

Universal Periodic Review (UPR4)

Kingdom of Bahrain - Bahrain Women Union



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About the Report

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Introduction:

Bahrain Women Union, which serves as the civil umbrella organization for all women's associations in Bahrain, is concerned with all the recommendations of the Universal Periodic Review submitted by the member states of the Human Rights Council to the Kingdom of Bahrain in the 3rd session 2016, as well as our remarks for the period 2016-2022. We have not ignored the situation of women in Bahrain in light of the circumstances the world is going through during the Coronavirus pandemic. In this international report, we will focus on the recommendations related to women, the importance of partnership between the official and civil bodies that would serve the Kingdom of Bahrain and maintain independence and the right to freedom of movement and to submit parallel reports.

All issues that the recommendations of the Universal Periodic Review touched on (**Appendix No. 1**) were addressed by Bahrain Women Union in this review. (This review will focus on the following issues:

First: The Legal Aspect

1. Law of Social and Cultural Associations and Clubs and Private Bodies Working in the Field of Youth and Sports and Private Institutions promulgated by Decree-Law No. (21) of 1989, as amended by Decree-Law No. (44) of 2002.

This law places many restrictions on the work of civil society organizations. According to certain resolutions, restrictions are imposed, and the scope of freedom is limited. Resolution No. (65) of 2012 provided for transferring any request to fund the projects of associations from international support agencies to the Ministry of Interior and sometimes to the Ministry of Foreign Affairs. **There is no article in Decree-Law No. (21) of 1989 stipulating the same.**

Restrictions and amendments made to the law, including Law No. (36) of 2018, deal with the establishment of associations, control over their activities, dissolution, and imposition of penalties on them. This makes the competent administrative authority dominate civil work and intervene in all work and activities of civil associations and cultural, social and sports clubs. The Ministry of Labor and Social Development constantly instructs the associations of restrictions on raising money inside Bahrain, which can only be done after getting the approval of the security authorities. In addition, there are many requirements for establishing any association, or joining any regional or international federation or network, which is considered control over and interference in the management of NGOs (**Remarks 3,4**). Therefore, we recommend the following:

Making significant amendments to Decree-Law No. (21) of 1989, regarding social and
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cultural associations and clubs and private bodies working in the field of youth and sports and private institutions to allow the maximum possible degree of freedom of movement for civil society and obtain the necessary funds to continue their projects and programs for the sake of serving the Bahraini community.

2. Making Amendments to Article (43) of the Law:

Decree-Law No. (21) of 1989 imposed several restrictions, both in the original provisions of this law and the amendments made thereto, including Law No. (36) of 2018, including amending Article (43) by the Council of Representatives after the dissolution of some political societies, by adding the following to the said article, **“The member of the board of directors must enjoy all his civil and political rights.”**

This amendment violates the provisions of the Constitution and international conventions and treaties, most notably of which is the International Covenant on Civil and Political Rights, to which the Kingdom of Bahrain acceded under Law No. (56) of 2006 and has become an integral part of the national law. Article 22 (Paragraphs 1 and 2) of the said law stipulates that **(Everyone has the right to form associations with others, including the right to form and join trade unions for the protection of his interests. No restrictions may be placed on the exercise of this right other than those provided by law and which are necessary measures).**

This amendment prohibits members of dissolved associations from being a member of the board of directors of any civil society institution. This contradicts with both the nature of civil work and Article (4) of the said law which stipulates that (Any person who is convicted of a crime of honor or decency shall not establish any association or become a member of any association unless when charges were dropped and rights were restored.) This is a reasonable provision consistent with the nature of civil work.

The legal climate regulating civil work in Bahrain contained some restrictions, including not engaging in politics as per the provision of Article (18) of the said law, amendments to Articles (43) and (60) prohibiting those who run for boards of directors of sports, cultural or social clubs from joining political associations.

Ministry of Labor and Social Development subjects NGO members for security audit, through sending an official letter to the NGO Support Directorate to submit all required documents, including a list of the names of members of the regular general meeting within a specific a period ahead of the date of the meeting **(Remarks 5, 6).**

We recommend repealing Article (43) of Decree-Law No. (21) of 1989, which prohibits members of dissolved political societies from joining civil societies.

3. Withdrawal of the Kingdom of Bahrain's Reservations to the Convention on the Elimination of All Forms of Discrimination against Women:

The Kingdom of Bahrain sought to narrow the scope of reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), by promulgating Decree Law No. (70) of 2014 amending some provisions of Decree-Law No. (5) of 2002 which reformulated reservation to Article (15), Paragraph (4) and Article (16) in particular. However, the essence of the reservations to the provisions of the agreement remained unchanged.

