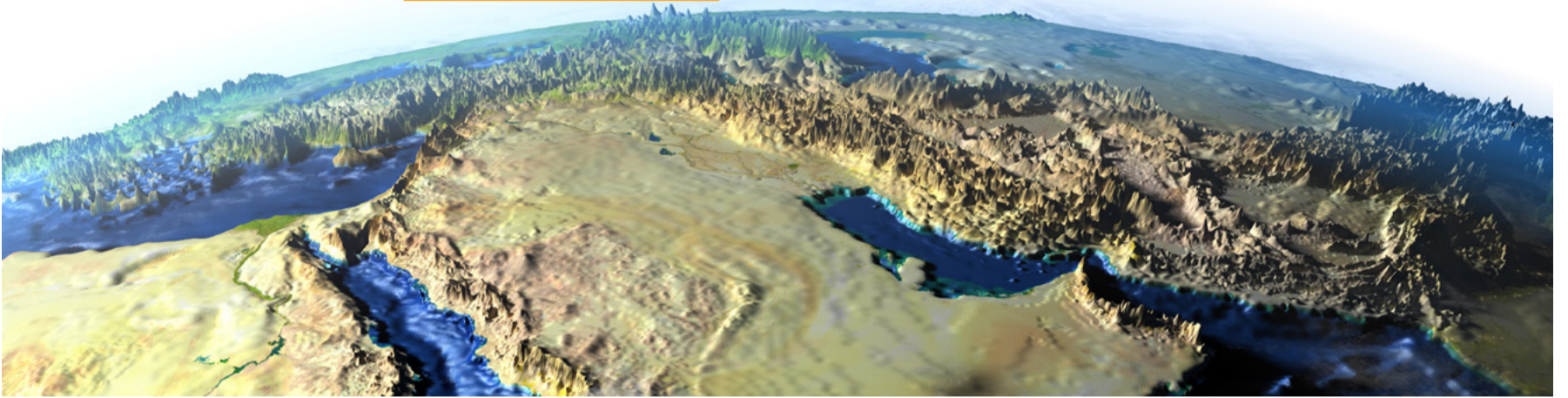
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Chapter One: Introduction



The second edition (2021) of the Political Participation Index in the Gulf Cooperation Council Countries (PPIGCC) is a developed edition of the first, issued in (2020), in terms of monitoring and analysing the most important variables and developments (progress or regression) in the countries involved in this research study.

The PPIGCC, 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, 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.

The significance of this index lies in being the first specialized research publication concerned with measuring the degree of “political participation” in the GCC 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 GCC 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 GCC 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. 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.

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.

Despite the many definitions, and the degree of agreement and difference among their texts, this indicator defines “political participation” as: “the actual and effective involvement (direct and indirect) of individuals and groups’ contribution to and influence on decision-making processes, in the management and representation of the state, in making development policies and in ways of spending wealth.”

Chapter Two: Summary of Results

The State of Kuwait has maintained its first rank, with a score of 525 out of a total of 1,000 on the PPIGCC, followed by the Sultanate of Oman, which moved up to the second rank, with a score of 449.

With a slight difference, Qatar ranked third with a score of 447, while the Kingdom of Bahrain fell to fourth place with a score of 432. The United Arab Emirates ranked fifth with a score of 318, followed by Saudi Arabia in the last place with a score of 227.

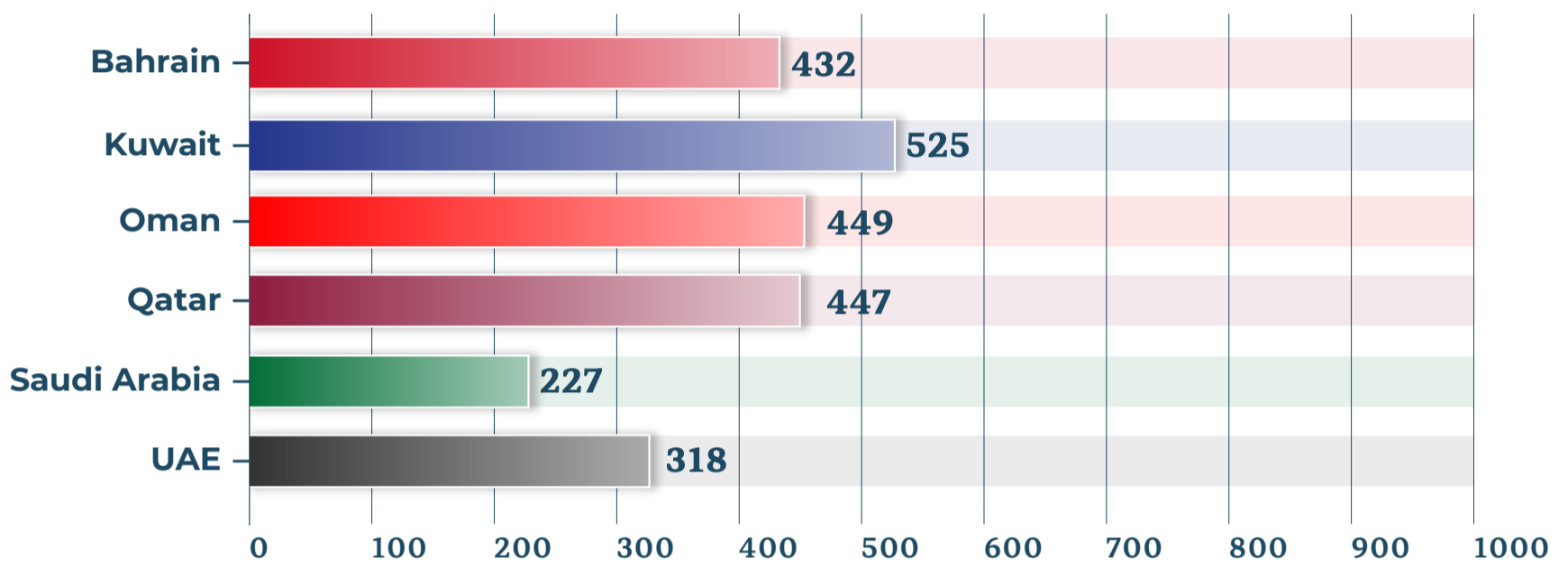


Figure 1: Index overall results

While Qatar moved up by (42 points), Saudi Arabia (35 points), Oman (9 points) and the UAE (2 points), Bahrain and Kuwait moved down by (19 points) and (10 points) respectively. While Kuwait – alone – exceeded the 500-point barrier, the rest of the countries are still below that. This indicates an urgent need in all GCC countries to expand frameworks for political participation and decision-making, especially with regard to strengthening and expanding the powers of elected councils, improving electoral laws, promoting

equal citizenship, guaranteeing freedom of opinion and expression, as well as the safety of individuals engaged in political activity.

While gradual government reforms in the GCC states provide for stable and effective residency for expatriate communities and foreign workers, these groups are still subjected to exclusion with regard to trade union representation, care for their interests, and the exercise of their community activities.

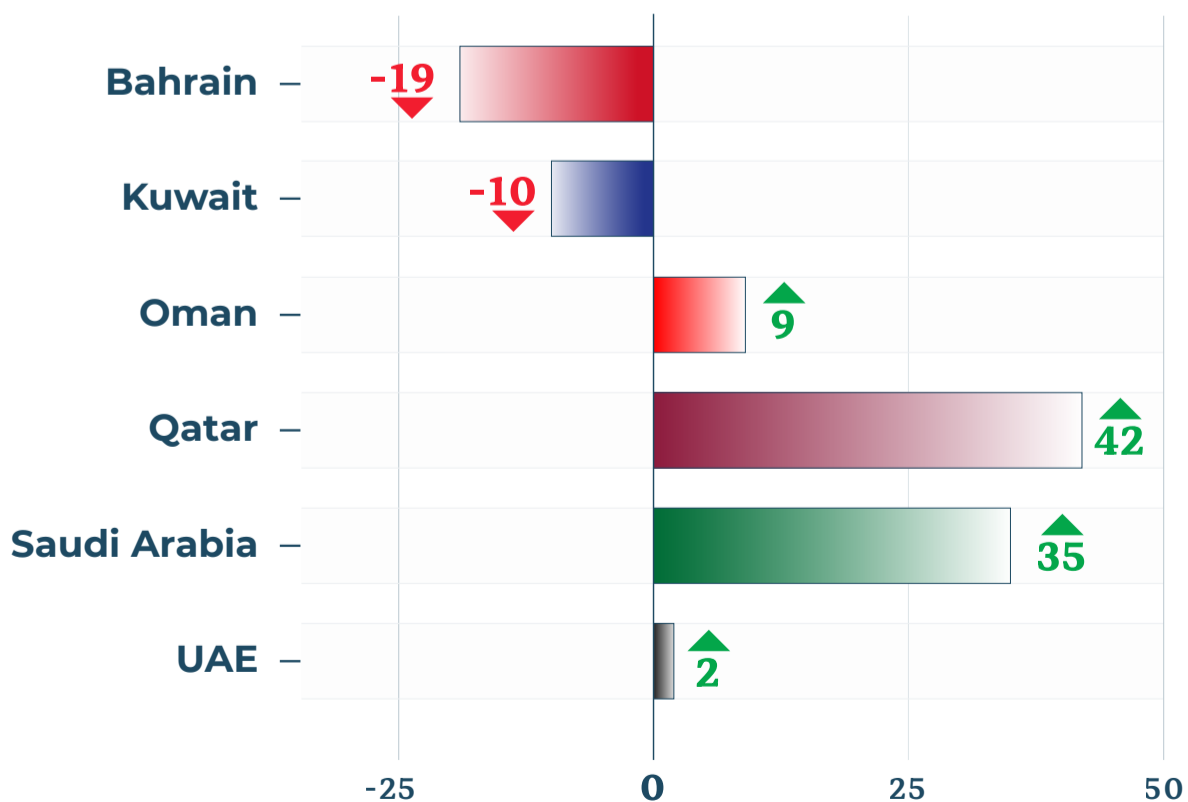


Figure 2: Extent of change in the index between 2020 and 2021

Political Action

All GCC countries have recorded disappointing results in allowing the formation of political organisations and ensuring the right to political action and the safety of practitioners. With the exception of Kuwait, it is noted that the rest of the GCC countries are witnessing a noticeable decline in the laws governing general elections and the governance and effectiveness of the elected councils and their powers.

It is worth noting that Bahrain has seen steady regression in parliamentary experience and freedom of political action. Meanwhile, observers are awaiting how the new parliamentary experience in Qatar will unfold. While political participation in the election of governments is nonexistent in the GCC states, the

powers of oversight, accountability, interpellation, and no-confidence motion initiation are often denied or restricted.

The results in all countries remained modest in the areas of freedom of opinion and expression, with a relative preference in Kuwait, Qatar and Oman, as the majority of the GCC countries witness judicial trials and arbitrary arrests of dozens of citizens on charges related to freedom of opinion and expression related to the policies of these countries and the laws in force.

It should be noted that the policies of Internet censorship and spying on citizens at home and abroad have become common.

Equal Citizenship

It has been noted that some Gulf countries (namely UAE, Kuwait, Qatar, Bahrain) have adopted discriminatory and unfair policies with regard to ensuring the right of their citizens to political participation in the elections of legislative councils, Shura councils, and municipal councils. These policies are based on restrictions and controls defined by nationality laws, exercise of political rights, and regulations of elections in these countries. This makes the issue of equal citizenship a very important issue.

While access to senior positions, leadership and sensitive positions in Bahrain, UAE, Saudi Arabia and Kuwait appears to be monopolized – or almost – by members of the ruling families, both Qatar and Oman are characterised by high access for citizens to these positions (sovereign ministries in the councils of

ministers, military and judicial institutions). It is noted in this context that the ruling families and specific families or groups dominate the high positions in the state, which results in the presence of marginalised minorities or groups not represented in proportion to their numbers in society.

With the exception of Oman, and relatively Qatar and the UAE, the rest of the GCC countries lack laws criminalising discrimination and policies combating racist and hate speech directed against some sections of the society and expatriates in these countries.

With regard to gender equality and youth empowerment, the policies of all GCC countries – with the exception of Saudi Arabia and Kuwait – are moving towards achieving better outcomes.

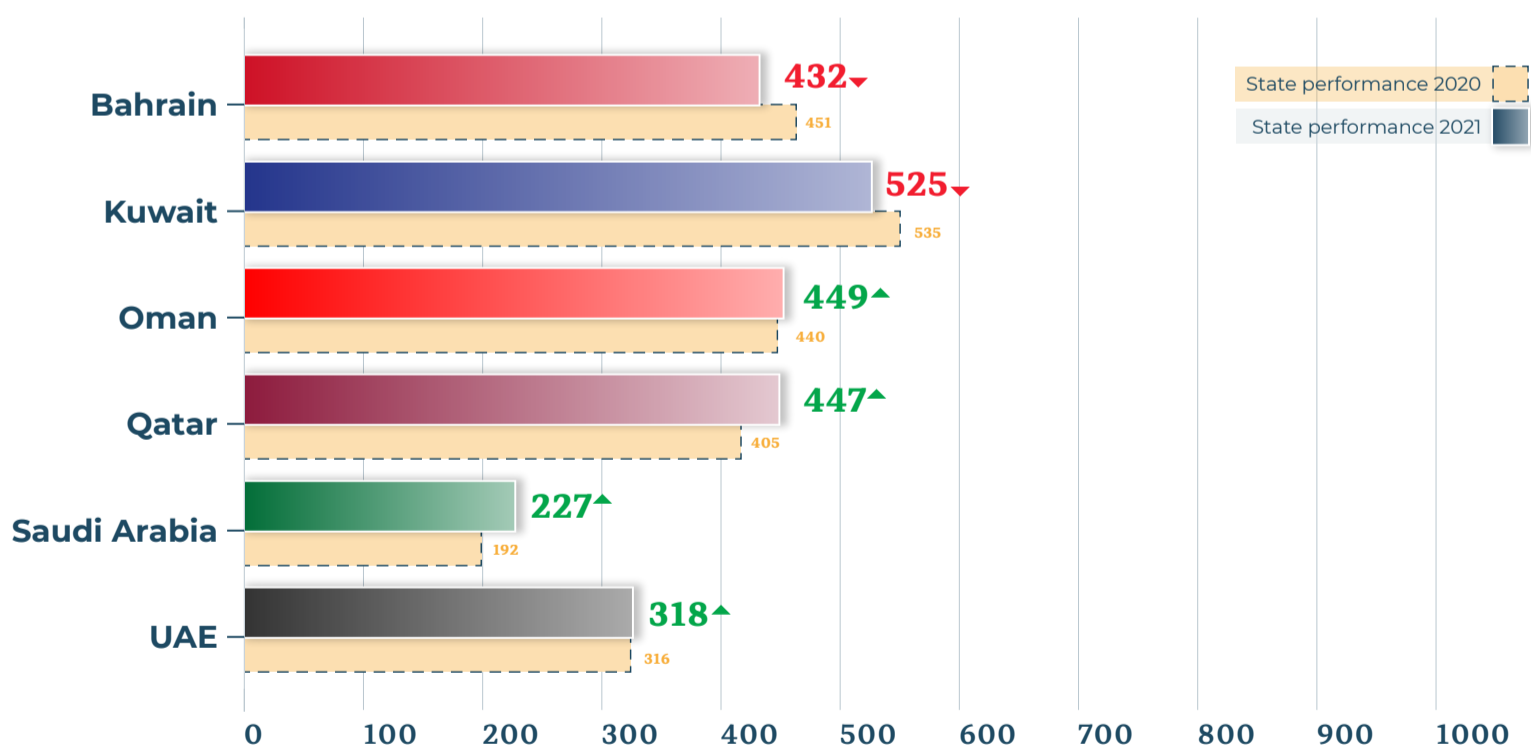


Figure 3: Index overall results between 2020 and 2021



2.1 State of Kuwait

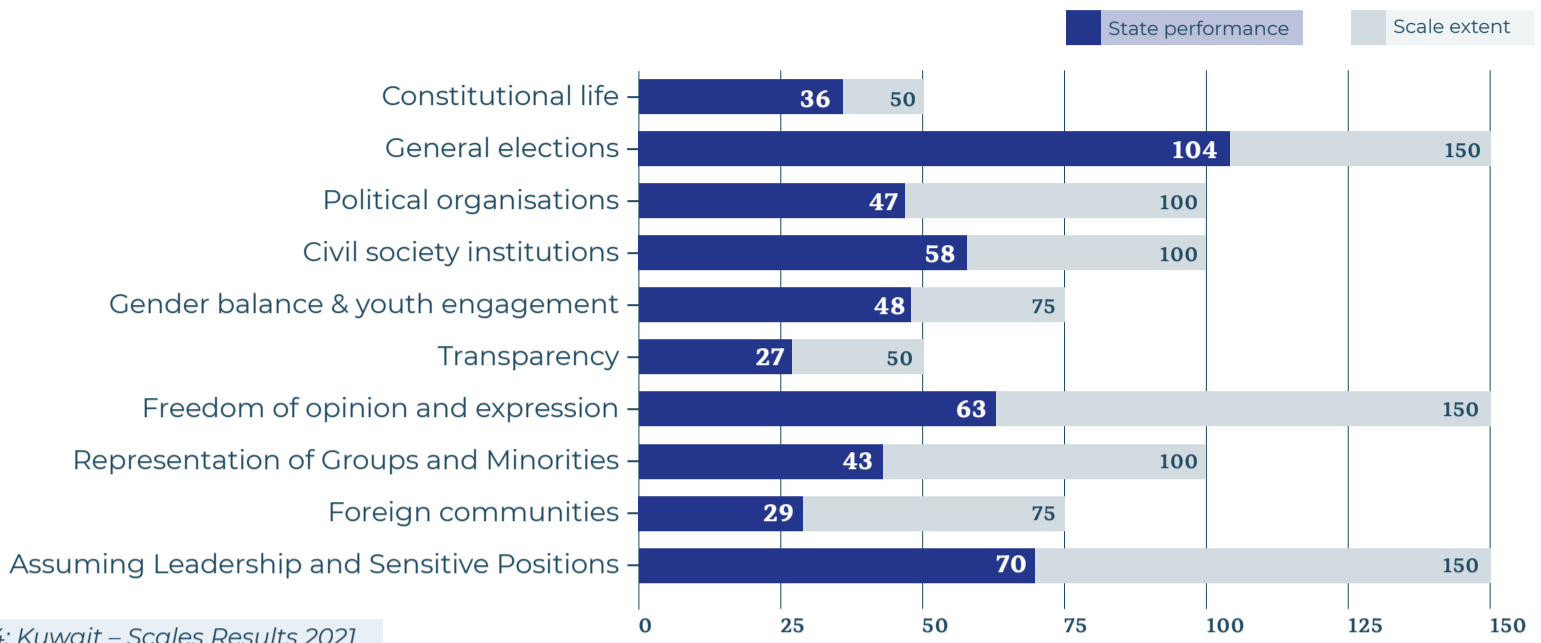


Figure 4: Kuwait – Scales Results 2021

Despite the decline in the results for Kuwait by 10 points, it has maintained the first rank with a score of 525 points, exceeding the 500-point mark out of the total index scores (1,000 points). The decline on the scale of (Freedom of Opinion and Expression) recorded a 7-point drop, and a 3-point drop on the scale (Representation of Groups and Minorities).

