

Declaration of Principles and Common Interests

This declaration summarizes the human values and principles that represent a common ground from which an inclusive political process is launched

Kingdom of Bahrain
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Introduction

Bahrain is going through a severe economic and political crisis, in which there is a complete absence of a national and societal consensus, whilst the country is facing a number of local and regional challenges. The parties to this declaration believe that Bahrain today is in serious need of a comprehensive national project based on supreme fundamental human principles that guarantee lasting stability and sustainable development.

This declaration summarizes principles that represent a common ground, from which an inclusive political process can be launched to achieve the common interests of all the parties in the country. We believe that the people of Bahrain have the aspiration, determination and will to move forward with a comprehensive national project.

Preamble

Bahrain is an independent Arab state, its main religion is Islam and its community is diverse. Its culture, identity and people are part of the Arab and Islamic nations. Its people have a history and civilization, and they are characterized by tolerance, harmony and unity. All people of Bahrain are sovereign over the geographic boundaries of their land, their natural resources and their national decision.

We, the parties to this declaration, state the group of principles and values that we are committed to and the interests and goals that we all aspire to achieve in our country, Bahrain, based on the great humanitarian values, namely right, dignity, freedom, equality and justice. These values protect the individual and society as a whole in a constitutional monarchy similar to ancient constitutional monarchy, as confirmed by the National Action Charter, based on national coexistence, common understanding, work, development and reform. This is to result in lasting stability, laying the foundation of national unity and harnessing the diversity of the community for the benefit of the country and its development, prosperity, revival and advancement, and in concentrating the efforts of all the Bahrainis in constructing and giving, which will place Bahrain in the advanced position it deserves throughout the human civilization.

Basic principles

This Declaration is based on the agreement of its parties on the following principles, adopted and recognized in the successful experiences of democratic political systems and the summary of accumulated human intellect:

first:

Governance of the people: the people, explicitly and clearly, are the source of all separated authorities according to a consensual social contract. The political legitimacy of the authority is derived from popular sovereignty and collective will. The people preserve the sovereignty of the state and its independence from any external interference, in their unity and cohesion, and reject any division, and commit to be loyal to the homeland and to protect it from dangers, and to participate in its construction.

Second:

Restriction of authority: since authority creates responsibility.³

Third:

The necessity of the submission of the authority to the socio-political contract.

Fourth:

The modern democratic state that is based on the rule of law.⁴

Fifth:

The pure choice and full will of the citizens to participate in political decision-making, and in partnership with civil society institutions.

Sixth:

Political pluralism that ensures toleration of expression of the people's will by the state authorities and institutions.⁵

Seventh:

Good Governance: By ensuring transparency, accountability, and the right to easy access of information, freedom of the press, the prevention of the different forms of corruption, the promotion of democratic culture through practice and the use of the practices of the UNDP Program on Governance in the Arab Region (POGAR).⁶

Eighth:

Respect of human rights: in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and all relevant international covenants – without prejudice to the principles of Islamic law. These rights are universal human rights such as the right to life, human dignity, equality before the law, justice, respect, development for all without discrimination, and freedom of belief, opinion, expression and assembly. They are fundamental rights that are interdependent, interrelated and indivisible and cannot be implemented selectively.

Ninth:

The guarantee of religious freedom of all citizens to practice their religion and to manage their religious affairs independently, and the respect of the religious and sectarian specificities of all sects.

Tenth:

The adoption of best international practices to hold free and fair elections to institutionalize the legitimate authority in support of democracy. In order to achieve this, the practices of the Electoral Assistance Division of the United Nations Department of Political Affairs⁷ should be followed to achieve justice and equality in the democratic electoral system.

Eleventh

The right to access a just and trustworthy judiciary through providing the necessary guarantees of justice and equity, and the full independence of the judicial authority and all its components.

Twelfth:

Commitment of the state to social responsibility, especially towards poor and low-income groups, and to the advancement of the national economy through effective economic policies, and the establishment of a suitable environment for the private sector to support economic growth.

Thirteenth:

The adoption of peaceful methods, dialogue and consensus for managing differences and combating violence, terrorism and extremism.