We recommend the following:

1. Withdrawing reservations to Article 9, paragraph 2 and Article 10, paragraphs 4 and 16, as they contradict the essence of the Convention on the Elimination of All Forms of Discrimination against Women and Article 18 of the Bahraini Constitution.
2. Ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

4. Bahraini Citizenship Act of 1963 as Amended:

Bahraini women do not enjoy the same rights as men in terms of being legally competent to transfer citizenship to their children as according to the law, a man can automatically transfer citizenship to his children. This means that citizenship is generally not granted to children born to a Bahraini mother and a foreign father.

The Bahraini Citizenship Law promulgated in 1963 stipulates that father must be Bahraini in order for the child to acquire Bahraini citizenship. For this reason, Bahrain had reservations with respect to Paragraph (2) of Article (9) of the Convention on the Elimination of All Forms of Discrimination against Women.

Partial solutions, though important and necessary, do not solve the problem. It is important for children of Bahraini mothers and foreign fathers to enjoy all the rights and duties of citizenship including, exercising political and social rights, observing constitutional and legal duties, having access to scholarships or grants and benefitting from housing services.

Bahrain Women Union has, within the campaign (My citizenship is a right for me and my children) and based on the Universal Declaration of Human Rights, charters, international laws, and Article (18) of the Constitution of the Kingdom of Bahrain, surveyed numbers of women affected by the Citizenship Law and maintains their and their children's names and particulars in order to file their demands to the concerned authorities, including the Council of Representatives. Bahrain Women Union has also specified some locations representing

Bahrain Women Union, some women's associations, and a link to receive inquiries of such cases (**Remarks 7,8,9,10**).

We recommend amending Article (4) of Bahrain Citizenship Law of 1963 to read "Anyone shall be deemed a Bahraini national if born in Bahrain or abroad and his father or mother was Bahraini at the time of his birth.)

5. **Law No. (17) of 2015 concerning Protection against Domestic Violence:**

Although the Kingdom of Bahrain has enacted Law No. (17) of 2015 concerning Protection against Domestic Violence, jurists believe that this law is limited to family violence and did not include violence in the public space. It neither included threat of violence nor non-Bahraini women. It also lacked reference to marital rape and its punishment.

The Supreme Council for Women announced the establishment of the Database and National Statistics on Domestic Violence "Takatuf", which publishes outcomes relating to the protection of women from all forms of domestic violence. Through this database and in cooperation with partners and allies, an electronic link is enabled with the aim of getting exact numbers, solving the problem of data duplication and analyzing indicators for proper prediction of family reconciliation. However, this was a mere announcement. Civil organizations and Bahrain Women Union have been waiting since 2017 for the database, noting that the Supreme Council for Women is the only body that can get information and statistics based on its relations with state agencies.

Bahrain Women Union is still calling on the concerned authorities to disclose the statistics and data in this regard so that it can scientifically and objectively discern the extent of violence against women in society and whether it constitutes a phenomenon or not? It also calls for adding an article to punish the perpetrator of violence, not only those who did not report committing of violence, as penal code is not enough (**Remarks 11,12,13,14**).

We recommend the following:

1. Amending Law No. (17) of 2015 concerning Domestic Violence to include violence in the public space, threat of violence, marital rape and determine related punishment.
2. Adding an article to the said Law related to punishing the perpetrator of violence.
3. Inclusion of non-Bahraini women in the said Law.
4. Implementing awareness programs by the official authorities in cooperation with civil society institutions concerning the phenomenon of violence and methods of protection.
5. Enabling the (Takatuf) database launched by the Supreme Council for Women, and

giving parties concerned with domestic violence issues and managing data confidentially basis.

6. Supporting research in the field of domestic violence, increasing shelters for victims of violence, together with continuous training for service providers and law enforcement agencies.

6. Bahrain Penal Code No. (16) of 1960 - Article 353:

The Bahrain Penal Code provides for penalties up to life punishment and execution in some cases of rape, but Article (353) of the said law exempts the rapist from punishment if he marries the victim, as it stipulates that **“A person who commits one of the crimes stipulated in the previous articles (which are crimes of rape and assault on honor) shall not be sentenced to any punishment, if a valid marriage is concluded between him and the victim. In case a final sentence was rendered against this person before concluding the marriage, the sentence shall be suspended, and its criminal consequences are over.”** The government stresses that there is no need to repeal this article and considers the marriage of the victim as an advantage for women and not discrimination against them. However, this encourages the rapist to commit more crimes because execution of the sentence is suspended in the event of a valid marriage contract. This exemption is a violation of the dignity and humanity of women **(Remarks 15,16).**

We recommend repealing Article (353) of Bahraini Penal Code No. (16) of 2017, which exempts the rapist from punishment if he marries the victim.