Kuwait ranked first on 4 scales: (Constitutional Life/General Elections/Transparency/Freedom of Opinion and Expression) out of the ten scales. Despite this, low scores were recorded on the scales of (Political Organisations / Foreign Communities) with significant challenges emerging with regard to legislation for the work of political parties, resolution of the Bidoon (stateless) issue, discrimination among citizens with regard to political participation in the elections, as well as discrimination against foreign communities in the country.

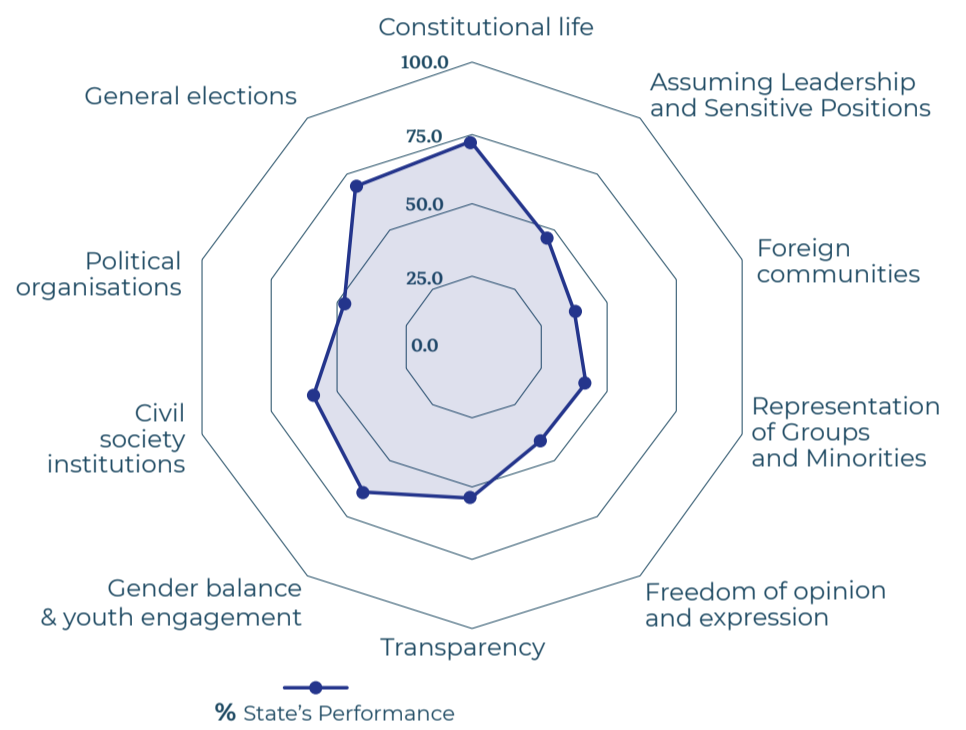


Figure 5: Kuwait – Political Participation 2021



Figure 6: How much Kuwait's results have changed between 2020 and 2021

2.2 Sultanate of Oman

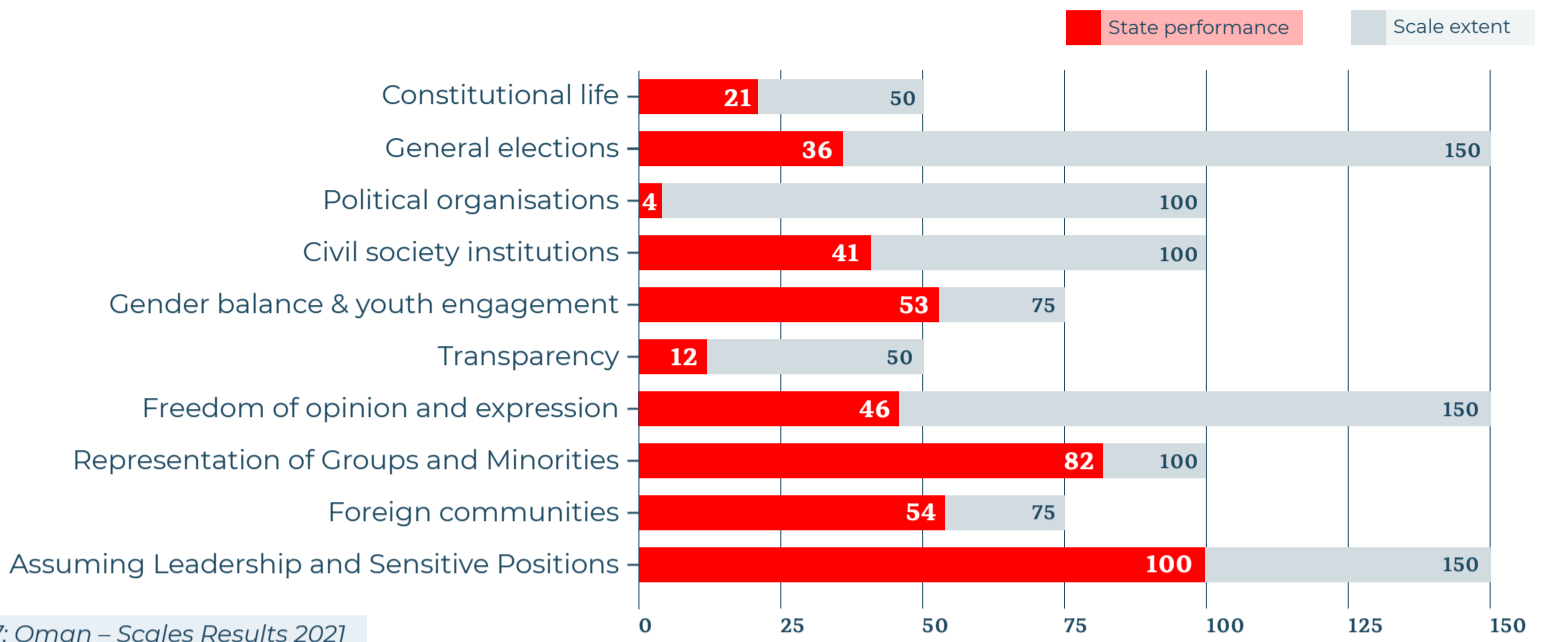


Figure 7: Oman – Scales Results 2021

With a score of 449, Oman moved from third to second place. The Sultanate topped the scale of (Representation of Groups and Minorities) based on government policies that guarantee equality between citizens and proportional representation of the various sections of society. The Sultanate has also maintained a remarkable distinction (second place) on the scale of (Access to Leadership and Sensitive Positions), as the State guarantees high access for Omanis from outside the ruling family to senior positions, as well as good performance on the scale of (Foreign Communities). The Sultanate improved its previous (zero) score on the scale (Political Organizations) by 4 points (out of a total of 100 points) due to improvement of the legal environment for the safety of those engaged in political work, while forming or joining political parties remains prohibited.

The Sultanate recorded a drop on the scales of (General Elections / Freedom of Opinion and Expression).

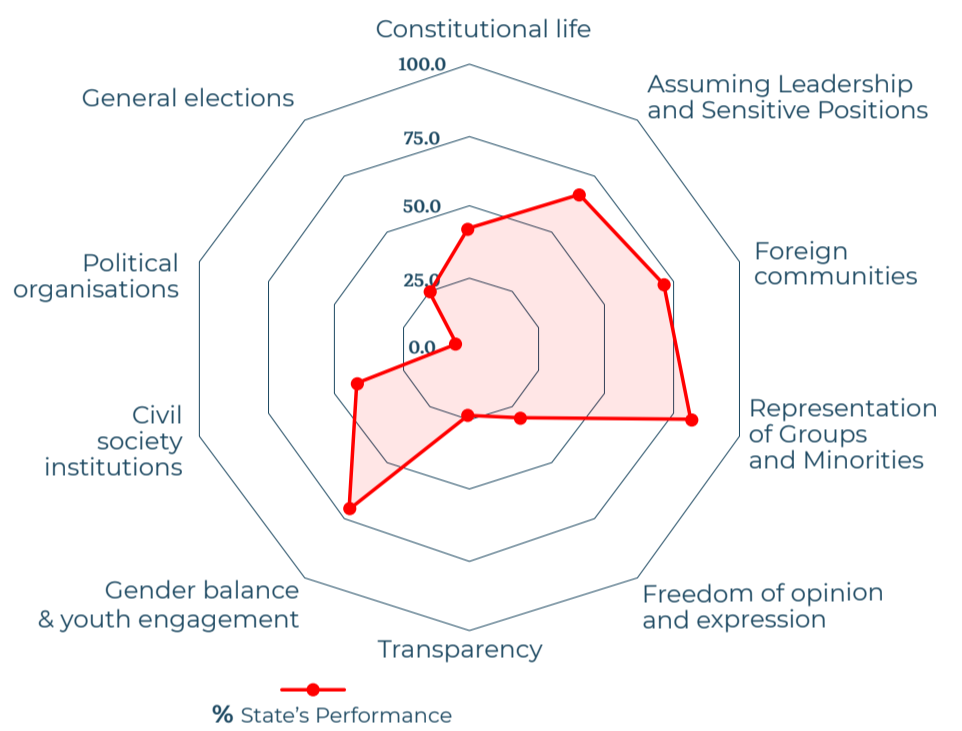


Figure 8: Oman – Political Participation 2021

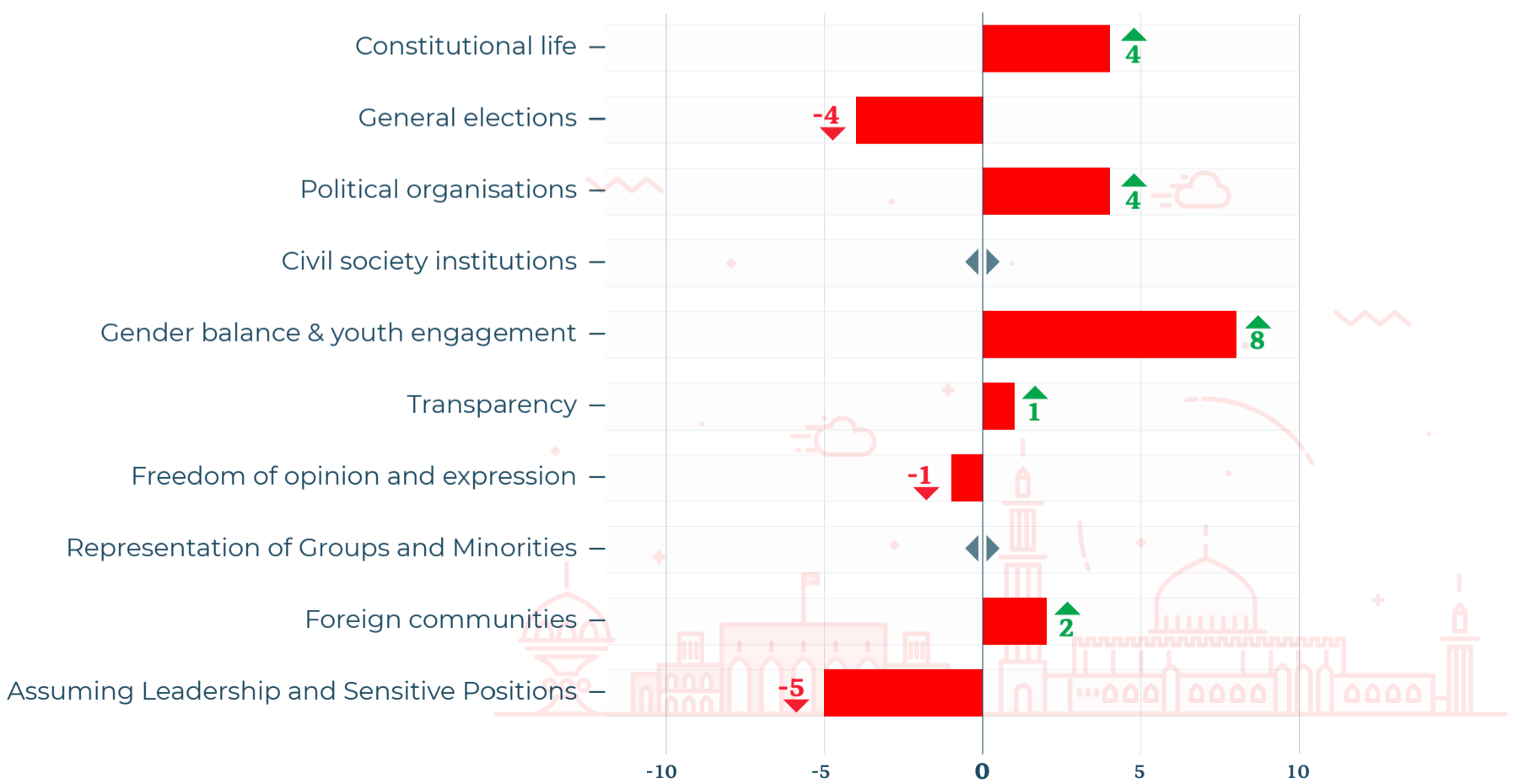


Figure 9: The extent to which Oman's results have changed between 2020 and 2021

2.3 State of Qatar

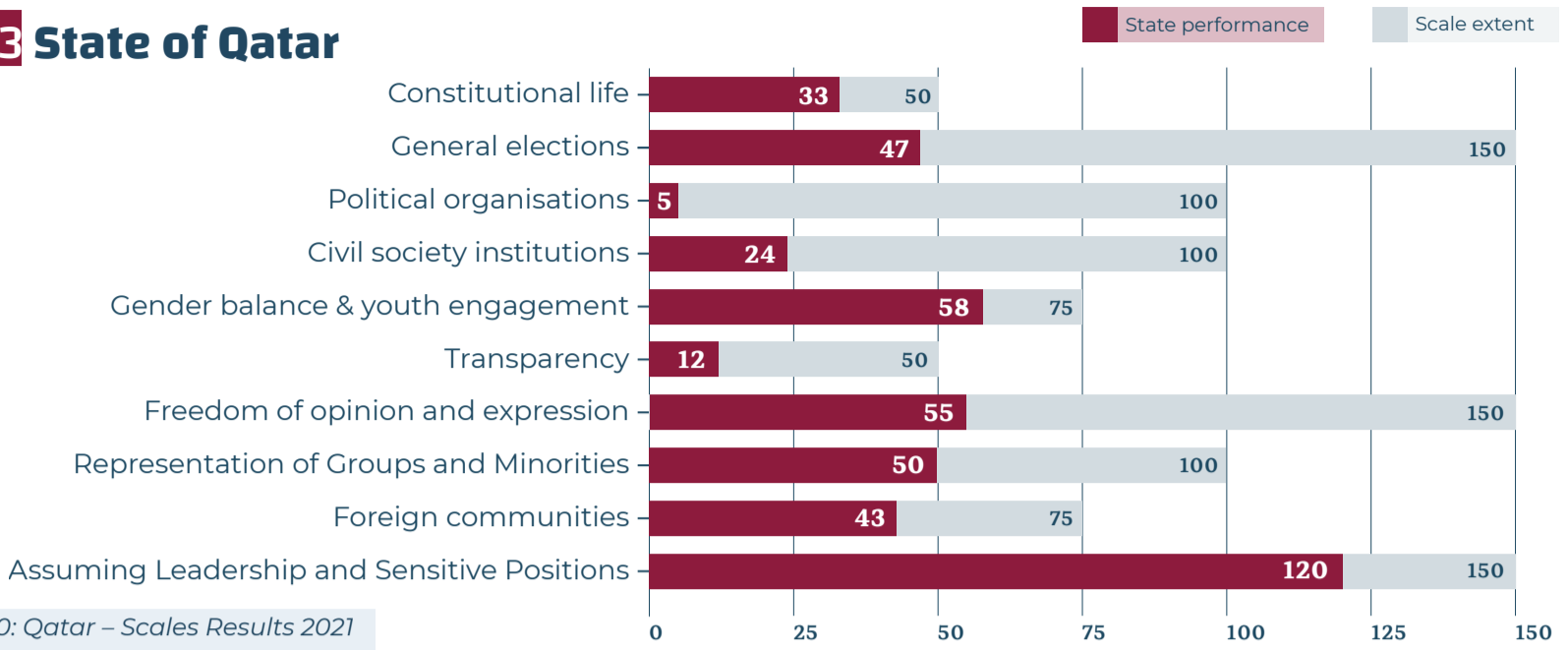


Figure 10: Qatar – Scales Results 2021

Qatar has achieved the highest progress among the countries monitored by this index, moving up by 42 points, to rise from fourth to third place, with a score of 447, two points ahead of the Sultanate of Oman. This improvement comes with the announcement of the Shura Council elections after 17 years of suspension, and the adoption of reforms in the labour market that include abolishing the sponsorship system and setting a minimum wage.