This declaration is based on the universal principles that are necessary for any democratic structure. In case of any difference or divergence in the interpretation of the content of any of these principles, one shall refer to advisory bodies, the most prominent of which are the United Nations departments, institutions and bodies such as the Department of Political Affairs (DPA), the Department of Economic and Social Affairs (DESA), the United Nations Democracy Fund (UNDEF), and the Office of the High Commissioner for Human Rights (OHCHR), by providing internationally agreed advice concerning the minimum and maximum obligatory limits of those principles.

Common interests

In order for the Bahraini citizen to be able to carry out their national duty to build the state, the state must provide a reassuring sense of citizenship and an atmosphere of pluralism, tolerance, acceptance and co-existence within a diverse and integrated society, in which all forms of incitement to hatred, violence and terrorism are prohibited.

The state guarantees the following key principles: social justice, fair distribution of wealth, preservation and cohesion of social fabric, preservation of social, cultural and religious identity, tolerance and rejection of intolerance, promotion of a culture of respect of others' opinions, respect of the inclusive national unity, the fair representation of society, community protection, sustainable development, respect of diversity and pluralism, respect of religious and cultural identity and sectarian and societal specificities, protection of Arab and Islamic identity and the national affiliation, the preservation of Bahrain's historical identity, the protection of civil peace through guaranteeing equality before the law, the equal opportunities and rejection of discrimination and exclusion, the protection of freedoms and the right to form civil society organizations voluntarily and independently, including the formation of political organizations, civil organizations, trade unions, associations, unions and free peaceful and civil connections.

We, the parties, declare to have the same understanding of the common interests below, which the state must ensure to achieve our people's aspirations:

- Building competent national capacities and making sure to invest in them, empowering women and youth in all fields, considering citizens as the most important asset in the development strategies, and integrating all the components of the country as a supreme national interest, in order to achieve effective participation in building and developing the state.

1



Sustaining development and steady economic growth, enhancing partnership between the government, the private sector, civil society organizations and non-governmental organizations through a development strategy that embraces sustainable and inclusive human development, switching to knowledge economies, supporting entrepreneurs and small and medium enterprises, diversifying national income sources, and establishing a competitive economic structure that does not depend solely on oil resources. This will help to achieve economic prosperity for citizens including ending poverty, providing livelihood opportunities that help to achieve citizens well-being through the principles of social justice and equity, ensuring decent and productive work for the youth, creating decent work opportunities, providing unemployment, old age and disability insurance, ensuring equal opportunities to be employed and appointed in the public sector without discrimination or exclusion.

2

3

Preparing to face the challenges of globalization and making optimal investment in Information and communication technology (ICT) and knowledge economies.

4

Preserving and developing natural and national resources, using public resources wisely and sustainably and distributing the country's wealth fairly and investing in it for future generations.



5

Achieving security based on the doctrine of protecting the homeland, the citizen and the rights and freedoms, and according to which loyalty of law enforcement authorities is to the Constitution and the law which specifies their jurisdictions and provides prestige. The practices of maintaining security shall be in accordance with the human rights principles and international law; and shall be subject to the supervision of the judiciary and the people through the legislative authority, free press and civil society institutions.

6

Preserving the environment and ensuring environmental sustainability for present and future generations.

7

Preserving the social fabric and historical identity of the Kingdom of Bahrain to achieve civil peace, coexistence, tolerance and sustainable stability needed to promote development.

8

Strengthening Gulf and Arab integration, showing solidarity with the just Arab, Islamic and international issues, integrating with the international community to contribute effectively to the achievement of UN goals, in order to reach international development and peace, to combat terrorism, extremism and corruption, and to meet the aspirations of the Bahraini people.

9

Protecting the rights of migrant workers against abuse and ill-treatment, combating human trafficking and guaranteeing the civil and human rights of non-citizens.

We confirm and believe that the achievement of our common interests emerges from the fundamental principles set forth in this declaration, through serious and comprehensive dialogues, which will result in the concrete achievement of these common interests in order to enable Bahrain to take its place among the constitutional monarchies, as stated in the National Action Charter.

Footnotes appendix

1 Before the submission of this declaration, international and regional documents or those of specific countries were reviewed, especially the following:

- The text of the constitutional principles document of the Democratic Alliance for Egypt
- The Constitutional Principles documents suggested by Ali Al-Selmy in 2011 following the January 25 revolution in the Arab Republic of Egypt, and submitted to Wafd Party, Freedom and Justice Party, and Al-Nour Party representatives.
- Inter American Democratic Charter: <http://www.oas.org/en/democratic-charter/>
- African Charter on Democracy, Elections and Governance: <http://www.achpr.org/instruments/charter-democracy/>
- The Supreme Court of Canada and Democratic Values; Mac Neil, Michael, 10 Canadian Lab. & Emp. L.J. 3 (2003)
Unions and the Charter.
- Commonwealth Values and principles.