7. The Unified Family Law No. (19) of 2017:

Enacting a unified family law No. (19) of 2017 in Bahrain has been a demand of women leaders in Bahrain since the 1980s, but the promulgation of this law after a long period of time did not meet the aspirations of Bahraini women. Therefore, it has become very important to amend it to achieve justice and equality for women at all stages of litigation, in line with the best jurisprudence and international standards, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Despite the importance of this law, it contains many legal gaps that are inconsistent with the principles of human rights. We aspire to amending this law to be consistent with jurisprudence, the Constitution of the Kingdom of Bahrain and all international conventions and covenants. We wish that legislature would involve specialists in the amendment of this law **(Remarks 17,18,19)**

We recommend the following:

1. Raising the marriageable age for girls to 18 Gregorian years instead of 16 in accordance with the Convention on the Rights of the Child.
2. Allowing the adult woman to conclude the marriage contract herself, and that she may require the consent of the guardian.

8. Article 95, Paragraph 2 of The Unified Family Law No. (19) of 2017 – (Suspended Wives):

There are many women affected by court sentences. Some of them have filed cases before the courts to show the harm inflicted on them by their husbands, and to request divorce. Sentences rendered often stipulate on the return of the wife to her husband or deeming her a disobedient wife. It is only possible for a woman to request dissolution of marriage (khul') by paying back the dowry or a consideration to the husband to gain her freedom. Pursuant to Article 95, Clause 2 (a) of the Family Law, and according to the Jaafari jurisprudence (**A wife is entitled to request the termination of the marriage contract by dissolution of marriage (Khul') by payment of a consideration and the consent of the husband.**)

The married woman according to the Jaafari jurisprudence suffers as when the marriage between the couple is not going on well, the wife shall be forced to request separation with conditions including appearance of the husband before the court, the approval of the Sharia court, and the payment of a consideration which is called (Mukhala'h). Although such consideration should be within the limits of the dowry and not exceeding it, it is left to the husband to determine it.

Khul' is based on the agreement of the spouses, but in the event of the husband's abuse of divorce, the judge has the right to divorce the wife in return for the appropriate consideration determined by the judge. The Jaafari Jurisprudence did not give the court judge the authority to divorce the wife or specify the consideration in the event of the husband's intransigence. khul', is conditional on the wife's hatred of the husband and the consent of the husband. If the husband does not agree to khul', the judge cannot interfere. On this basis, some husbands abuse this right. Since the husband is the one who determines divorce, he is the one who approves or rejects khul' in the Jaafari jurisprudence. Therefore, some husbands approve it in return for big sums. In such cases, the wife is forced to pay a big consideration or remain suspended (**Remarks 20,21**).

We recommend amending Article 95, Clause 2 of the Unified Family Law No. (19) of 2017, regarding Khul' in the Jaafari jurisprudence, as this article resulted in the issue of the suspended wives.

Second: Empowerment and Sustainability

1. Political Participation and the Gender Gap:

Despite the provisions of CEDAW in terms of equality and non-discrimination in the right to vote and participate in elections, the participation of Bahraini women and their representation in the Council of Representatives and the Shura Council is still low. Figures reveal that 6 women are members of the Council of Representatives, i.e. 15%, and that 23 women are members of Shura Council. Government is not taking any legal measures by to support women's representation, such as allocating a percentage for women in the Council of Representatives, or approving the electoral list system for nomination instead of the single vote. In addition, Article (18) of Law No. (21) of 1989 prevents civil society organizations from engaging in politics.

2. Women in Decision-Making Positions:

Although the Kingdom of Bahrain has made significant strides in the field of women's empowerment and developed the National Strategic Plan for the Advancement of Women (2013-2022), which in its holistic construction stages relied on the values of justice and women's empowerment, we note that one of the pillars on which the plan was built, which is justice, can be interpreted in ways various ways. Although Bahrain ranked fifth in the Arab world, and third among GCC countries in the field of gender equality and bridging the gap between the two genders, according to the Global Gender Gap Report 2020 issued by the World Economic Forum. Bahrain has advanced in the indicator for the representation of women in the parliament from 148 to 143. The Economic Forum stated (While the percentage of women among professionals is increasing, the income inequalities and the small number of women in managerial positions still pose many problems.) (Appendix No. 1)

The percentage of women in leadership positions, according to statistics published in the E-Government National Portal for 2020, is as follows:

Judges: 12%, none of whom is a Sharia judge

Ministers: 4%

Undersecretaries and deputy ministers: 8%

Assistant undersecretaries or assistant deputy ministers: 35%

It is important to issue decisions that are both incentive and binding for business entities in the private sector to provide job and leadership opportunities for women, as women constitute only 35% in the private sector.

Women lost their jobs at higher rates than men during the coronavirus pandemic. When schools were closed, women disproportionately took over childcare, household chores and caring for the elderly. This increased women's stress and negatively affected their productivity **(Remarks 22,23)**.

We recommend rehabilitation of women in legal positions to assume the duties of the Sharia judiciary in family courts.