Qatar has maintained its lead on the scale of (Access to Leadership and Sensitive Positions) with the presence of only two figures from the ruling family in the Council of Ministers (the Prime Minister – who also occupies the position of Minister of Interior, and Minister of Foreign Affairs). The State has also made progress on the scales of (Constitutional Life), (General Elections) and (Foreign Communities).

The State has regressed on the scales of (Political Organisations) and (Freedom of Opinion and Expression) due to the approval of a provision in the Shura Council Elections Law and the Nationality Law prohibiting Qataris who were not present in the country before 1930 from the right to run in the Shura Council elections. This was accompanied by documented arrests of a number of participants in the protest gatherings.

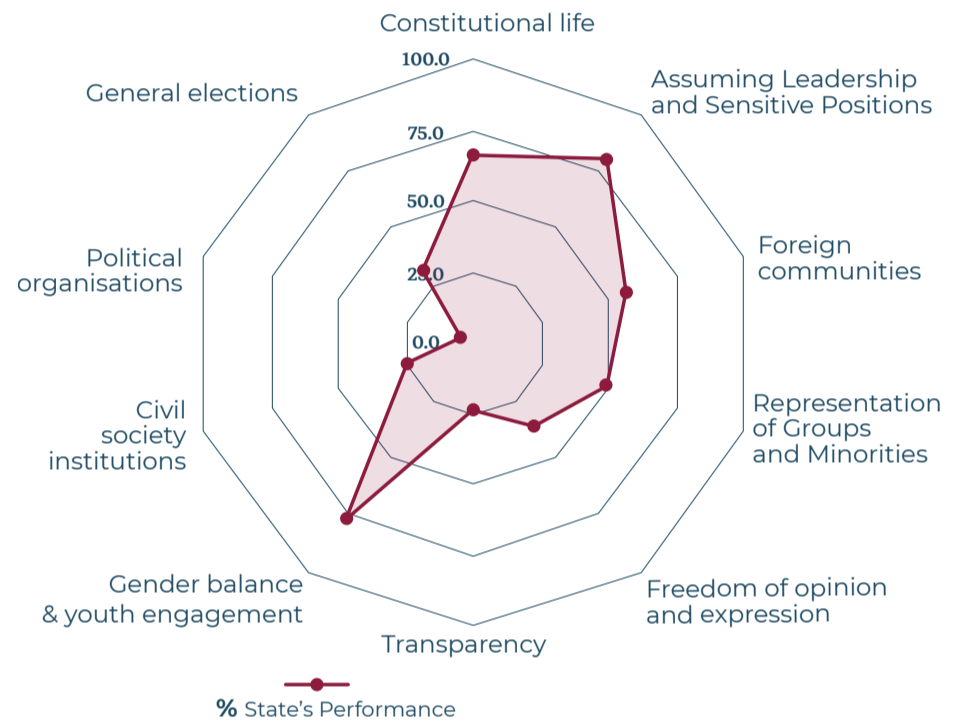


Figure 11: Qatar – Political Participation 2021

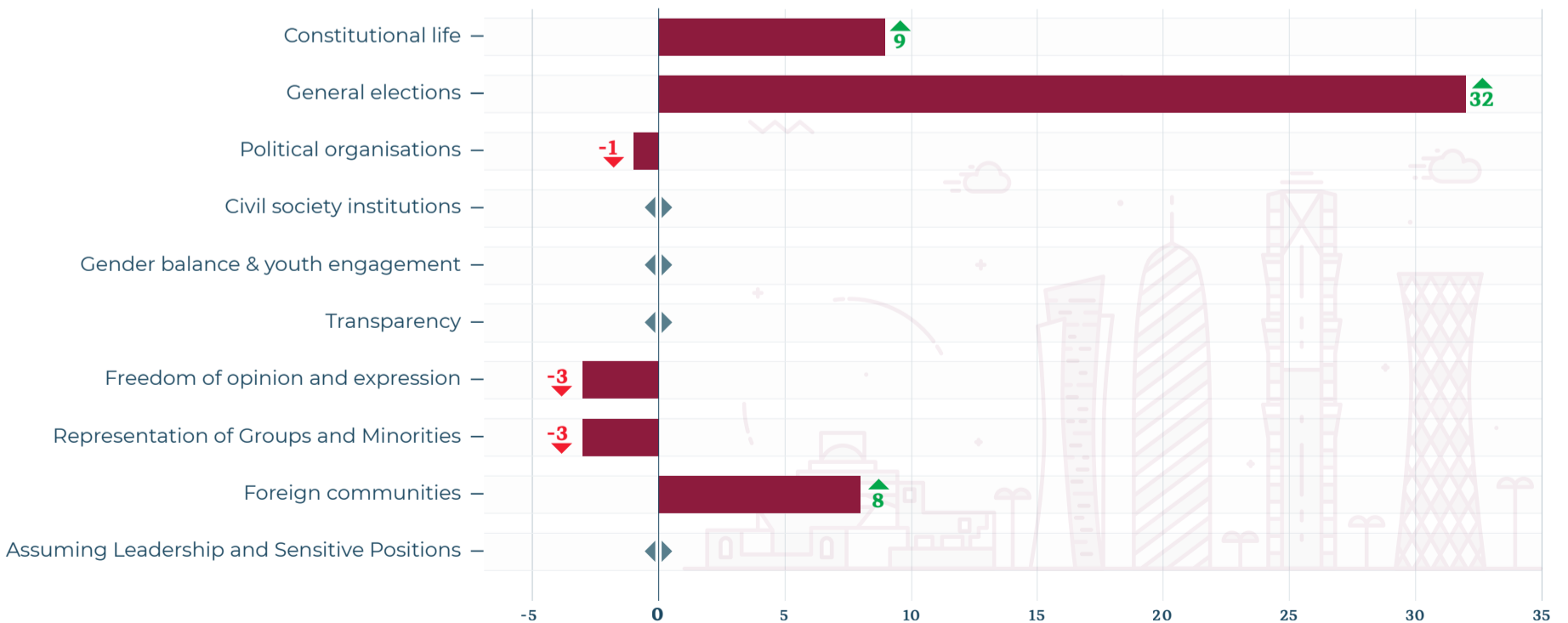


Figure 12: How Qatar's results have changed change between 2020 and 2021

2.4 Kingdom of Bahrain

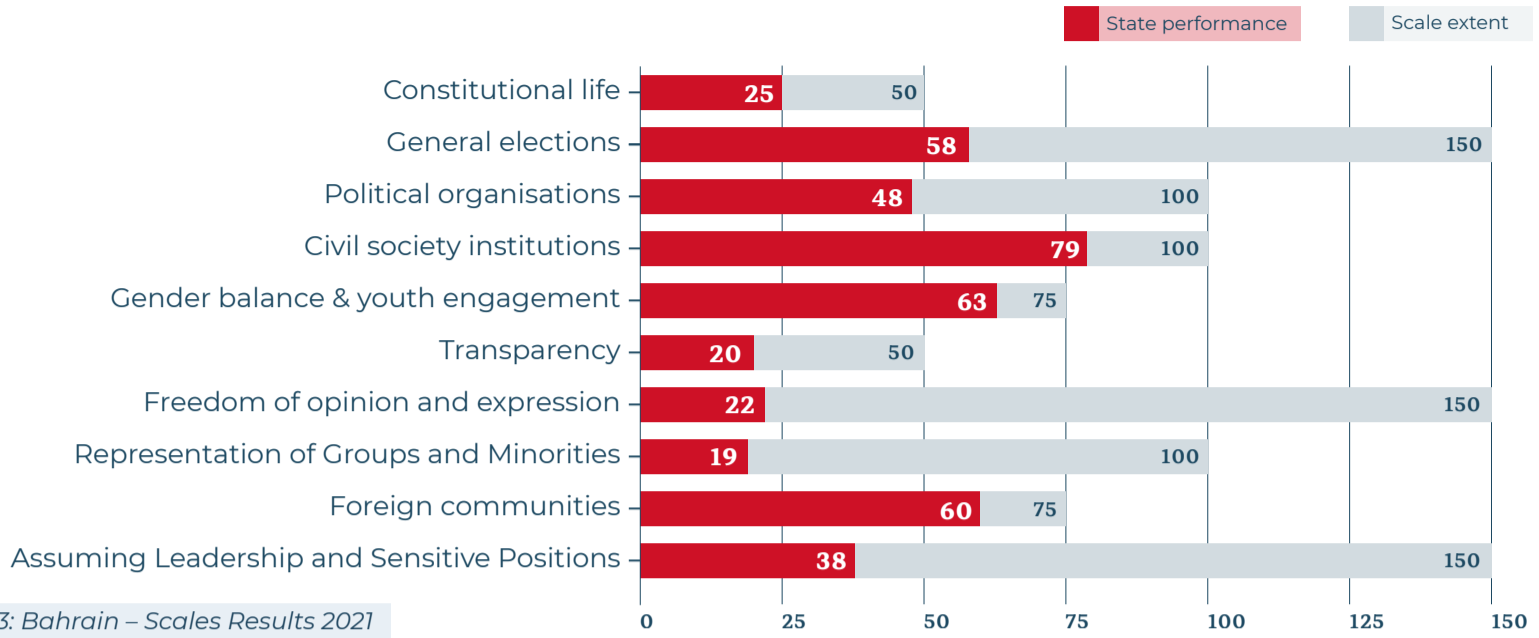


Figure 13: Bahrain – Scales Results 2021

Bahrain has declined by 19 points dropping from second to fourth place with a score of 432, recording the biggest decline among the countries monitored by the index this year.

Bahrain has declined by 3 points on the scale of (Constitutional Life) and 16 points on the scale of (General Elections) against the backdrop of the promulgation of a Decree-by-Law to amend the internal by-laws of the Council of Representatives in a way that curtails the powers of representatives by prohibiting any discussion which includes criticism, blame, or accusation against the government.

Bahrain moved up 3 points on the scale of (Gender Balance and Youth involvement) due to a focus in new government appointments on the youth in senior positions, including administrative bodies and departments attached to the Cabinet. Bahrain topped 3 scales (Political Organisations / Civil Society Institutions / Foreign Communities), achieving a distinguished performance with regard to local laws and regulations to regulate the work of civil society institutions and trade unions, as well as in ensuring stable and effective residency for foreign communities, as well as ensuring their union representation. Bahrain

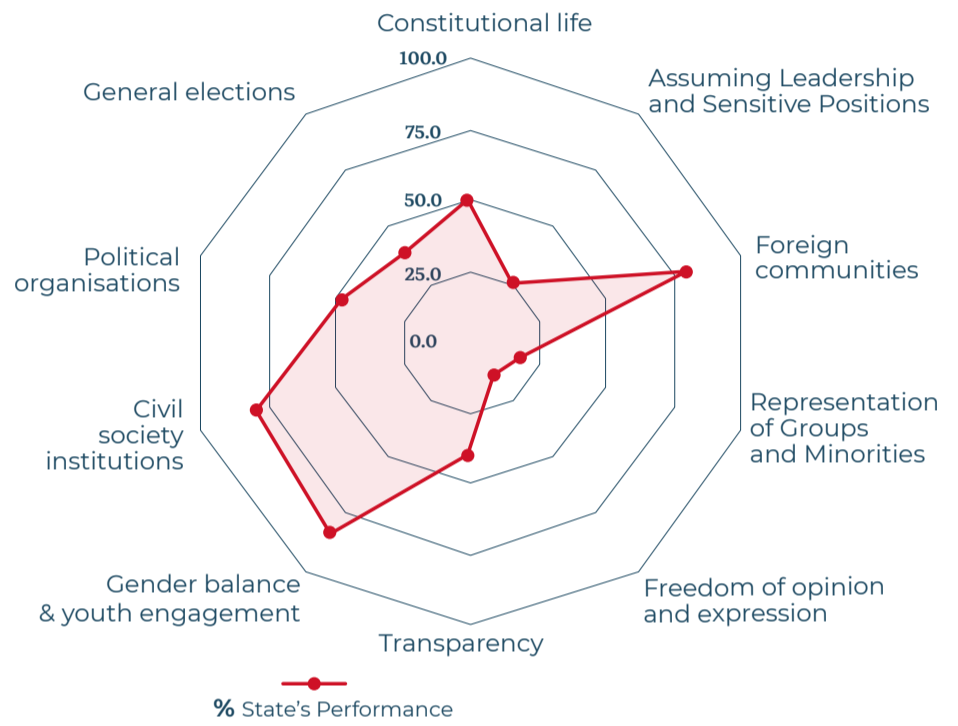


Figure 14: Bahrain – Political Participation 2021

scored low on the scale of (Freedom of Opinion and Expression). The country has continued to lag behind on the two scales of (Representation of Groups and Minorities) and (Access to Leadership and Sensitive Positions), recording the highest percentage of various senior state positions held by members of the ruling family.

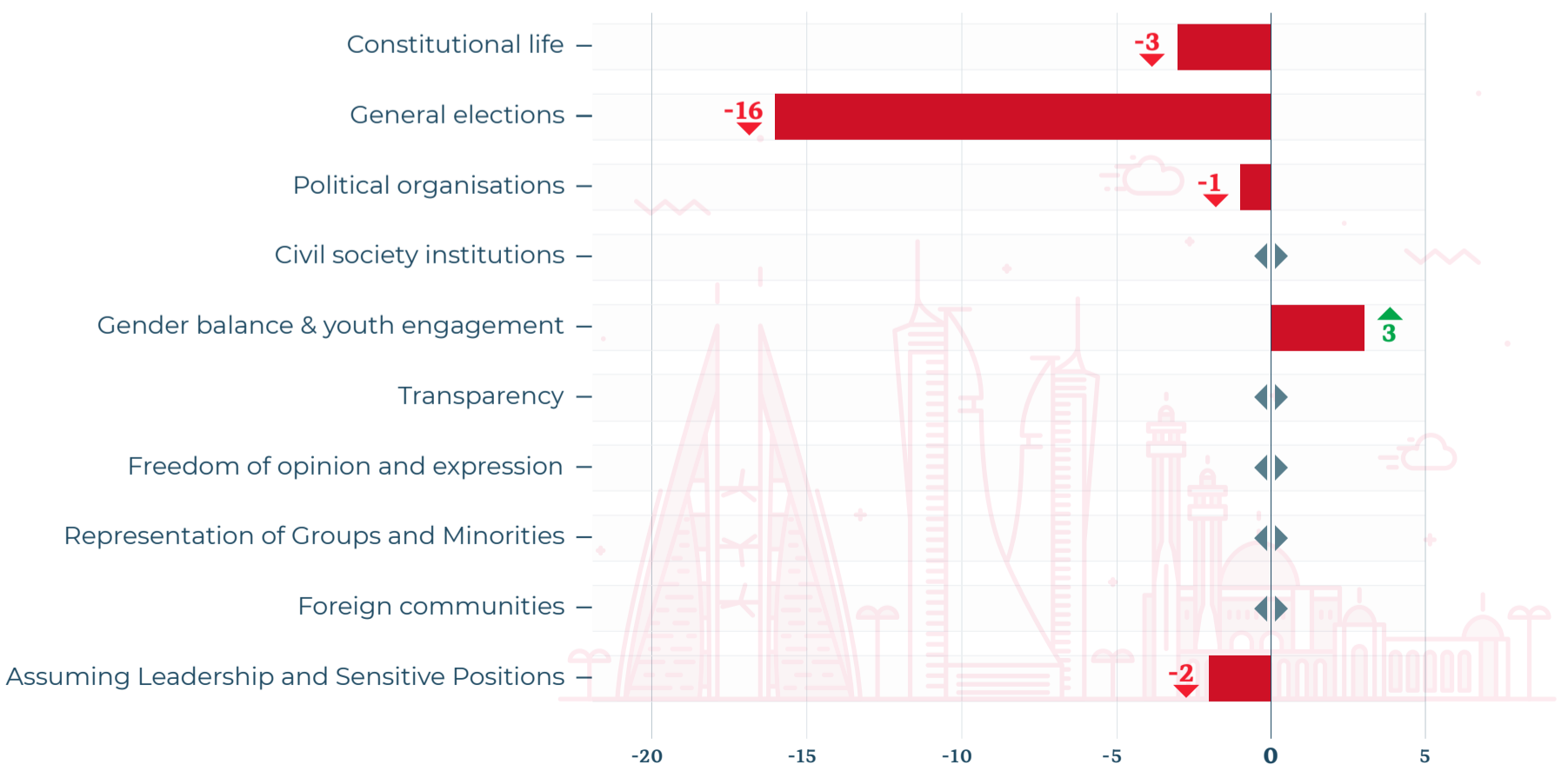


Figure 15: The extent to which Bahrain's results have changed between 2020 and 2021

