



Geneva, 11<sup>th</sup> November 2018  
1/5- 346(wg)

The Permanent Mission of the Kingdom of Bahrain to the United Nations Office and other international organizations at Geneva presents its compliments to the Office of the High Commissioner for Human Rights, and wishes to refer to the letter received from the Special Rapporteur on the Issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment, dated 27th September 2018, regarding the questionnaire on Air Pollution and Human Rights.

In this regard, the Mission has the honour to enclose herewith the response of the competent authority in the Kingdom of Bahrain (**Supreme Council for Environment**) on the aforementioned questionnaire.

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

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## Questionnaire

1. *Please provide specific examples of constitutional provisions, legislation, regulations, standards, policies and programmes in relation to preventing, or eliminating air pollution, both outdoor and indoor. Please include, inter alia, any instruments that refer directly to the right to a healthy environment and/or the right to breathe clean air.*

The Government of Bahrain has over the past 3 decades, enacted a number of laws and regulations aiming at protecting the local environment in general, of which some were focused on air quality. The Supreme Council for Environment (SCE) is the responsible entity for safeguarding the below listed laws & decrees:

- **Decree No. 21, 1996**, entrusted the execution of the duties to the General Directorate for Protection of Environment. It aims at protecting the environment against polluting sources and factors, and at preventing environmental deterioration by introducing relevant plans and policies.
- **The Economic Vision 2030 for Bahrain**, issued in 2008 stressed the need to specify the aspirations for a just and thriving society so that Bahraini nationals and residents enjoy a sustainable and attractive living environment [2]. According to the 2030 Vision, protecting the environment includes, amongst others, implementing energy efficiency regulations mainly for the residential sector, and directing investments to technologies that reduce carbon emissions, minimize pollution and promote the concept of sustainable energy.
- **Ministerial Decree 10/1999**: Environmental Standards for air and water.
- **Ministerial Decree 2/2001**: Amendment to Decree 10/1999.
- **Ministerial Decree 3/2001**: Amendments of some tables and limits related to decrees 10/1999, and 2/2001.
- **Ministerial Decree 8/2002**: Standards for pollutants and substances emitted from vehicles exhausts, and vehicles inspection.
- **Ministerial Decree 10/2006**: Emission of air pollutants from sources
- **Law No.54/2014**: Unified regulation for the control of substances that deplete the Ozone layer for the GCC countries.

2. *Please provide specific examples of good practices in preventing, reducing, or eliminating air pollution, both outdoor and indoor. These examples may occur at the international, national, sub-national, or local level. Examples may involve air quality monitoring; guaranteeing procedural rights (e.g. public access to air quality information, public participation in decision-making about air pollution, access to remedies); air quality legislation, regulations, standards, and policies; initiatives to reduce air pollution from specific sectors (e.g. electricity generation, industry, transportation, indoor cooking, heating, and lighting); laws,*





*policies and programmes to protect vulnerable population from air pollution; laws, policies or programmes to concurrently address air pollution and climate change; and effective enforcement of rules governing air pollution.*

Overall, Bahrain faces various challenges regarding air quality. These include pollutants generated naturally being situated in an arid area with frequently increasing dust and sand storms or via transboundary movement or those generated during energy production, or coming from vehicles and industrial activity. Since public health and safety are key concerns of environmental safety and health, the quality of air remains one of the main topics in the formulation of the environment management system at the Supreme Council for Environment.

Bahrain introduced its first ambient air quality monitoring station in 1984, later the monitoring program was upgraded in 1993 and 2006 and Bahrain now has three working stations that are working 24 hrs. Data analysis indicated areas of concern and articulated actions or policies that needs to be applied. To address these challenges, a set of national air quality standards have been established, and there are plans to increase the number of air monitoring stations. In addition, there are government-led efforts to monitor and reduce emissions associated with motor vehicles and industries and initiatives towards introducing electrical vehicles are in the process, also a mandatory Environmental Impact Assessment studies are conducted for new development projects to mitigate any environmental impacts with a compliance plane for those existing. Moreover, SCE is currently coordinating the creation of an Air Quality Strategy for the Kingdom of Bahrain that can contribute to achieve a response to the existing challenges and better help control air pollution from the source. Other actions taken were beyond local air quality and more related to atmospheric issues; Bahrain has taken several steps to contribute to global efforts in:

- Protection of the ozone layer through monitoring of air conditioning equipment imported into Kingdom of Bahrain to ensure they are free of substances that deplete the ozone layer.
- Combating Climate change by Ratification of the Climate change Convention, the Paris Agreement and by the Preparation of national communication reports (Bahrain is preparing now its third Communication Report and its first biennial update report-BUR).
- Other government institutions have also indirectly contributed to improving air quality, and many actions have been taken, while others are in the pipeline yet to be approved:
- Establishment of Sustainable Energy Unit/SEU (now the Sustainable Energy Center/SEC) by a ministerial decree in 2014. The Unit developed a roadmap with targets for energy efficiency and renewable energy. Initiatives and projects are in implementation to attain the assigned targets.
- Inauguration of the new mass transport network by the Ministry of Transport and the ongoing work on a sustainable transport strategy.
- Issuance of the **Ministerial Decree No. (70) /2015** on adoption of energy efficiency card for air conditioners, by the Ministry of Industry.
- The opening of "Solar 1" factory on Jan 2017 being first of its kind to produce solar panels, as an initiative towards encouraging investment in renewable energy in Kingdom.
- The constructing of a solar and wind power plant by the electricity and water authority, with a capacity of 5 MW and an expectation to go into effectiveness by the early 2019.





- The preparation of the green building code to be issued soon.
3. ***Please identify specific challenges that your government, has faced in attempting to address air pollution and its impacts on human rights.***

The Kingdom of Bahrain, is located in a dry and harsh region prone to dust storms, it is suffering from deteriorating air quality caused by increasing frequency of Dust & Sand storms imposed globally by desertification and climate change, in addition to emissions of air effluents from various anthropogenic sources. The economic growth of the Kingdom in recent years has yielded economic benefits but has also led to air quality challenges associated with the increase in urban development, transport fleet growth and industrial activities. The State of the Environment Report of the Kingdom published in 2009 has identified a number of key impediments to managing air quality, listed below:

- Scarcity of data related to emissions and the limited number of air quality monitoring stations.
- Insufficient human resources (technical cadres) specialized in air pollution.
- Lack of early warning systems for air pollution throughout the country.
- Scarcity of research initiatives on the impacts of air pollution on Bahraini citizens, as well as research related to cleaner production and feasibility of renewable energy.

Actions were taken on the national level to overcome those challenges, many of which are related to mainstreaming environmental concerns related to air quality into the government's national policies and initiatives. The vision 2030 issued in 2008, have taken into consideration the importance of reducing emission and creating a safe and sustainable environment for all, awareness programs have taken a broader prospective into educating not only the public but going further to enroll into industries activities to create a difference.

4. ***Please specify ways in which additional protection is provided for populations who may be particularly vulnerable to air pollution (e.g. women, children, persons living in poverty, members of Indigenous peoples and traditional communities, older persons, persons with disabilities, displaced persons, and national or ethnic, religious and linguistic minorities).***

Periodical monitoring to industries in the immediate vicinity of residential areas are mandatory, with annual reports submissions on their emissions to the concerned party (SCE), Readings should not exceed the permitted national standards, in addition to independent audits performed by SCE. In the event of any exceedances, they are subject to environmental violations, in accordance with **article (29) of Decree No. (21) for 1996 "relating penalties"** which provides imprisonment and fines for any person/entity that violates the provisions relating to protection of environment from pollution with its forms. The Court may order the closure of a work place for a period not exceeding three months, and if violation repeated; the court may decide to revoke the license. Moreover, more actions are being looked into within the National Air Quality Strategy under preparation.





5. *Please provide specific examples related to the regulation of businesses and other non-State actors in relation to the protection of human rights from air pollution and the fulfilment of their obligations in this regard.*

The **Constitution of the Kingdom** clearly mentioned in Article No. 11, the significance of the State's preservation and sophisticated investment of its natural resources for the wellbeing of the people. Over and above, the Constitution sought to consolidate this important environmental aspect by requiring the state in paragraph I of Article 9 to take the necessary actions and arrangements to maintain the environment and preserve the wildlife. **Ministerial Decree 1/1998** with respect to Environmental Evaluation Projects stated in Article 2 that all projects and developments are subject for an environmental impact evaluation; approval; conditional approval and rejection are based on such evaluation. Moreover, **Ministerial Decree 10/1999** of Environmental Standards for air and water assembled the national limits of emission from the source, thus protecting the wellbeing of people from air pollution, and so is the relevant ministerial decrees listed below:

- **Ministerial Decree 8/2002:** Standards for pollutants and substances emitted from vehicles exhausts, and vehicles inspection.
- **Ministerial Decree 10/2006:** Emission of air pollutants from sources.
- **Law No.54/2014:** Unified regulation for the control of substances that deplete the Ozone layer for the GCC countries.

6. *How do you ensure that the rights of environmentalists working on air quality issues (environmental human rights defenders) are protected? What efforts has your Government made to create a safe and enabling environment for them to freely exercise their rights without fear of violence, intimidation, or reprisal?*

Bahrain government believes in freedom of expression, this is particularly recognized in **article 23 of the country's constitution**. Accordingly citizens' rights to express their opinions is granted provided they do not conflict or affects others rights. Any comments or feedback regarding air quality by NGO's or Environmentalists is well supported as long as it is justified with appropriate evidence, and as a government we are always happy and welcoming to open a dialogue with concerned groups or interested individuals.