3. Not Taking Temporary Assistance Measures to Increase Women's Participation in the Political Life at the National Level (Quota):

At the legislative level, the government has not taken temporary measures to increase women's participation in political life at the level of election or appointment at the national and local levels, or in all decision-making positions in the legislative, executive, and judicial authorities. The participation of Bahraini women and their access to the Council of Representatives and the Shura Council is still low, for many reasons. In addition, there is no financial support for women candidates, the government has not yet taken any legal measures, i.e. (quota), as a temporary measure to increase the representation of women in the parliament or approved the electoral list system instead of the one-vote system for each electoral district, which reduces women's chances of winning, or obligated political societies to adopt quotas for women in their electoral lists.

Bahrain Women Union adopts quota based on the principles of the Constitution that ensure Equal rights for all citizens, whether men or women, the Universal Declaration of Human Rights, Recommendation 182 of the Beijing Declaration, which called on world governments to increase the participation of women in decision-making positions to a minimum of 30%, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Especially Article 4, which called on state parties to adopt the principle of positive discrimination in favor of women **(Remarks 23,24,25)**.

We recommend the following:

1. At the legislative level, the government should adopt quota and take temporary measures to increase women's participation in political life at the level of national and local elections or appointments.
2. The state should increase the number of women in the Shura Council to equalize the number of men in the Shura Council, to compensate for the decrease in the Council of Representatives.

Third: The Economic Aspect

1. Women in the Informal (Unstructured) Economy:

When reviewing the official documents issued by the authorities concerned with the economy such as the Ministry of Labor and Social Development, the Economic Development Board, and the Ministry of Commerce, we find no reference to the use of the term informal economy, despite the increase it witnessed in the recent years, especially after the application of the early retirement programs that resulted in 9000 male and female retired employees who started working as freelancers.

According to the census of 2020, the number of Bahraini females over the age of 15 amounted to 245,000, of whom 105,000 are included in the labor market, at a percentage of 34% of the total, while the rest amounting to 140,000, or 66%, are not included in the labor market. They are either students (47,000), housewives (78,000) or retired employees (about 10,000). Out of 105,000 females eligible for work, 96,000 work and 9,000 do not work, meaning that the unemployment rate among them is about 9%. Females working as freelancers amount to 13,666 Bahrainis, most of them are working within the informal economy. It is also worthy to note that there is no social insurance for this category and that they do not prefer voluntary insurance due to contributions that are approximately 15% of their income. Reasons for engaging in such economy is unemployment in the first place, and the reduced role of the public sector because of dividing it into small entities owned by the private sector. This requires seeking to strengthen the legislative environment to cope with the work of women.

We recommend the following:

Expanding the umbrella of social protection for women, especially those working in the informal economy.

2. Bread winner woman

A bread winner woman is the woman who always takes over the task of maintaining her family and supporting them socially and economically. A bread winner woman include segments of widows, abandoned women, divorced women, and those who have never been married. A Support Office for this group was established in 2009 at Bahrain Young Ladies Association and it supports more than 600 female heads from the needy groups, most of whom are from productive families. Despite the promulgation of a law in 2010 organizing the practice of domestic production activities, this law does not require these families to contribute to the social insurance system, which means that they can be considered among the categories of informal work, as is the case of business owners, self-employed and

craftsmen. (26, 27)

We recommend the following:

Supporting bread winner woman from needy groups, most of whom are productive families, with adequate training and financing as well as providing specialized services

3. Female Workers in Kindergartens and Nurseries

Official statistics reveal that 2500 females are working in this sector and are covered by social insurance with a minimum salary of BHD 150 a month. Many of these females work on temporary employment contracts (annual contracts) and receive low wages. According to an initiative adopted by the Supreme Council for Women in collaboration with the University of Bahrain and the Labor Fund "Tamkeen" a training program under the name "The National Teacher and Educator" was launched. This program aims to raise the efficiency of female workers in educational institutions in the early education sector, and support their wages in a phased manner, However, only one training course was implemented out of the training program that was launched on May 13, 2019. The outbreak of the Coronavirus (Covid-19) pandemic resulted in closure of educational institutions and the teachers of kindergartens and nurseries were the most affected as their contracts were terminated due to parents' failure to pay the fees. **(Remarks 28,29,30).**

We recommend the following:

1. Pre-school education should be under the responsibility of the Ministry of Education.
2. Raising the efficiency of female workers in educational institutions in the early education sector and supporting their wages.
3. Obligating the owners of kindergartens and nurseries to adhere to the 8 working hours a day, paying the wages to female workers during the summer vacation, giving paid maternity leave and care hours, paying compensation for overtime, and seconding cadres to join the training programs.

4. Differences in Job Benefits Between Female Workers in the Public and Private Sector:

The General Federation of Bahrain Trade Unions stresses the importance of narrowing the gap between of job benefits between the public and private sector, which would in turn, contribute to the stability of family and community relations, and create a healthy work environment in line with the Kingdom of Bahrain's international commitments through its ratification of International Labor Organization Convention No. 111. Equal benefits are also consistent with Bahrain's vision to make the private sector attractive to Bahraini women.