2.5 The United Arab Emirates

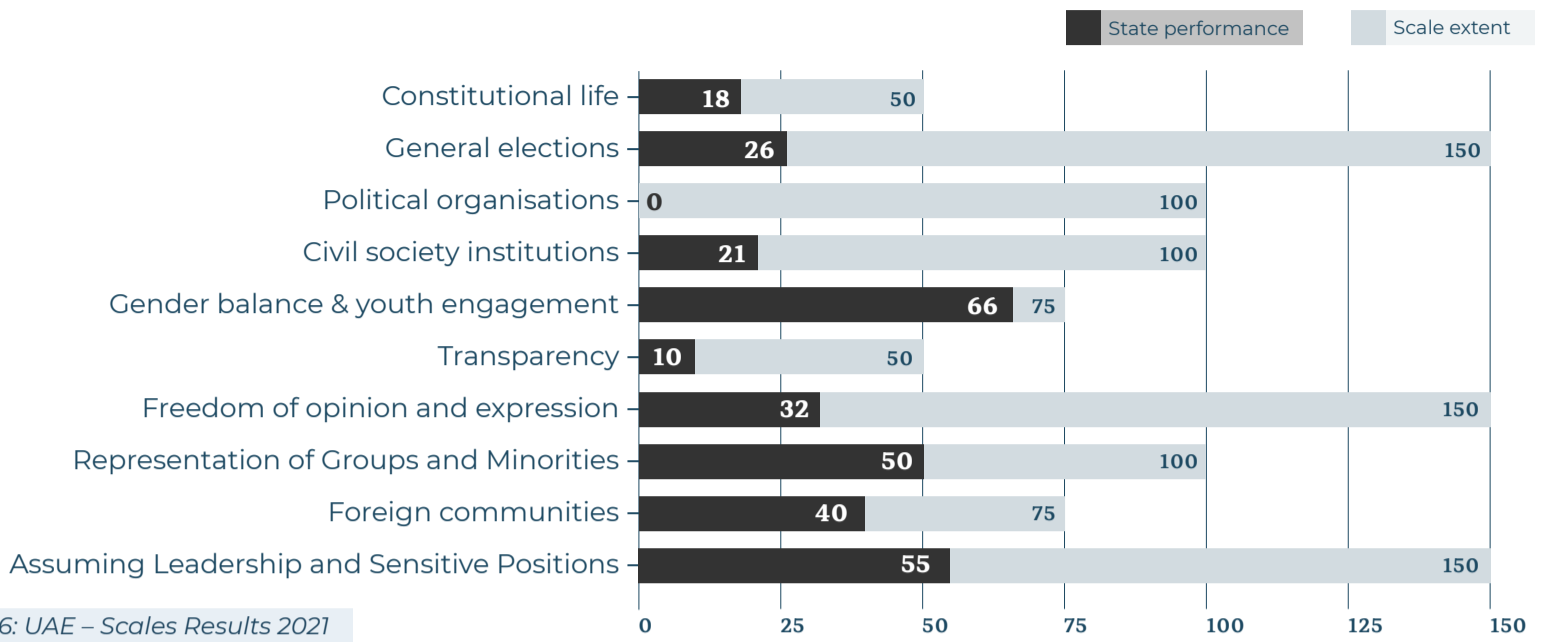


Figure 16: UAE – Scales Results 2021

With a 2-point rise compared with last year's results, the UAE has maintained its fifth rank with a score of 318. The country has maintained its position at the top on the scale of (Gender Balance and Youth Engagement) due to the special policies and procedures adopted to ensure balanced representation of Emirati women and youth in various state institutions, as well as on the (Foreign communities) scale, where it ranked equally with Qatar in the second place.

The UAE has also recorded a slight progress on the scales of (Civil Society Institutions) and (Freedom of Opinion and Expression) and a balanced rank on the scale of (Representation of Groups and Minorities), taking a step unique to all countries of the Gulf Cooperation Council by enacting the law on "criminalizing discrimination and hatred". On the other hand, the country has remained with a score of (zero) on the scale of (Political Organisations), lagging on the scale of (General Elections) and was below the rest of the GCC countries on the of the (Transparency) scale.

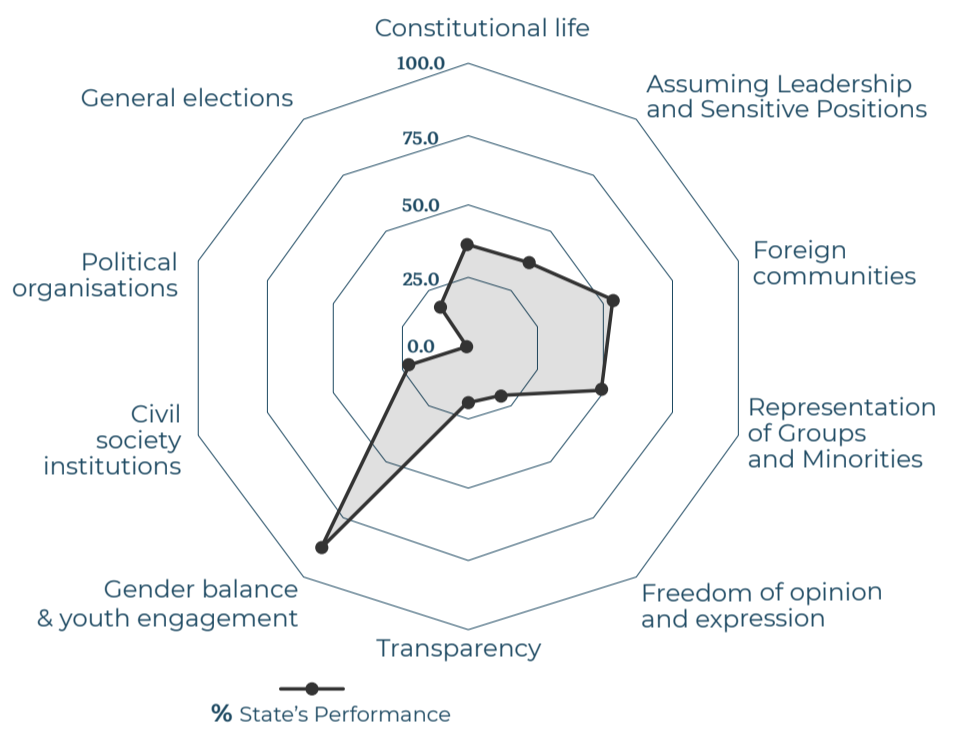


Figure 17: UAE – Political Participation 2021



Figure 18: The extent to which UAE results have changed between 2020 and 2021

2.6 Kingdom of Saudi Arabia

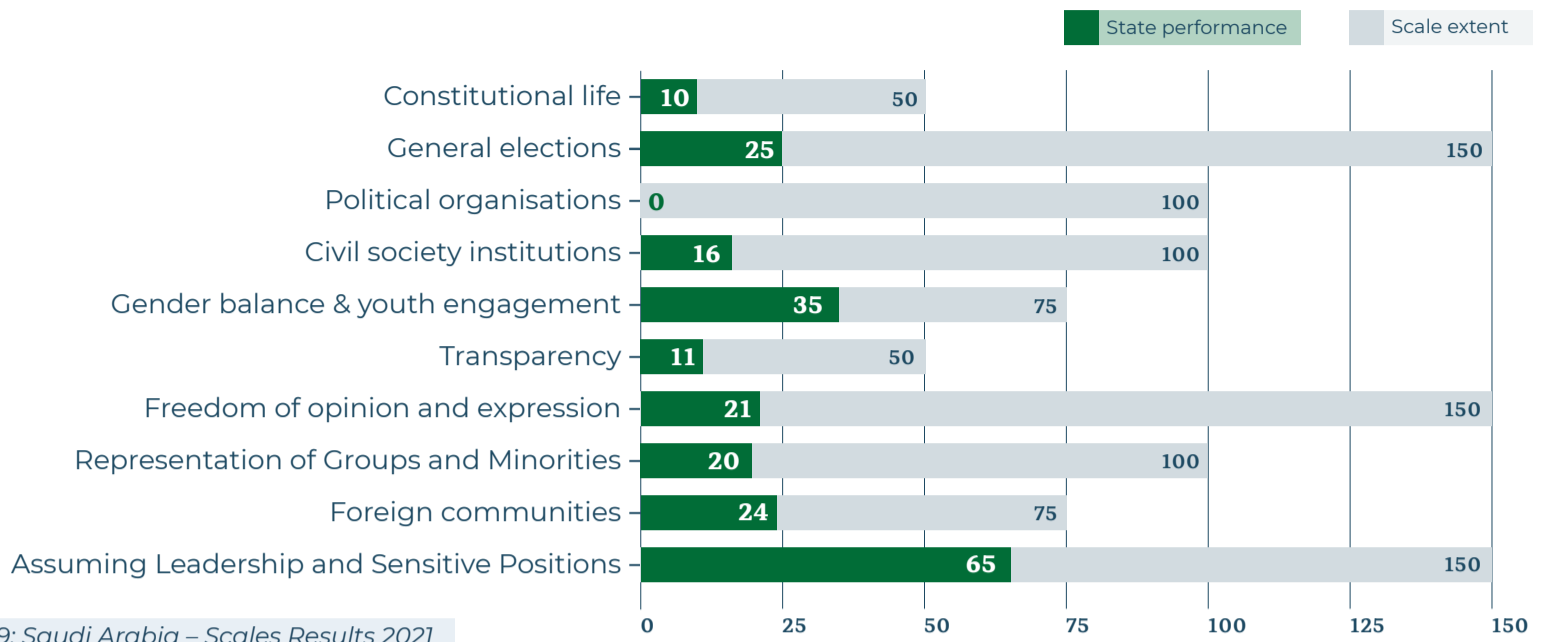


Figure 19: Saudi Arabia – Scales Results 2021

Despite achieving remarkable progress in obtaining 35 points more compared with the results of the previous year, Saudi Arabia has remained at the bottom of the ranking, with a score of 227. New policies related to residency regulations, women's empowerment, the adoption of the open-access to information system, release of some journalists and activists during this year, and expansion of the introduction and regulation of municipal council and civil society institutions contributed to this.

Saudi Arabia advanced on 6 scales: (General Elections), (Civil Society Institutions), (Gender Balance and Youth Engagement), (Transparency), (Freedom of Opinion and Expression) and (Foreign Communities). Despite that, it has continued to lag behind on most of them.

The country has remained with a (zero) point on the scale of (Political Organisations) and recorded low scores on the scales of (Constitutional Life) and (Transparency), and it has continued to rank medium on the scale of (Access to Leadership and Sensitive Positions), on which it ranked fourth.

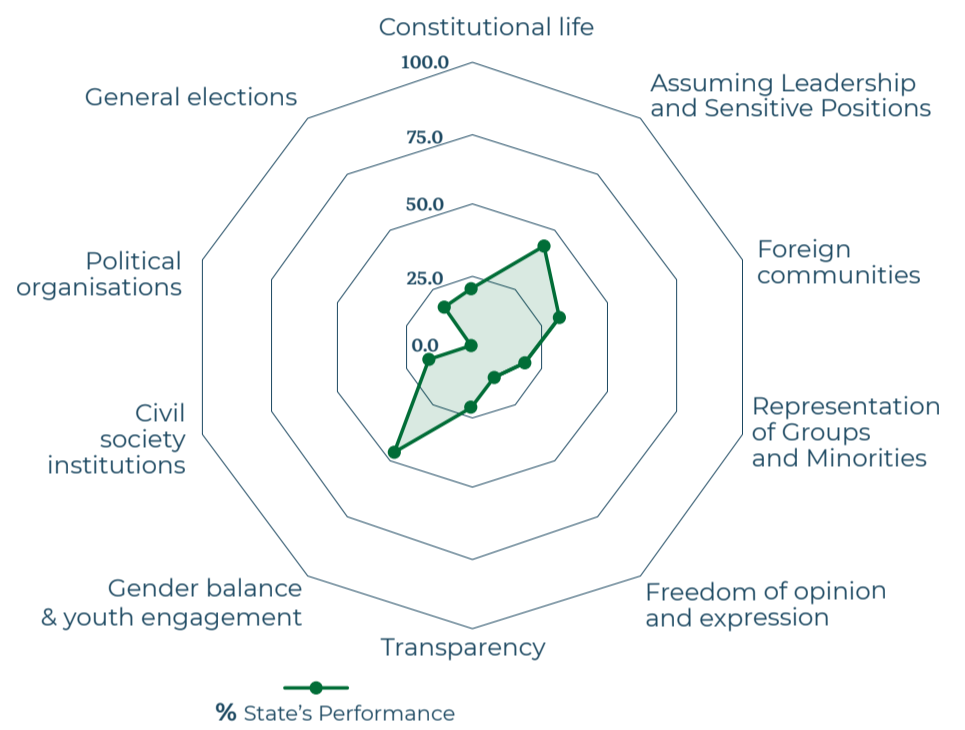


Figure 20: Saudi Arabia – Political Participation 2021

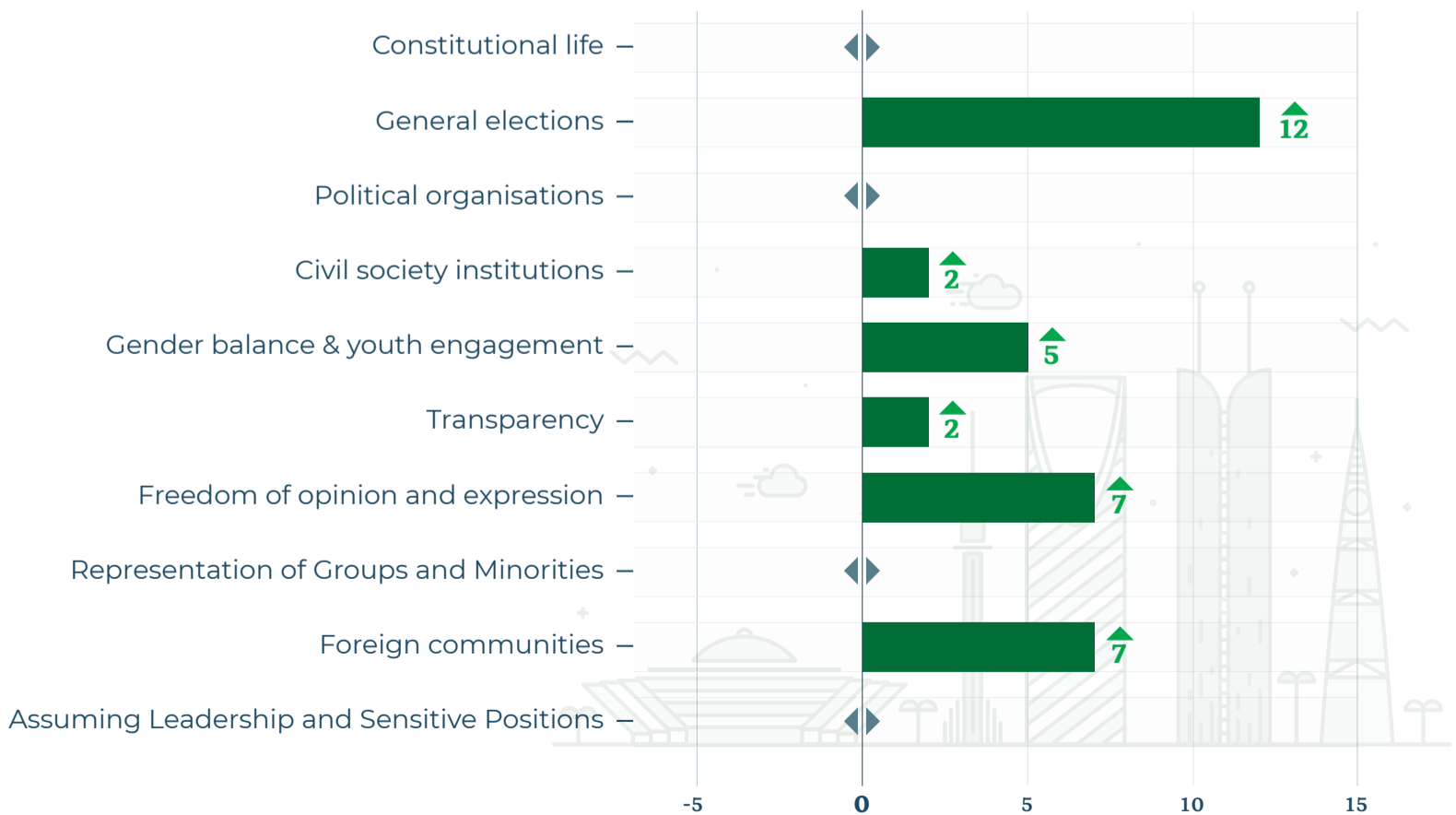


Figure 21: The extent to which Saudi Arabia results have changed between 2020 and 2021