2 The principle of the rule of the people is one of the central and essential principles of the democratic system. It is based on the idea of the social contract according to which the state is established by the people and for their sake. The rule of the people is an expression of the sovereignty of the people. The people themselves are the ruler in the state and the source of all powers. There is either direct active participation of citizens in all fields of political life in the state, or indirect participation when the people rule by their elected representatives, who run the affairs of the state in the Parliament and the Government.

<http://www.un.org/en/events/democracypay/pdf/presskit.pdf>

3 The authorities have considerable control, influence and power for many reasons, the most important of which are the authorities' control over economic resources, human resources, sources of information and law enforcement agencies in the country. Since the authorities has all this influence, which sometimes leads to tyranny, several means are found in order to restrict the authorities and prevent them from infringing human rights and minorities rights , abusing citizens, and practicing tyranny and injustice against the people. These means include separation of powers, elections, the possibility of changing power, the rule of law, supervision and control bodies, the public opinion and the press. See: Democracy: A Social Power Analysis, By Dr. John S. Atlee, with Tom Atlee, http://www.co-intelligence.org/CIPoL_democSocPwrAnal.html

4 The state of law is a state of justice and rights. it is the constitutional state in which the exercise of governmental power is constrained by the law, and the power of the state is limited in order to protect citizens from the arbitrary exercise of authority. Citizens share legally based civil liberties and can refer to courts. A country cannot have freedom or democracy without having at the first level a state of law - (Immanuel Kant).

The state of law is based on certain principles such as:

- a) The supremacy of national constitution, and the state guarantees the safety and constitutional rights of its citizens
- b) Civil society is an equal partner to the state
- c) Separation of powers (executive, legislative, and judicial): It is a very important principle in the democratic state and it aims at restricting the executive power since it enjoys enormous strength and very broad powers. It is necessary to distribute influence and authority among the three powers and not to limit them in one power to ensure that none of them practices tyranny or arbitrariness and to protect human rights and the citizens. If one of them tried to trespass these powers, the other powers will confront and restrain it. This is called the system of balance and restraint. However, the separation of powers is not a complete separation, but rather allows a simple overlap between them. Each power observes and supervises the work of the others, making the work of all of them more successful. Thus, the importance of this principle is to restrict and prevent a branch from practicing tyranny, protect human rights and the citizens, and to ensure the success of the authority work.
- d) The judiciary and the executive authorities are bound by law (they do not act against the law), and the legislative authority is bound by the constitutional principles, and the principles rooted in the humanity conscience concerning universal issues.
- e) Democracy itself requires respect of constitutional rights.
- f) Activating the state transparency and providing credibility in the actions thereof, and imposing the provision of logical justification for the different state.
- g) Review of the state decisions and acts by independent bodies.
- h) Hierarchy of laws and the requirement of clarity and precision.
- i) Principle of the proportionality of state action, the legitimate use of force and the absence of impunity

See: https://en.wikipedia.org/wiki/Rechtsstaat#Principles_of_the_Rechtsstaat

5 To guarantee and ensure the right to form voluntarily and independently political organizations and civil society institutions, including the formation of political parties, popular organizations, trade unions, associations, unions and free peaceful and civil connections.

Pluralism expresses important combinations in democracy:

- a. Recognition of the right to diversity between people and groups that naturally differ from each other in needs, interests and perspectives.
- b. Distribution of power in society and the creation of a balance between the various governing authorities and organizations of different and even conflicting interests.
- c. Giving legitimacy to competition in power and influence between different parties and organizations in terms of goals and interests.
- d. The participation of citizens in political life according to the principle of the rule of people.
- e. The existence of free competition between different groups.

Pluralism has three pillars,:

- a. The assumption of tolerance.
- b. The possibility of reaching a consensus.
- c. The majority decision making if no consensus was reached.

See: التعددية السياسية وتداول السلطة, Professor Dandal Jaber, Dar Ammar for Printing and Publishing, first edition, 2006

6 <http://www.undp-pogar.org/arabic/index.aspx>

7 <http://www.un.org/wcm/content/site/undpa/main/issues/elections>