The General Federation of Bahrain Trade Unions received cases of women whose work contracts were terminated, due to obtaining their hours of childcare or breastfeeding, or who were harassed with the aim of forcing them to terminate their contracts to evade the social responsibility. The General Federation of Bahrain Trade Unions demanded intensifying penalties on such employers, as, under Article 187 of the Labor Law, the minimum penalty is a fine of BHD 200, and the maximum is BHD 500 only (**Remarks 31, 32**)

We recommend the following:

Narrowing the gap between job benefits of female workers in the public and private sector

5. Unemployed Women and Female Employees on Temporary Contracts

Article 5 of the Constitution of the Kingdom of Bahrain stipulates that, “The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres.” The official authorities state that equal opportunity committees have been established in ministries and public institutions to ensure justice of job opportunities. However, the said opportunities are still not available equitably to women and this is also the case for promotions. The number of female job seekers is still equivalent to two-thirds of the number of job seekers of both genders. The unemployment rate in the Kingdom of Bahrain is double that of men. According to the report of the General Federation of Bahrain Trade Unions, the percentage of female unemployed women is not less than 65%. This percentage is considered high and requires an insight to correct this situation and seek to reduce it in general to achieve real equality and equal employment opportunities.

As for the private sector, represented by the Bahrain Chamber of Industry and Commerce, it has no communication with Bahraini Women Union and women's organizations in general, which makes the approach of this issue by the private sector and the Chamber of Industry and Commerce biased against working women (**Remarks 33,34,35**).

We recommend the following:

1. Issuing decisions that are both incentive and binding on business entities in the private sector, for the purpose of providing career and leadership opportunities to women.
2. Binding the Bahrain Chamber of Industry and Commerce to communicate with Bahrain Women Union and women's organizations to improve the conditions of women in the private sector.
3. Removing obstacles to the employment of Bahraini women and grasping unemployed

women in the local market.

4. Resolving the problem of temporary work contracts of female employees with the official authorities.

Fourth: Human Trafficking

Domestic female workers constitute 8.5% of the total foreign workforce in Bahrain, and 70% of the total domestic workers, according to statistics of 2021.

1. Optional Insurance on Domestic Workers:

In August 2021, Bahrain began implementing this kind of insurance which is considered a step towards providing protection for the employer and the worker. It is provided through insurance companies under the supervision of the Central Bank of Bahrain. It includes direct recruitment, or through recruitment offices, cases of leaving work in violation of the conditions of the work permit, compensation in cases of injury or inability to work and cases of death, and the consequent cost of repatriating the body.

2. Wages Protection System (WPS):

The gradual application of this system in Bahrain started in May 2021, and entered into force in July 2022, but the inclusion of domestic workers is still optional. There are no figures available about employers voluntarily including their domestic workers into the program, which does not subject violations of non-payment, delay or deduction of wages to inspection and protection provided by the system.

3. The Triple Contract for Domestic Labor:

At the beginning of October 2017, Bahrain began implementing this system, which is regarded as a necessary and long-awaited step. It is hoped that this system will regulate the relationship between employers, recruitment agencies and domestic workers. It is considered an advancement towards protecting the rights of domestic workers, as it clearly states the expected duties of the worker, and the responsibilities of the employer. The worker is supposed to know and agree on the terms and conditions of the contract before arriving to the country of destination. This system regulates the required duties, the type of work, expected services, break times and weekends, knowing that the number of working hours and break times are not stipulated in the 13 articles of the Bahraini Labor Law, which included domestic workers under its coverage in 2012. There are obstacles preventing this contract from achieving its desired goals. These obstacles include the following:

- Language as a high proportion of domestic workers speaks neither Arabic nor English . In addition, some of these workers are illiterate.
- Supervision and inspection on the implementation of the articles of the contract is difficult due to the private nature of the work of the domestic workers.
- The difficulty of having access to complaint and litigation mechanisms in case there are violations of the contracts of domestic workers, as it is necessary for the domestic worker to file a complaint at the police station as a first step to benefit from the services and facilities provided in the shelters of the Labor Market Regulatory Authority.

(It is essential here that the Labor Market Regulatory Authority shall provide a hotline for abuses against domestic workers).

- The employer is the party responsible for determining working hours, minimum wages, and break times, which are supposed to be determined by reference to labor laws. Not determining the maximum working hours and necessary break times is considered a serious violation of the provisions of Chapter VII of the Bahraini Labor Law, (which does not apply to domestic workers) stipulating that the worker may work no more than 8 hours a day.

It is noticeable that the number of domestic female workers decreased by 38.6%, from 73.9 thousand in 2016 to 45.4 thousand in the first quarter of 2021 and that there is an increase in the employment of non-resident domestic workers, working on the hourly pay system. The companies that provide these services are classified under the category of cleaning services. There are large numbers of irregular migrant domestic female workers who work for people other than their sponsors with valid work residency permits, which is illegal and linked to the visa trading. Residence and work permits of some of these workers are expired, so their status is illegal, and this increases their risk of being abused as they cannot resort to the concerned authorities for complaint and protection for fear of detention, fines and deportation.