Chapter Three: Presentation of Results

3.1 First Scale: Constitutional Life

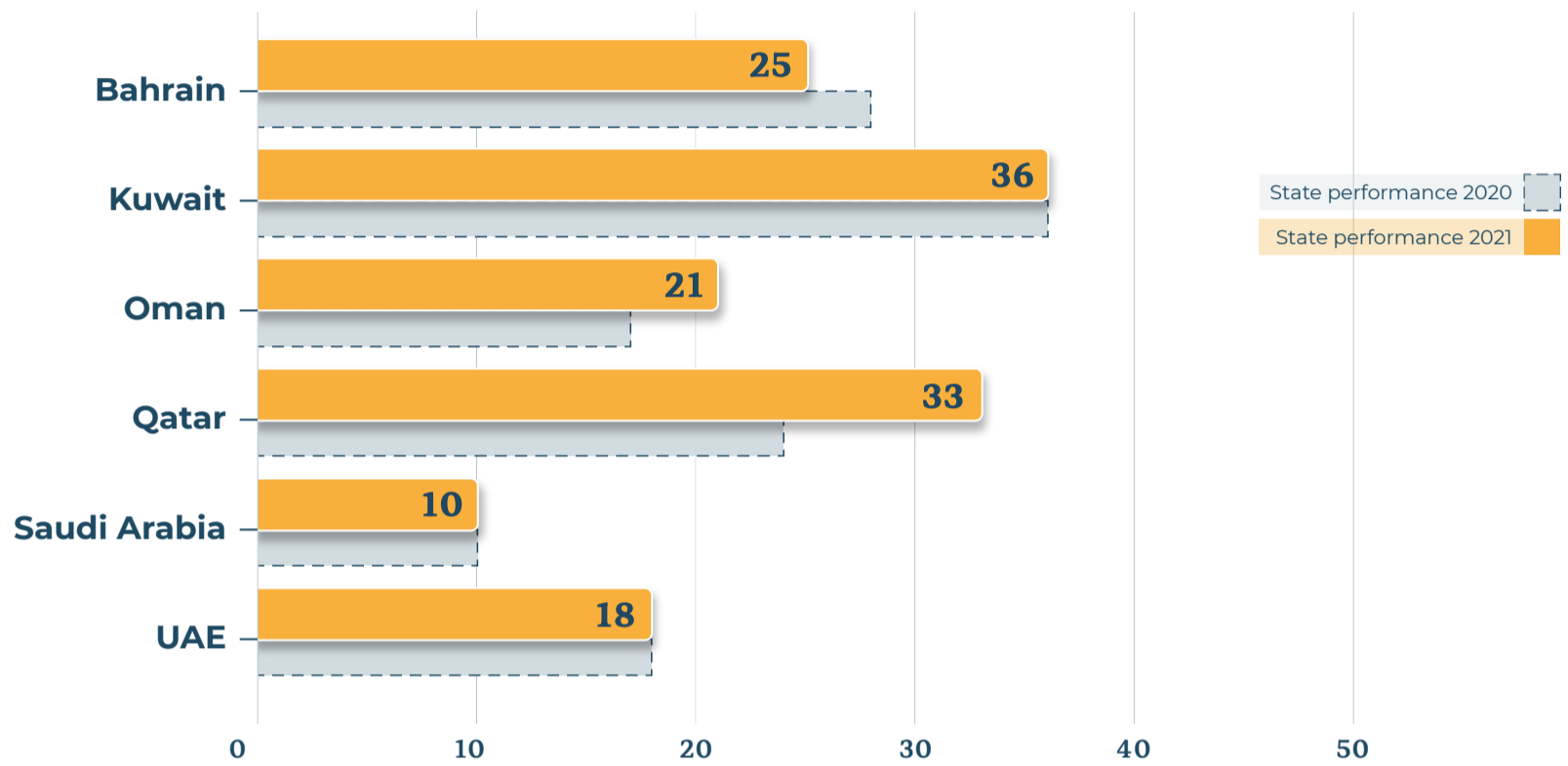


Figure 22: Constitutional Life Scale Results

Scale elements	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	5	9	1	3
Regulating / restricting laws	4	10	5	9	3	5
Compliance with the provisions of the Constitution	7	9	8	8	4	5
Total 50 Points	25	36	21	33	10	18

Table 1: Results/ First Scale – Constitutional Life Scale Points

Kingdom of Bahrain

Bahrain declined by 3 points in connection with (regulating / restricting laws) against the background of the issuance of Decree-Law 26/2020, amending Article (173) of Decree-Law 54/2002 regarding the statute of the Council of Representatives, which was subsequently approved by the Council of Representatives. The decree concerned curtails the powers of the representatives and is a clear restriction of the powers of the legislature. It is not permissible for more than ten members to participate in the general discussion. The priority of participation in the discussion shall be given to those who wish to do so from the applicants according to the order of

registering their names in the Secretariat-General of the Council of Representatives ahead of the session. The decree adds, "In all cases, the discussion period of any member shall not exceed five minutes. It is also not permissible for the discussion to include criticism, blame, or accusation, or include statements that contravene the Constitution or the Law, constitute a breach of the dignity of persons or entities, or harm the high interests of the country."

The Constitution of the Kingdom of Bahrain was issued on February 14, 2002 by royal order, and while some opposition parties describe it as a "non-

contractual” constitution, it is considered by the ruling establishment as a result of a mandate and translation of the referendum of the National Action Charter, which was approved by 98.4% of the voters in 2001.

Any constitutional amendment requires the approval and ratification of the King for amendments, which have to approved 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 text guaranteeing the right to political participation without discrimination among citizens. The Kingdom of Bahrain has a good package of laws that regulate the electoral process, including the right to vote and contest for elections; however, some of these laws include obstacles or exceptions for some groups.

State of Kuwait

The Constitution of the State of Kuwait was promulgated on November 11, 1962 through an elected Constituent Assembly consisting of twenty members, but it was not put to a direct popular referendum.

The Emir and one third of the members of the National Assembly have the right to propose a revision of the constitution, and the approval of any amendment requires the approval of two thirds of the

members as well as the ratification of the Emir.

The Kuwaiti constitution has given Kuwaiti citizens the right to political participation, which is evident in the National Assembly elections.

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

Sultanate of Oman

The Sultan of Oman, Haitham bin Tariq Al Said, issued a new Basic Law of the State on January 12, 2021, by a royal decree without a democratic mechanism to draft it or a referendum to approve it, replacing the Basic Law issued by the previous sultan in 1996.

The new Basic Law provided for a clear mechanism for succession to rule and cancelled the detailed articles related to the bicameral Council of Oman.

The new Basic Law removed all references to the army’s supervision of the transition of rule in the Sultanate. It also included the consolidation of the civil dimension in the state, including fortifying the endowment centre in the Sultanate and promoting rights and equality between women and men.

One of the influential factors, albeit indirectly, is the dismantling of the centralization of power away from the hands of the sultan to the institutions of the state. The Sultan is no longer the Minister of Foreign Affairs and Finance, and he is no longer the Chairman of the Board of Governors of the Central Bank, which is consistent with the legal and constitutional status of these institutions.

Despite the compliance to the provisions of the Basic Law, the “judicial body competent to settle disputes related to the extent to which laws and regulations are consistent with the Basic Law of the State so that its provisions are not violated has not been formed.”

State of Qatar

Qatar moved up 9 points on the (Constitutional Life) scale after the Emir announced that general elections for the Consultative Assembly, which had been suspended for 17 years since the issuance of the country’s constitution, would be held in October 2021. In May 2021, the Government approved the election law, and was subsequently approved by the appointed Shura Council.

The constitution of the State of Qatar was promulgated in 2004 after a popular referendum held in 2003 on the draft drawn up by a drafting committee composed of 32 appointed members. It

was approved by 96.6% of the voters, replacing Qatar’s first provisional basic law of governance, issued at the beginning of the seventies of the last century.

The constitution provides for a number of principles of political participation, such as freedom of assembly, association and addressing the authority. However, the organization of these principles is left to the laws that were issued in a way that restricts the exercise of some of these rights by individuals, in addition to granting the executive authority in some cases the powers of approval of such rights.



Kingdom of Saudi Arabia

The Kingdom of Saudi Arabia still relies on the Basic Law of Governance issued in 1992, which is a combination of the Shura Council system and the Council of Regions system to define the system of governance in the Kingdom. None of these three systems contains any articles defining 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 defines him as the reference for all authorities.

The terms of reference of the Allegiance Council (unelected and concerned with the sons of the founding King Abdul-Aziz Al Saud) do not seem clear in regulating the transfer of power, and its decisions do not seem necessary or binding in this regard, as the crown princes were dismissed and appointed without consulting to the Allegiance Council. Accordingly, there does not appear to be an explicit text that can be referred to as a legal reference.

The United Arab Emirates

The Constitution of the United Arab Emirates was promulgated as a temporary constitution in 1971, and it was declared a permanent constitution for the country in 1996 by the Federal Supreme Council, the highest constitutional authority in the country and the key legislative and executive body that formulates public policies and approves federal legislation.

None of the members of the Federal Supreme Council is elected, and the constitution was not put 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.



3.2 Second Scale: General Elections

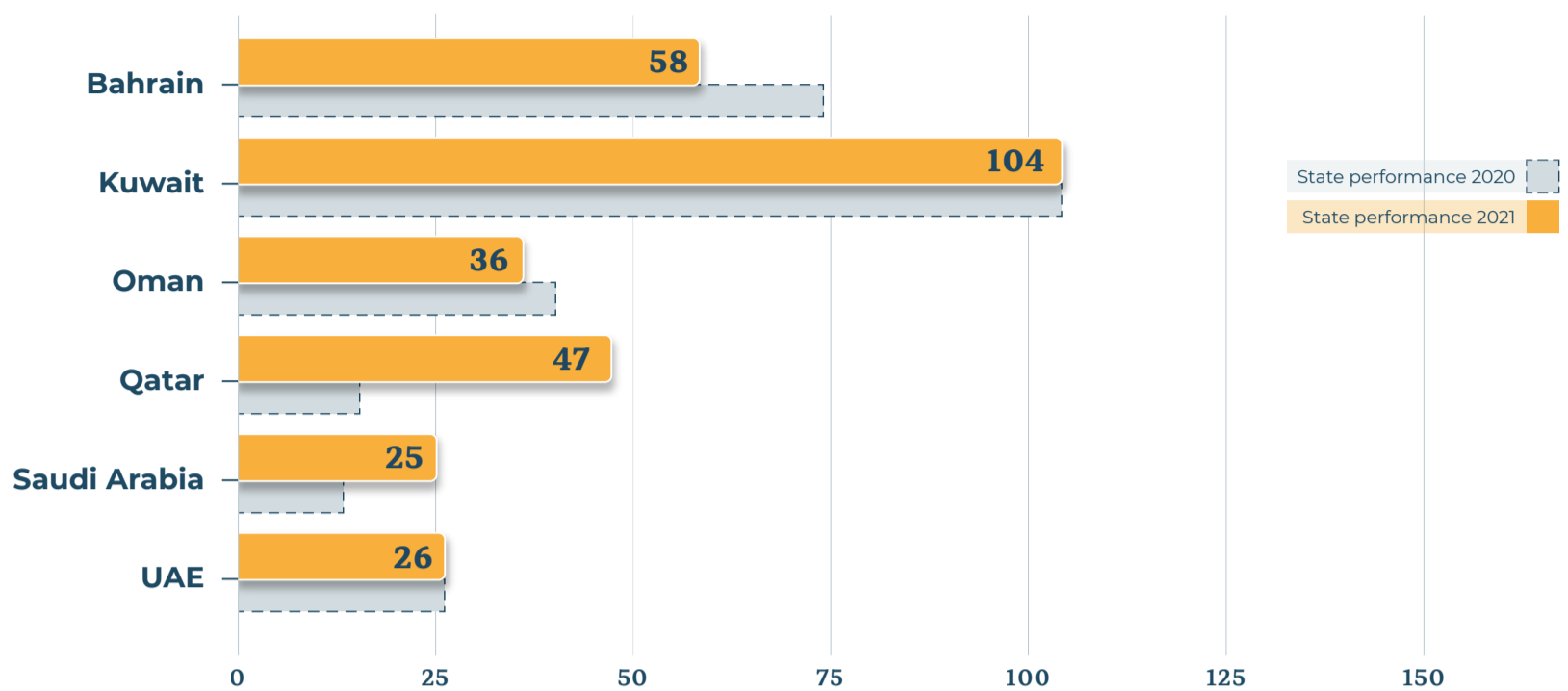


Figure 23: General Election Scale Results

Scale elements	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Electoral Areas (governmental, representative and municipal councils) 20 points	8	9	4	7	2	3
Power of elected institutions (authority / separation of powers / oversight / legislation / accountability /partnership in decision making / powers to dissolve institutions) 50 points	15	37	10	26	9	9
Effectiveness and efficacy of elected institutions 40 points	15	28	10	4	6	11
Mechanism for drafting the electoral system and drawing districts 40 points	20	30	12	10	8	3
Total 150 Points	58	104	36	47	25	26

Table 2: General Election Scale Points

Kingdom of Bahrain

Bahrain recorded a 16-point decline in connection to (governance of elected institutions) and (efficacy and efficiency of elected institutions) against the background of the issuance of Decree Law No. (26) of 2020 related to amending the statute of the Council of Representatives, which curtails the powers of representatives, imposing restrictions of the powers of the legislative authority.

Although there have been periodic direct parliamentary and municipal since 2018, several laws have been in force that prevent anyone who was a member of a judicially dissolved political association from running for elections, and all those convicted of criminal penalties are also denied this right, even if special a pardon has been granted or they have been rehabilitated.

These laws are considered permanent obstacles that deprive those affected of the right to contest an election for life. These provisions also apply to elected members who have decided to terminate their mandate unilaterally or leave parliamentary work in a manner that is considered as “intentionally harming or disrupting the functioning of constitutional or parliamentary life,” according to the law.

Although the parliamentary and municipal electoral process has continued since 2002, the High Elections Committee is still affiliated with the government and is not independent. Clear violations of the provisions of the constitution have not been recorded, but it is possible to note that some articles of a number of laws issued may contradict the principles and rights stipulated in the constitution.

The Municipal Council of the Capital Governorate is the only one (among the four governorates of the country) that has been formed by royal decree since 2014. The laws grant residents the right to vote – without running for office – in municipal elections, provided they own real estate in the country, allowing this category to have good proportional participation.

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

The constitution and relevant laws restrict the powers of members of the legislative authority (Council of Representatives). While the right to question ministers is allowed, the Prime Minister is exempted from this, and the Council of Representatives does not have the power to grant confidence to the government or withdraw it from it, but it has the power to grant confidence to the government’s program. The constitution includes explicit texts about the mechanism of 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), a matter to be referred to the king for final decision.

However, no case of dismissal of a minister has been recorded so far through this mechanism, which requires a two-thirds majority of the members of the Council of Representatives.

In accordance with the constitution, the detailed annual financial and administrative oversight, falls within the jurisdiction of the Financial and Administrative Audit Office (National Audit Office), affiliated to the King. The statute of the Council of Representatives restricts their roles within the Council, as it specifies for the deputy to not exceed more than one question per month, and a parliamentary committee is assigned the task of examining the “seriousness” of interrogation requests submitted by representatives and decide on their validity.

The King has the power to dissolve the legislative authority after consulting with the chairpersons of the Council of Representatives and the Shura Council or based on the opinion of the Prime Minister. In accordance with the constitution, the king has a direct role in the legislative process by issuing decrees that have the force of law (unless one of the two chambers rejects them later). It is noted that the king makes frequent use of this right. The King also exercises an indirect role through the appointment of all members of the Shura Council.

State of Kuwait

Despite the Covid-19 pandemic, the first elections for the National Assembly after the transfer of power to the new Emir, Shaykh Nawaf Al-Ahmad Al-Jaber Al-Sabah were held in December 2020. The Government’s legal challenge against the membership of an opposition member in the National Assembly before the judiciary, up to the Constitutional Court, sparked controversy over the extent of the Constitutional Court’s jurisdiction in deliberating this case.

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.”

The law also prohibits those naturalised citizens 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 Constitution 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 utilise 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

The new Basic Law of the State included amendments turning the supervisory powers of the Shura Council from rights stipulated in the previous Basic Law, into powers regulated by law. These powers or their significance have also been curtailed, including those related to interrogation, initiating no-confidence motion, and performance measurement. The practical effects of these amendments are not clear on the ground so far.

The new Basic Law and administrative regulation provide for the formation of a committee under the Sultan to oversee and monitor the performance of the Council of Ministers (the executive branch). The government has also directed the Shura Council to delete the word “parliament” from the names of the administrative units and the council’s organizational regulations. Elections are held 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 leaving the service.

The law does not regulate the issue of campaign financing, but it applies stricter the penalties for buying and selling votes.

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. Qatar advanced by 32 points after the announcement that Shura Council elections will be held in October 2021, formation of a Supreme Committee for Elections, the issuance of the election law, and the decision of the Ministry of Interior to divide the country into 30 electoral districts. However, drawing the districts and voter registration have been the subject of internal debate for adopting of tribal classifications.

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, which 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 up the constituencies.



Kingdom of Saudi Arabia

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.

According to recent statistics, there are 284 municipal councils in various regions and governorates of Saudi Arabia, while the number of members has reached 3,159, including 2,106 elected members. It is noted

that there is a dynamic in the development of the experiment of the municipal councils and stability in the periodicity of elections compared to the beginning of the work of the councils.

The experiment of municipal councils is the only experiment – in recent time – in which election is held to elect two-thirds of the seats in each council, while the Minister of Municipal and Rural Affairs appoints the remaining third. The first municipal electoral process was held in 2005, followed by 2011 and 2015.

The authority charged with setting up the electoral mechanism into a system and districts is the Ministry of Municipal and Rural Affairs, which has the authority to amend the electoral system and the districts.

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, 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.



3.3 Third Scale: Political Organizations

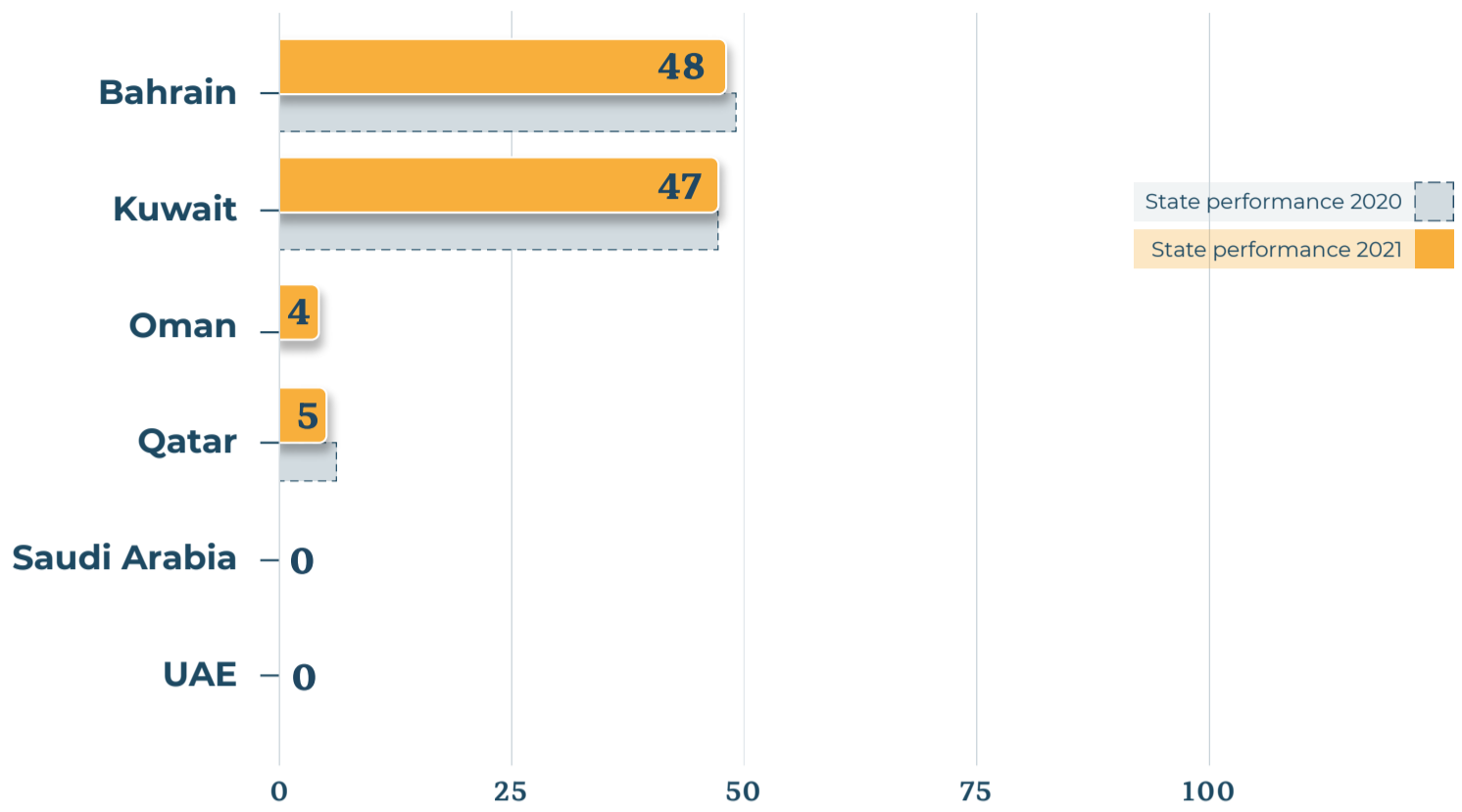


Figure 24: Results/ Third Scale – Political Organisations

Scale elements	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	6	20	4	5	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	48	47	4	5	0	0

Table 3: Results/ Third Scale – Political Organisations

Kingdom of Bahrain

The Kingdom of Bahrain has a law that regulates the work of political organisations as “political societies,” which exercise political activities 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 of 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 organisation, 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, affiliated to the King's Court.

State of Kuwait

There is no law in Kuwait that legalises 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 action of these blocks and their funding sources.



Sultanate of Oman

The Sultanate of Oman has moved up by 4 points based on indicators of the progress made in the legal environment for the safety of those involved in political work following the promulgation of Royal Decree No. 46/2020 approving the Sultanate of Oman's accession to the International Covenant on Economic, Social and Cultural Rights, Royal Decree No. 44/2020 approving the Sultanate of Oman's accession to the International Convention for the Protection of All Persons from Disappearance, as well as Royal Decree No. 45/2020 approving the accession of the Sultanate to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The Sultan also announced an amnesty for some human rights activists outside the Sultanate. He also restored citizenship to two of the grandchildren of the last ruling imam. Finally, he allowed the return of the last Sultan of Zanzibar (Jamshid bin Abdullah Al-Busaidi) to the Sultanate.

Forming or joining political organisations is criminalised 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 regulate the exercise of these rights have not yet been issued.



State of Qatar

Qatar has recorded a 1-point decline due to the arrest of a number of citizens after gatherings protesting the citizenship law and the right to run in the Consultative Assembly elections.

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



Kingdom of Saudi Arabia

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

In accordance 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 active political groups (internally or externally) are not officially recognised. Some are organised in overt, secret or semi-secret organisations, 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 have exposed organisers to harassment, imprisonment, citizenship revocation or deportation.



3.4 Fourth Scale: Civil Society Organisations

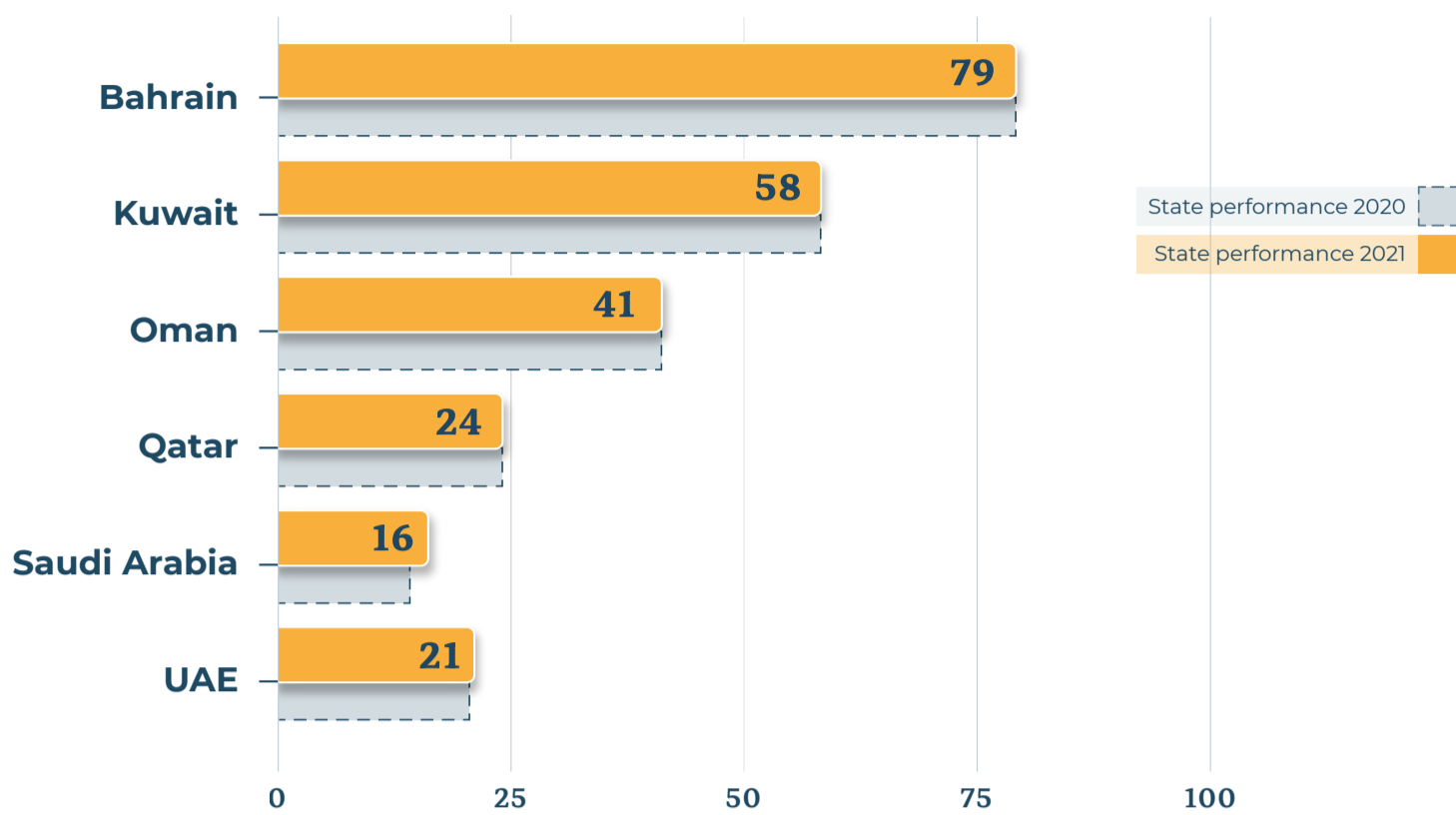


Figure 25: Results/ Fourth Scale – Civil Society Organisations

Scale elements	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	8	13
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	16	21

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 right to strike, but in recent years extensive restrictions have been placed on organising 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 activity and action 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 organise 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 organised in the past. It is noticeable that the Government interferes in financing trade union organisations, all of which receive various forms of funding, and some of which receive funding continuously 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 a 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 labour 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 a space of free trade union action uncontrolled by the Government.

State of Qatar

Qatari law grants the Minister of Interior the right to approve or reject the formation of civil organisations, 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

There has been an increase in the number of NGOs, reaching 2,158, according to data from the Ministry of Human Resources and Social Development.

The organisation of civil society organisations is considered late in Saudi Arabia, and it began with the issuance of a special royal decree in 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 organisation will operate. Human rights groups have documented that a number of requests which have not been approved by the relevant authorities, while some activists have been arrested for their activities in organisations deemed by the state as “unlicensed.”

Saudi legislation lacks a law on trade unions, and there are no labour organisations in the country, with the exception of some associations and bodies involving some professions.

The United Arab Emirates

In April 2021, the Federal National Council approved a law to establish a national human rights body whose mandate is to monitor “the compliance of national legislation and laws with international charters, covenants and agreements on human rights.” It is hoped that the promulgation of this law will contribute to the development of an appropriate infrastructure to enhance the role and effectiveness of civil society institutions.

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 organisations, 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 labour 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.

3.5 Fifth Scale: Gender Balance and Youth Engagement

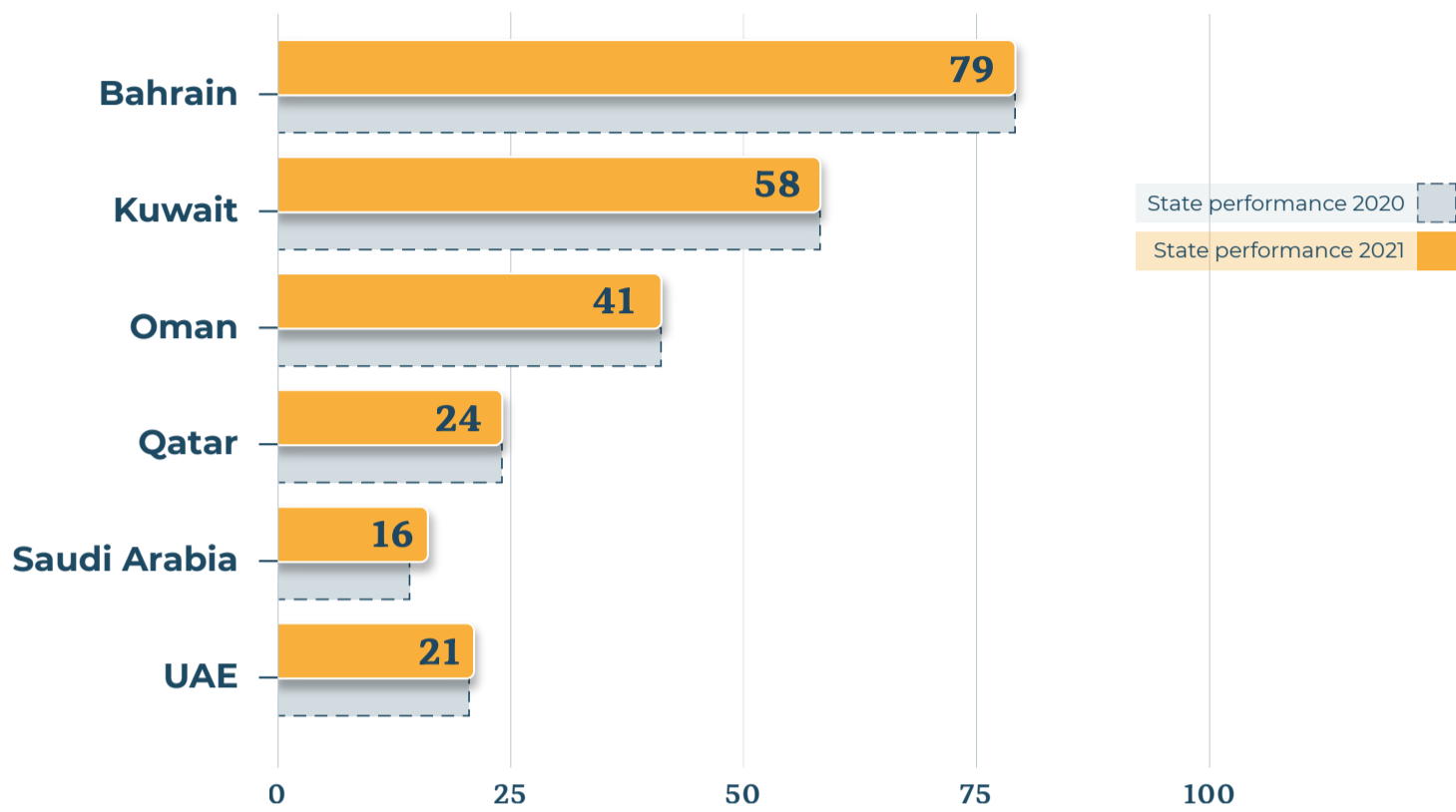


Figure 26: Results/ Fifth Scale – Gender Equality and Youth Engagement

Scale elements	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 Equality and Youth Engagement

Kingdom of Bahrain

Bahrain has recorded progress by 3 points due to an increased focus in new government appointments on the youth category in senior positions, including administrative bodies and departments affiliated to the Council of Ministers (the Cabinet).

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.

Despite the improvement made in this regard, there is no clear policy relating to involving the youth in the decision-making process.

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 to 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.

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 be 30 years old, 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

Oman has moved up by 8 points against the backdrop of an inclusion of an article in the new Basic Law of the state regarding gender equality making it a duty of the state. It is also noted that women's representation has been enhanced at the level of appointments of ministers and undersecretaries, in addition to promoting youth participation in ministerial formation and at the level of undersecretaries, although it is not clear that these measures are carried out under a clear or official policy.

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 senior positions in

the State. In this context, the authority relies on royal directives and decisions in addition to references in national speeches.

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



Kingdom of Saudi Arabia

Saudi Arabia has moved up by 5 points. In addition to the fact that the percentage of women representation in the Shura Council has remained unchanged at 20%, a woman has been appointed as deputy speaker of the Shura Council. In April 2021, a woman ambassador to Sweden and Iceland was appointed, bringing the number of women ambassadors to 3. According to the figures of the General Authority for Statistics, the participation of women in the labour market has increased from 19.3% in 2016 to 33.2% in 2020.

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. 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 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 sections 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.