Female domestic workers are exposed to practices that are considered indicators of forced labor in terms of the theoretical and practical experience of the ILO's Special Action Program to combat forced labor (SAP-FL) which is a form of human trafficking, such as non-payment of salary, withholding of personal documents, excessive overtime, physical and psychological violence, isolation and restriction of movement. However, these practices and violations are not monitored and activists, researchers, and those interested in the rights of expatriate workers do not have access to these figures.

It is worthy to note that the Migrant Workers Protection Society (MWPS) has provided a shelter for female workers affected by violence and inhumane practices (in 2005 - 2019). Reports of the Society provided a sample of this type of violations. No statistics have been available since the closure of this society (**Remarks 36,37**)

We recommend the following:

1- Implementation of the 2014 ILO protocol and recommendations on forced
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labor, which amended the Forced Labor Convention of 1930.

- 2- Mandatory including of domestic workers under the Wages Protection System (WPS) linked to the Ministry of Labor, to ensure that the wage payment process is monitored.
- 3- Enacting legislation to protect non-resident female domestic workers (working for cleaning companies) to regulate the relationship between female workers, cleaning companies, and clients, especially with regard to working hours.
- 4- Curbing the phenomenon of flexible visa trading and punishing those held accountable for it.
- 5- Providing statistics on violations against female domestic workers.

Fifth: Education

The right to education is guaranteed by the Constitution of the Kingdom of Bahrain and stipulated on in the Education Law and the Child Law. This right has been reinforced by the obligation of basic education for all, as the state has committed to it, and the law obligates parents enroll their children to basic education.

The state pays great attention to higher education and provides scholarships and grants as well as Crown Prince's International Scholarship Program, but there is lack of transparency in terms of the process of selection, eligibility and non-discrimination, especially that the Ministry of Education does not to publish the names of students who benefit from scholarships and grants. In addition, outstanding students are not given the opportunity to study the disciplines they desire in violation of Bahrain's commitments to the Convention against Discrimination in Education emanating from the General Conference of the United Nations Educational, Scientific and Cultural Organization, which was ratified by the Kingdom of Bahrain and has become part of its national legal system (**Remark 38**).

We recommend the following:

1. Making education compulsory up to the secondary stage.
2. Guaranteeing transparency in allocating scholarships and grants,
3. Bahrainization of the public and private education sector as a solution to the problem of unemployment of university graduates.

Appendixes

Appendix 1: The Global Gap between Men and Women 2021 in the Arab World - Report of the World Economic Forum

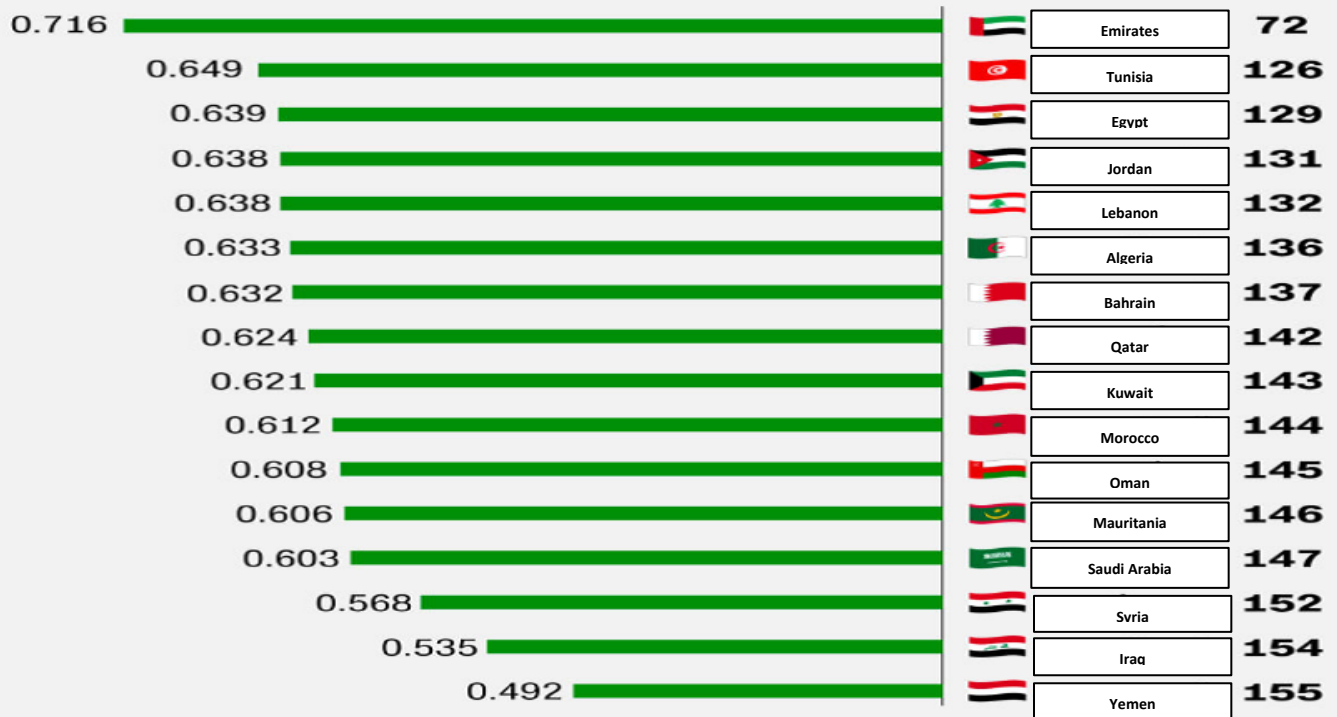
The Global Gender Gap 2021

Percentage of women in lower-paying jobs are still high compared with men

Average pay of men and women



Ranking of Arab countries on the global gender gap index (From 0 to 1)



Middle East region performance on global Measures of gender gap

Appendix No. 2: Recommendations submitted by Bahrain Women Union to the team concerned with the Universal Periodic Review of the Kingdom of Bahrain (UPR4)

Recommendation No.	Recommendations made by the Human Rights Council in UPR 2016	Recommendations submitted by Bahraini Women Union
114-49	Raising law enforcement officials of awareness and culture on international laws of human rights, including the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights	1. Withdrawing reservations on Article 9, paragraph 2, and Article 10, paragraphs 4 and 16, as they are inconsistent with the Convention on the Elimination of All Forms of Discrimination against Women and Article 18 of the Bahraini Constitution. 2. Ratifying the Optional Protocol to CEDAW
114.8	Ratifying the Optional Protocol to CEDAW	
114.152	Taking all necessary procedures to ensure adoption and urgent implementation of the Citizenship Law, regarding the right of Bahraini women married to a foreign husband to pass citizenship to her children.	1. Amending Article (4) of the Bahraini Citizenship Law of 1963 to read as follows, (Anyone shall be deemed a Bahraini national if born in Bahrain or abroad and his father or mother was Bahraini at the time of his birth.)
114.150	Finalizing the draft law amending some provisions of the Citizenship Law of 1963 to stipulate on unconditional pass of citizenship to children of the Bahraini woman married to a foreign husband	
114.114	Continuing to work to empower women and promote gender equality as well as eliminating discrimination and violence against women and children through, inter alia, amending and promulgating relevant laws and implementing the National Plan for the Advancement of Bahraini Women	9. Amending Domestic Violence Law No. 17 of 2015 to include violence in the public space, as well as threat of violence, and including the issue of marital rape to it and determining a punishment thereof. 10. Adding an article to the Domestic Violence Law related to punishment of violence perpetrator. 11. Inclusion of non-Bahraini women in the domestic violence law.
114.140	Continuing to promote gender equality and effectively implement the National Plan for the Advancement of Bahraini Women 2013-2022	12. Implementation of awareness programs by official authorities in collaboration with civil society institutions concerning the phenomenon of violence and methods of protection.
114.156	Continuing to strengthen policies aimed at protecting women	13. Repealing Article (353) of Bahraini Penal Code No. 16 of 2017, which exempts a rapist from punishment if he marries the victim.
114.136	Follow-up efforts aimed at promoting women's rights and combat all kinds of discrimination against them	14. Raising the marriageable age of girls to 18 Gregorian years instead of 16 in accordance with the Convention on the Rights of the Child 15. Allowing the adult woman to conclude the marriage contract herself, and that she may require the consent of the guardian
114,142	Seeking to establish more measures to strengthen gender equality and ensure the position of women in society at all levels.	16. Amending Article 95 of Family Law No. 19 of 2017 regarding divorce in the Jaafari jurisprudence as it resulted in the issue of the suspended wives.