3.6 Sixth scale: Transparency

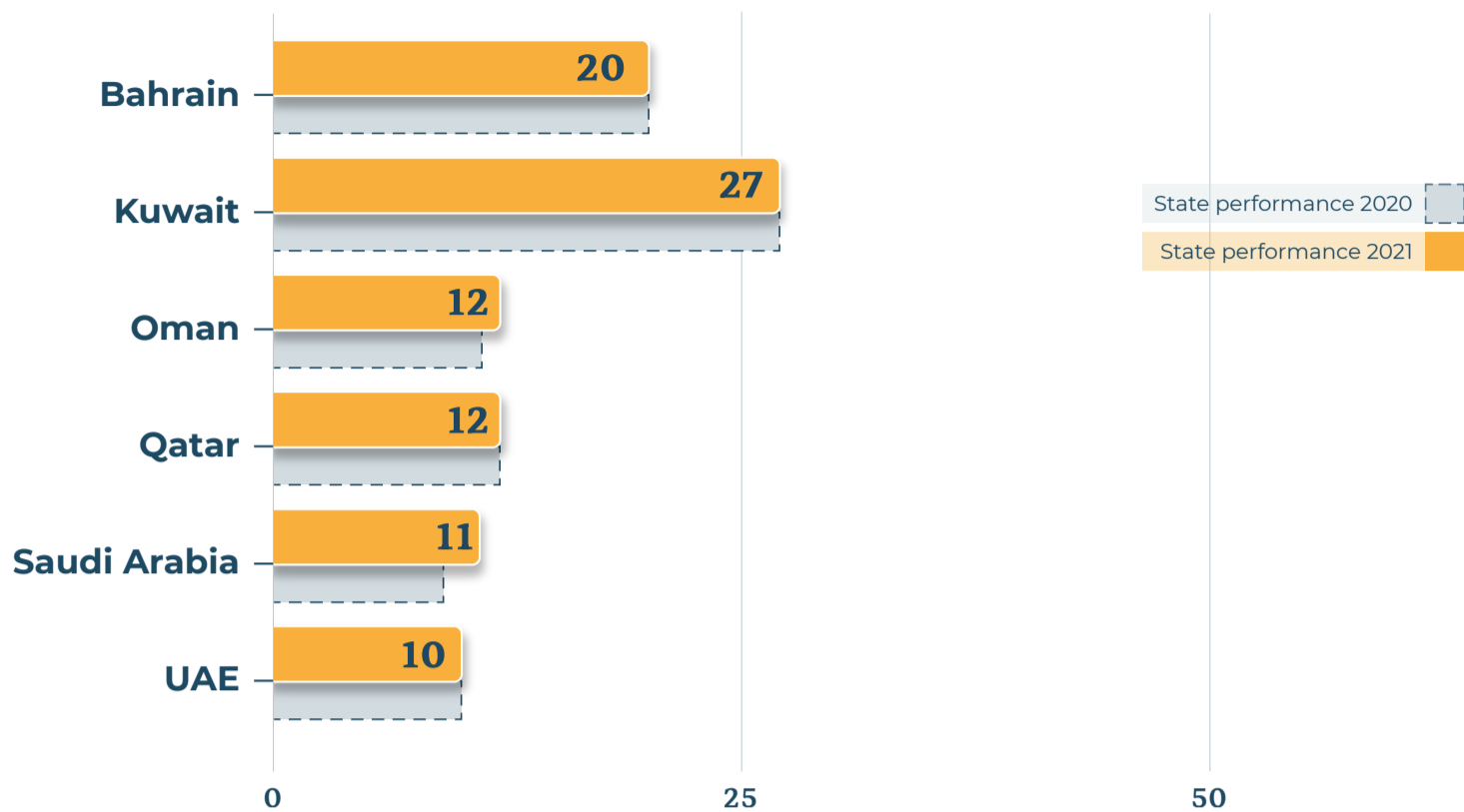


Figure 27: Results/ Sixth Scale – Transparency

Scale elements	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Information sharing: right to access, circulate and disseminate Information 25 points	10	12	7	7	6	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	12	12	11	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, all through the employment of the Penal Code, which includes imprisonment and financial fines in

accordance with Articles 168 and 169.

With regard to community oversight, the Bahrain Transparency Society was licensed in 2001, but it is not specialised 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 “certain” 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 Kuwait Association for Protecting 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 has been a noticeable increase in the statements and clarifications that are made available to the public about some government decisions and an attempt to involve the public, although this is still unidirectional, meaning that it comes from the Government alone.

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 criticised by Amnesty International) serve as a controlling power. The Qatari Council of Ministers and the Shura Council approved a new law that organises 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 specialised 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

In February 2021, the Shura Council approved the Personal Data Protection and the Freedom of Information laws. Despite the adoption of the principle of transparency and disclosure of information, the right to obtain it is still restricted by loose political and security controls and determinants.

According to human rights organisations 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 decline in press freedom, and anti-terrorism and cybercrime laws give the courts a free hand in imprisoning 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 civil institution concerned with transparency and scrutiny in the areas of disbursement of public funds, despite the popular demands through 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 popular participation, there are no civil society institutions specialized in transparency and scrutiny of disbursement of public funds.

3.7 Seventh Scale: Freedom of Opinion and Expression

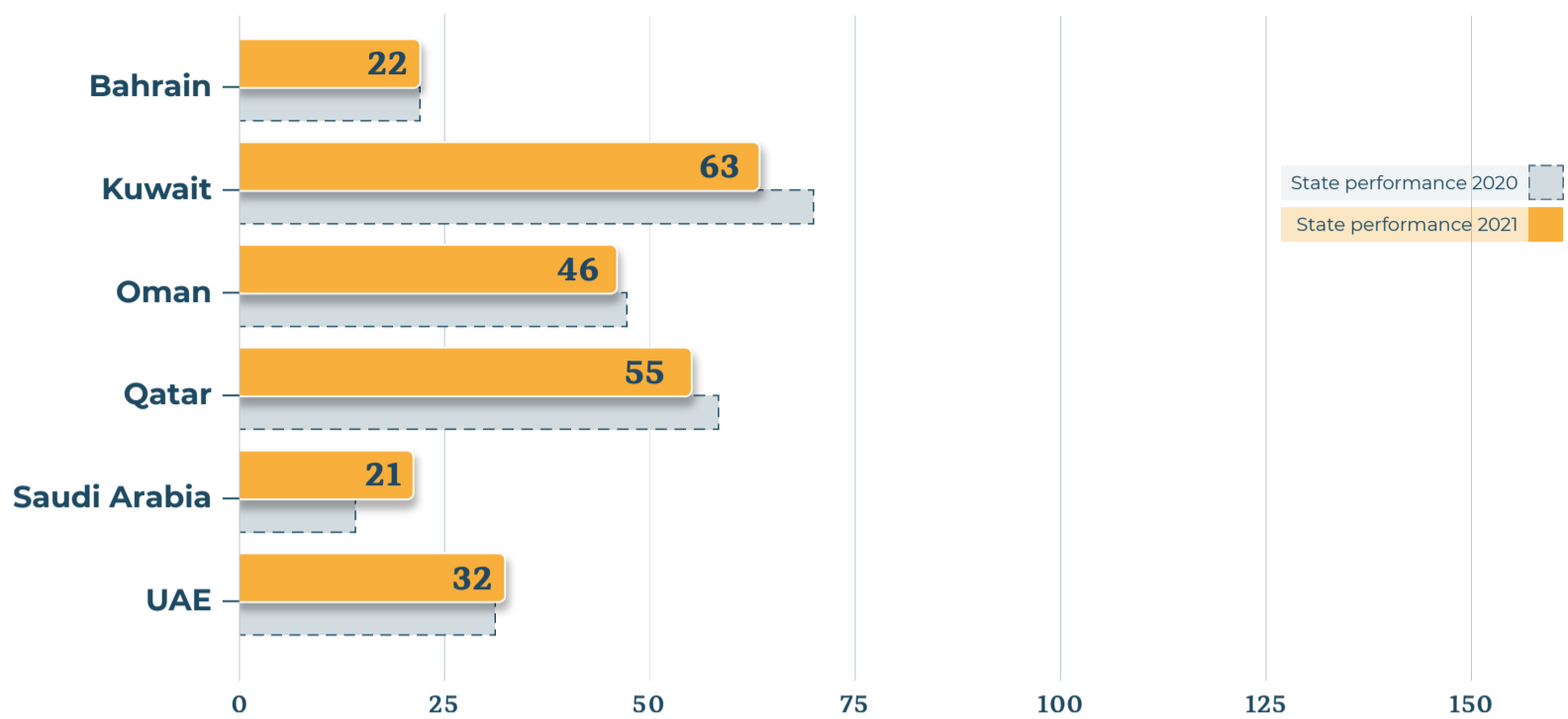


Figure 28: Results/ Seventh Scale – Freedom of Opinion and Expression

Scale elements	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 (according to Bahrain Press Association and Bahrain Center for Human Rights).

Bahrain slipped one rank from the 2020 ranking on the World Press Freedom Index, compiled by Reporters Without Borders (RSF) for the year 2021. Out of 180 countries assessed by the report, Bahrain ranked 168. The Committee to Protect Journalists – the United States – ranks Bahrain among the worst

countries. Bahrain is also accused of having spied on a number of its citizens inside and outside the country through the Israeli Pegasus program.

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-Cybercrime Directorate pursues social media activists, subjecting 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 stipulates penalties of imprisonment

and a fine for anyone who "publicly incites hatred or contempt for a group of people, if such incitement is likely to undermine 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 recorded a 7-point decline as authorities have continued to use the cybercrime law to restrict freedom of opinion and expression, with a focus on targeting activists on social media platforms. In 2020, Human Rights Watch reported that the Interior Ministry's Cybercrime Department interrogated or arrested at least five activists and human rights defenders for their comments on their twitter accounts.

According to Amnesty International, in January 2020, a Kuwaiti criminal court passed prison sentences ranging from life to ten years against three "stateless" men, including one who was sentenced in absentia, because of their activism. The court released the remaining 12 on bail and a two-year peace bond (pledge) of good behaviour. In August, a Kuwaiti activist nicknamed "Bu Asam" was arrested after he was accused of "contempt of religion" in one of his tweets. He was later released.

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

According to Reporters Without Borders' classification, Kuwait ranked 105th in the world press freedom rating (the 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. The State does not deal repressively with every criticism

of the Government and its performance, but it strictly punishes any opinion that criticises 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. 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, colour, origin, religious sect, gender, lineage, or incitement to violence. Despite this, there is documentation of hate speech on sectarian grounds and towards migrant workers.

Expatriate workers in Kuwait have been subjected to a wave of verbal hatred and accusations levelled against them through social media. It has also been noted that Egyptian workers in particular suffered from this wave, as Egyptians are publicly attacked through statements by a number of personalities, and media leaks that the government will reduce the number of Egyptians in the country. Twenty-five Kuwaiti organisations issued a "civil society declaration" to counter incitement and hate speech during the Corona pandemic in Kuwait.



Sultanate of Oman

Because of the amendments made to the Press and Publications Law, which includes websites, pressure on online press organisations has been documented on the grounds that they are illegal when trying to bypass Government policies. The blocking of the Club House application and the Muwatin Media Network news website has also been documented.

Omani citizens have been subjected to arrest, interrogation and coercion, cases which have been documented by local and international human rights organisations. In its 2021 World Press Freedom Index, Reporters Without Borders ranked Oman 133rd out of 180 countries.

In general, 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 organisation, 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 Cybercrimes. 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 levelled 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 dropped by 3 points due to the authorities' arrest of seven citizens for protesting against the Consultative Assembly elections law. In May 2021, the authorities also arrested the Kenyan activist Malcolm Bidali, who was publishing reports about the migrant workers' rights, after being accused of receiving payment to spread disinformation.

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-Cybercrime Law issued in 2014, which received widespread criticism from international human rights organisations. 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-Cybercrime 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 criminalise 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 expatriate workers.

Kingdom of Saudi Arabia

The 2021 World Press Freedom Index compiled by Reporters Without Borders (RSF) ranked Saudi Arabia 170th out of 180 countries.

Despite the release of some journalists and activists this year, dozens of citizens are subject to closed trials related to exercising freedom of opinion and expression and criticising the authorities, and many of them are serving prison sentences. Some prisoners (according to Amnesty International and Human Rights Watch) are also subjected to systematic torture. The Committee against Torture had confirmed in a report that Saudi Arabia is a country that practices torture. There is no free media in Saudi Arabia, and journalists and activists are subject to tight surveillance. Penal, anti-terrorism and anti-cybercrime 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 normalising 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 Cybercrime 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 Shia, 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 in the UAE faces restrictive measures, and the State relies on high levels of self-censorship. The penal code criminalises insulting the rulers of the Emirates or criticising the ruling families of the seven emirates as well as the governments of friendly countries. The UAE is accused of spying on individuals, activists and politicians inside and outside the country through the Israeli Pegasus program.

According to Reporters Without Borders (2021), the UAE (which ranks 31st on the 2021 World Press Freedom Index), has become proficient in electronic surveillance of journalists, who are regularly targeted by the State through the Cybercrime 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 organisations 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 Cybercrimes. 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.

In a number of articles, UAE laws criminalise incitement to hatred, division, or anything that would harm national unity or social peace. If religion, religious institutions, or any public institutions or civil organisations are used for these purposes, this is considered a compounding circumstance to double the penalty. Despite this, cyberspace is awash with sectarian posts from some of the tweeters who are not subject to any legal prosecution.



3.8 Eighth Scale: Representation of Groups and Minorities

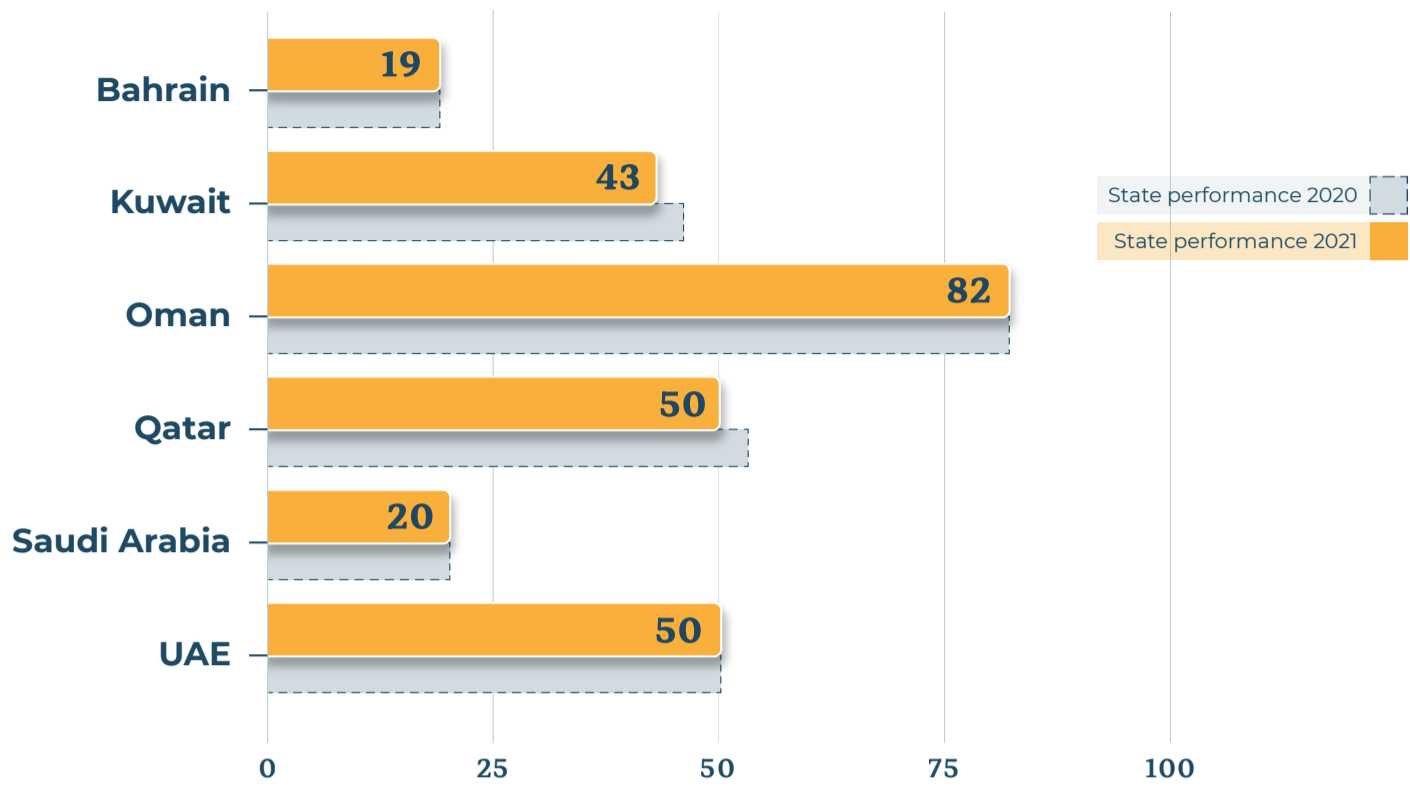


Figure 29: Results/ Eighth Scale – Representation of Groups and Minorities

Scale elements	Bahrain	Kuwait	Oman	Qatar	KSA	UAE
Equality: ensuring the equal right of all citizens to full citizenship 40 points	12	15	35	21	7	20
Discrimination: ensuring that there is no discrimination on political, religious, cultural, regional, ethnic, or class grounds 40 points	5	20	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	10	7	10
Total 100 Points	19	43	82	50	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 doctrinal discrimination (according to the periodic review of human rights during the past ten years, Amnesty International, and reports of the US and British Foreign Ministries). The Shia 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 criminalising discrimination in Bahrain, and the Government has previously rejected a proposal submitted to the Council of Representatives to this effect.