114,98	Adopting a law to protect human rights defenders, including special protection for vulnerable groups of defenders, especially women who express their views on the Internet and social media	<ol style="list-style-type: none"> 1. Making fundamental amendments to Decree-Law No. (21) of 1989, regarding social and cultural associations and clubs and private bodies working in the field of youth and sports and private institutions, to guarantee the greatest possible degree of freedom of movement for civil society and obtain the financial funding necessary to continue their projects and programs to be able to serve the Bahraini community 2. Repealing Article (43) of Decree-Law No. (21) of 1989, which prohibits members of dissolved political societies from joining the leadership of NGOs
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Recommendation No.	Recommendations made by the Human Rights Council in UPR 2016	Recommendations submitted by Bahraini Women Union
114.141	Full implementation of the national plan for the advancement of Bahraini women	1. Activating the (Takatuf) database launched by the Supreme Council for Women and the Parliament, and enabling the parties concerned with domestic violence to use the database on a confidential basis
114-157	Taking the necessary steps to ensure the successful implementation of the National Plan for the Advancement of Bahraini Women 2013-2022	2. Supporting research in this field of domestic violence, increasing shelters for victims of violence, providing psychological, medical, and social assistance as well as legal advice, economic empowerment, and continuous training for service providers and law enforcement agencies
114.139	Continue to collaborate with partners concerned with the implementation of the National Plan for the Advancement of Bahraini Women (2022) to build a competitive and sustainable society in the Kingdom	3. Announcing results of the “equal opportunities” units formed by the Supreme Council for Women to identify their positive impact on women and to eliminate discrimination against them
114.147	Exerting more efforts to increase the representation of women in leadership and decision-making positions	5. Qualifying women in legal positions to assume the duties of the Sharia judiciary in the family courts
114.73	Continue to exert efforts to encourage women in participate in political, economic and social life and all other fields.	6. Issuing incentive and binding decisions on business entities in the private sector to avail leadership job opportunities for women.
114.146	Adopting holistic plans and policies to guarantee achieving gender equality in public and private life and making recommending related to adopting taking specific measures to increase the participation of women at all levels and encourage the employment of women in leadership positions.	7. Taking temporary measures by the government at the legislative level, i. e. quota, to help increase women's participation in political life at the level of national and local elections or appointments.
114.158	Seeking to increase the number of women in political and public life at all levels and in all fields and promote women to leadership positions and ensure that they are given opportunities for development	8. Increase the number of women in the Shura Council, to compensate for the decrease in the Council of Representatives.
114.154	Continuing efforts to empower and advance women and facilitate their public participation, especially in decision-making in political life and assuming leadership positions.	<ol style="list-style-type: none"> 9. Expanding the umbrella of social protection for women, especially those working in the informal economy. 10. Supporting female heads from needy groups, most of whom are productive families, with adequate training and financing, and providing them with specialized services. 10. Making Early education the responsibility of the Ministry of Education. 11. Raising the efficiency of female workers in educational institutions in the early education sector and supporting their wages. 12. Obligating owners of kindergartens and nurseries to adhere to only 8 working hours a day, pay the wages to female workers during the summer vacation, giving them paid maternity leave and care hours, paying overtime, and seconding cadres to join training programs 13. narrowing the gap of job benefits between female workers

		<p>in the public and private sector</p> <p>14. Issuing incentive and binding decisions on business entities in the private sector, for the purpose of providing job and leadership opportunities for women</p> <p>15. Binding Bahrain Chamber of Industry and Commerce to communicate with Bahrain Women Union and women's organizations to improve the conditions of women in the private sector.</p> <p>16. Removing obstacles to the employment of Bahraini women and grasping unemployed women in the local market</p> <p>17. Resolving the problem of temporary work contracts of female employees with the official authorities</p>
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Recommendation No.	Recommendations made by the Human Rights Council in UPR 2016	Recommendations submitted by Bahrain Women Union
114.88	Implementing a national strategy to combat trafficking in women and girls, and strengthening efforts made by the National Committee for Human Trafficking to provide effective protection for all workers, including migrant workers, to ensure non-discrimination as well as ratification of the Protocol of the Forced Labor Convention of 2014 and the Protocol of the International Labor Organization of 1930	<p>8- Implementation of ILO Protocol and Recommendations on Forced Labor of 2014, which amended the Forced Labor Convention of 1930.</p> <p>9- Mandatory inclusion of female domestic workers under the Wages Protection System (WPS) linked to the Ministry of Labor, to ensure monitoring the wage payment process.</p> <p>10- Mandatory inclusion of domestic workers under the wage protection system linked to the Ministry of Labor, to ensure that the payment process is monitored.</p>
114.154	Continue to exert efforts to ensure the safety, security and dignity of foreign migrant workers, including female domestic workers, through the required institutional and legislative measures	<p>11- Enacting legislation to protect non-resident female workers (working in cleaning companies) to regulate the relationship between female workers, cleaning companies, and clients, especially with regard to working hours.</p> <p>12- Curbing the phenomenon of flexible visa trading and punishing those held accountable for it.</p>
114.170	Ensuring effective protection of migrants, especially female migrant workers, against discrimination.	<p>13- Providing statistics on violations against domestic workers.</p>
114.132	Continue to promote the rights of vulnerable groups, especially girls and women.	
114.143	Protection of migrants and persons with disabilities.	
114.148	Continue to promote progress in the	1. Making education compulsory up to the

	<p>education of girls and women and increase and diversify their educational and professional options</p>	<p>secondary stage</p> <ol style="list-style-type: none"> 2. Guaranteeing transparency in allocating scholarships and grants, especially that the Ministry of Education does not publish the names of students benefitting from them 3. Bahrainization of the public and private education sector as a solution to the problem of unemployment of university graduates
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