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

Kuwait regressed on this scale by three points due to the aggravation and persistence of the bad situation experienced by the stateless (Bidoon). Human rights groups documented an increase in suicides—including a case involving a child – committed by a number of Bedoons due to their poor humanitarian conditions. The stateless (Bidoon) issue represents the harshest manifestations of discrimination in the State, and this group is considered the minority most marginalised in Kuwait. They are deprived of citizenship rights, as well as access to positions and representation in the State.

The Constitution 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 criminalises discrimination, but in 2021, a Law on the Protection of National Unity and Rejection of Hate was enacted, yet it does not seem sufficient to address the gaps and manifestations of discrimination 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 criminalising discrimination.

The Sultanate 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 Labour 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 criminalises insulting religions (Articles 269 and 273). Discrimination is also interpreted as inciting religious, sectarian or tribal strife, which is also criminalised 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

Qatar has regressed 3 points in the elements of (equality) and (proportional representation) owing to the Consultative Assembly elections law, which bars “naturalised” Qataris from the right to run for office.

The Qatari Constitution stipulates that citizen 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 naturalised 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. It is noted that 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 criminalises or prosecutes acts of racial discrimination and racial segregation that may be committed by individual, groups or organisation.

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 marginalised minorities compared with some other groups in society, such as Shia and citizens of Persian descent or those of black African backgrounds.

Kingdom of Saudi Arabia

According to the US State Department’s March 2021 Religious Freedom Report, Saudi Arabia is designated a “Country of Particular Concern” for its involvement in systematic, ongoing, and egregious violations of religious freedom. As for the Religious Freedom Report issued by the British Foreign Office for the year 2021, it confirms that Saudi Arabia is among the few other countries that systematically persecute religious minorities.

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 (according to 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 criminalising 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 of 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 regarding race, nationality, religious belief or social status.” Nevertheless, there is implicit discrimination in enjoying some rights or preferential treatment related to whether a citizen’s nationality is acquired by law, naturalisation, or dependency in accordance with the provisions of the law (the UAE Nationality Law). Discrimination in this regard includes denying Emirati citizens by naturalization or dependency from running for office or voting in elections and citizenship revocation 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 labour 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 criminalise discrimination. In the event 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), 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 organisations (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.



3.9 Ninth scale: Foreign Communities

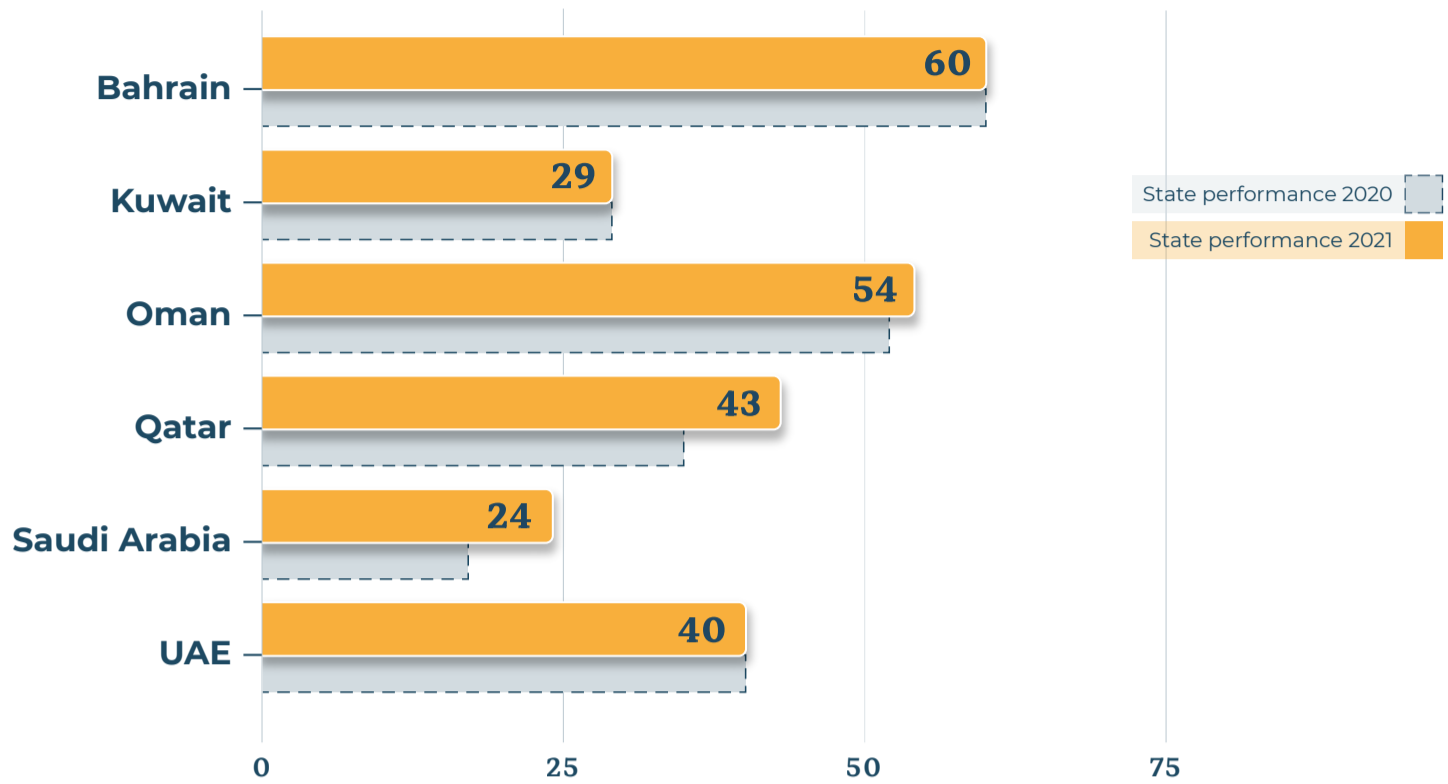


Figure 30: Results/ Ninth Scale – Foreign Communities

Scale elements	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	22	23	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	54	43	17	40

Table 9: Results/ Ninth Scale - Foreign Communities

Kingdom of Bahrain

Bahrain provided services to protect migrant workers from the Covid-19 pandemic, allowing them to renew residence permits, exempting residency law violators from legal prosecution, and providing medical care and vaccinations.

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 Labour and Social Development guide, there are 37 expatriate community-based organizations and societies, in addition to 19 community organisations as well, ranging from cultural to sports clubs.



State of Kuwait

The State of Kuwait joined the International Labour 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 three years of work without any conditions. However, these reforms do not include migrant domestic helpers and workers. A large number of migrant

workers fall prey to residency dealers.

Foreigners do not have the right 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 labour 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 organise their national, social, sports and religious activities on a small scale.

Sultanate of Oman

Oman has advanced by 2 points on this scale following the Omani Government's abolition of the No-Objection-Certificate (NOC) system, which required foreign workers to obtain a no-objection certificate from the sponsor before moving to another sponsor. The new system considers the contract period (two years) sufficient to fulfil the right of the first sponsor, after which the worker can transfer sponsorship freely. However, there are still practical challenges in terms of practice and application.

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

Foreigners residing in the Sultanate of Oman are not permitted to participate in the municipal elections, which 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 a migrant worker and his/her 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 organise their own social, cultural and sports activities, as well as establish and manage private associations or clubs.

State of Qatar

Qatar has advanced by 8 points on this scale after the adoption of Law No. (18) of 2020, which abolished the requirement for migrant workers to obtain permission from their employer for transfer to another employer.

In addition to the decision to abolish the exit permit, the law establishes the abolition of the sponsorship system.

Law No. (17) of 2020, which sets a minimum wage of 1,000 Qatari riyals (\$275), was also adopted. In addition to the minimum basic wage, employers must also ensure that workers are provided with decent housing conditions and food (International Labour Organization).

Qatar allowed the presence of an ILO office on its territory and began implementing a technical

cooperation program with the ILO with the aim of carrying out reforms.

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, as well as 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 has moved up 7 points with a marked improvement in residency regulations. In March 2021, the Ministry of Human Resources and Social Development issued the "Initiative to Improve the Contractual Relationship," which included a number of policies and controls, among which approving the employment contract system between employers and expatriates, replacing the sponsorship system. A report on the rights of migrant workers in the Middle East on March 14, 2021, stated that "Improving Contractual Relationship Initiative" applies to migrant workers who fall under the umbrella of the labour law, with the exception of domestic workers and those engaged in herding, guarding, and private transport, who are considered the most vulnerable groups.

On December 7, 2020, Saudi Arabia deposited the instrument of ratification of the Protection of Wages Convention, 1949 (No. 95) and the Hygiene (Commerce and Offices) Convention, 1964 (No. 120), which were placed in the category of guarantees to protect the rights and welfare of workers, especially in light of the Corona pandemic.

In April 2021, Saudi Arabia ratified the Protocol of 2014 to the Forced Labour Convention No. (29) of 1930 relating to forced labour which protects workers from fraudulent and abusive employment practices.

Saudi Arabia joined the International Labour 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.

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 labour 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 labour 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 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 organisations 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 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 expatriate communities can organise 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.



3.10 Tenth scale: Assuming Leadership and Sensitive Positions

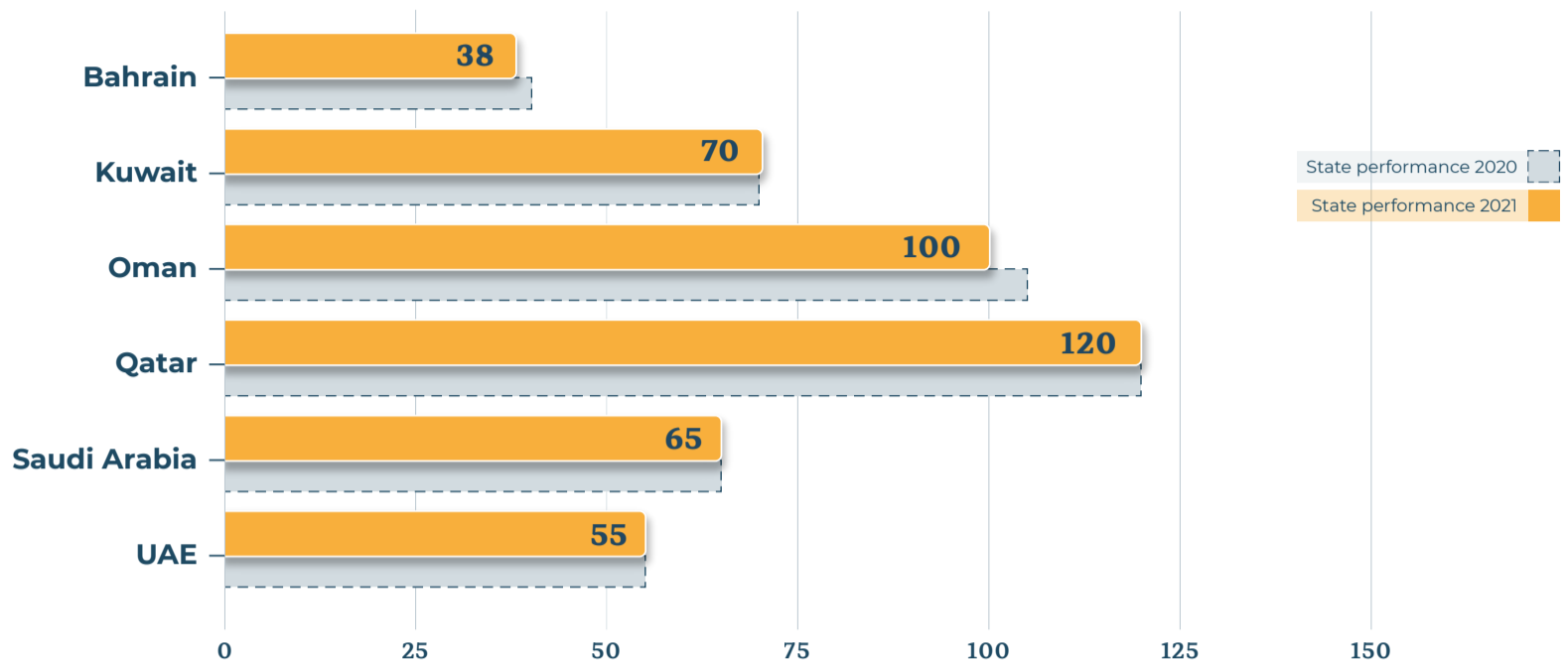


Figure 31: Results/ Tenth Scale – Access to Leadership and Sensitive Positions

Scale elements	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	23	50	60	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	38	70	100	120	65	55

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

Kingdom of Bahrain

Bahrain has regressed by 2 points as more royal family appointments to leadership positions have been documented over the past year, especially in the oil and gas sector. Members of the Bahraini ruling family are about 10 out of 25 members of the Council of Ministers, and many of them occupy other leadership positions at the rank of “minister” without portfolio, or without being members of the Council of Ministers.

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 and 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 Shia 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 are predominant in sovereign and other high-ranking positions in the state.

The ruling family does not have a monopoly over 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 ruling family is visible 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 monopolised 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

Oman has regressed by 5 points on this scale, as appointments increased from within the Sultan’s family, including the Minister of Foreign Affairs, President of Sultan Qaboos University, President of the Supreme Court, and Deputy Prime Minister for Defense Affairs, which has been reallocated to a member of the royal family.

It is noticed that members of the ruling family are present in some senior and academic positions. As for the higher military positions – other than the position of the Deputy Prime Minister for Defense Affairs, which is a political position – all are occupied by citizens who do not belong to the ruling family.

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 treatment 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.

There is no observable presence 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 positions of 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 over 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 is also worth noting that Qatar allows foreigners to work in its military and security institutions.

Kingdom of Saudi Arabia

The ruling family monopolises most sovereign ministerial positions. These include the Ministry of the Interior, Foreign Affairs, Defense, National Guard, and the Ministry of Petroleum and Mineral Resources, 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 monopolise 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 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. However, 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.



Chapter Four: Methodology and Adoption of Scales

This study was prepared by a team of researchers from within the Gulf Cooperation Council countries and specialists in the study of the Gulf region, specifically in the fields of political sciences and humanities. The index covered in this study is based on ten main scales to measure the level of “political participation” in the Gulf Cooperation Council countries. Each “scale” includes a set of “elements” and then “details” that are evaluated and researched.

Based on the results of the first edition (2020), the researchers went on to assess, explain, and explain the circumstances of each country under study in terms of scales, elements and details, through monitoring forms used as a unified guide to track cases of participation, disruption, obstruction or absence, in addition to monitoring the variables which occurred until mid-2021.

Like the first constituent edition, this version relies on the ten scales that consist of sub-elements that have been adopted as basic components for weighing each scale and determining its coherence to infer the participation status. Each item is divided into details, each of which has weights whose final points are determined based on reading the data and observing phenomenon and events.

The areas of the scales, their topics and the distribution of scores over them were adopted in the first edition according to the significance of each scale, the extent of its interaction and its impact on the nature of the existing political systems in the six countries and the social conditions therein. Weights were also distributed on the scales on the basis of adopting (1,000) points as a hypothetical end result for the ideal state in which political participation is most effective and included in all fields and sectors. Similarly, the points on each scale were similarly distributed among the elements in each scale. It was taken into account that the disparity in the weights and degrees of examination should not be big between the various measures and elements in order to avoid linking the final results to signs and factors that dominate everything else, without actually having weight and influence in the cases of the countries under study, which may give the index skewed readings based on

a purely distant theoretical diagnosis unrelated to the complex political, social and cultural structure of these countries.

Researchers rely for their information on several sources, namely official government data, official statements, legislation and laws in force, reports of official and civil institutions, data of international organisations and bodies such as the International Monetary Fund and the World Bank, and reports of organisations and committees of the United Nations. Researchers are keen to scrutinize the data to ensure it is valid and realistic so that the results are not biased to what the official narratives may promote in describing a fictitious state of openness and internal participation, or by contrast, what may be raised by non-objective and unscientific political opinions of individuals or parties opposing the ruling authorities. The researchers were also interested in noting the desire and potential of local communities to engage in political interaction in the spaces available in a given state and to seek to expand these spaces or develop mechanisms for accessing or working within them, without only evaluating the performance of the authorities alone in legislation, restriction, availability or monopolization of political participation spaces and tools.

The results of the second edition (2021) provide a reading of the extent of progress or decline of the six countries in cases of political participation and the nature of the areas in which change has occurred, positively or negatively.

The index lists the countries in displaying the results in the alphabetical order of their names in English. The progress or regression of any country in the final results of the index does not reflect its detailed results in all adopted scales.



Adopted Scales

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

Scale Adoption Factors

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.





مؤشر المشاركة السياسية
في دول مجلس التعاون الخليجي 2021

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in the GCC States 2021

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