

**THE SHADOW REPORT ON
IMPLEMENTATION OF THE
CONVENTION ON THE ELIMINATION
OF ALL FORMS OF DISCRIMINATION
AGAINST WOMEN
(CEDAW)**

Bahraini NGOs

KINGDOM OF BAHRAIN

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EXECUTIVE SUMMARY

Part I. Fulfilling the Principle of Equality

Although the Kingdom of Bahrain's ratification of the Agreement CEDAW Convention is considered an advanced achievement, the reality of women continues to be tarnished with some shortcomings. Any observer of this reality will discover that many of the Convention's articles remain distant from actual implementation. A number of problematic social, cultural and political issues continue to influence the enactment of a fair personal status law, whereby calling for this law is

considered by some religious currents as an infringement of religious norms. The case is similar for the Citizenship Law, and the right of women to give their citizenship to their children. As for women's right to participation in various aspects of public life, including political, economic and decision-making ones, participation rates remain low, and in some cases non-existent, which dictates the need to take concrete, serious and actual steps by the official establishment for the purpose of speeding the frequency of change towards fulfilling the principle of equality and non-discrimination.

Bahrain has expressed its reservation regarding Article (2), which represents the core of the Convention, through stating that it would be applied within the limitations of Islamic *Shari'a* Law. Bahrain also expressed reservation regarding Article (9), paragraph (2) regarding citizenship, and Article (16) regarding personal status, which contributed to stripping the Convention of its spirit and its basic core. Reservations towards some Articles of the Convention touched on its very core. These items include:

- Article 2 (embodiment of the equality principle between men and women in national constitutions and legislation)
- Article 9 paragraph (2): Right of women to pass their citizenship on to their children and husbands
- Article 15 paragraph (4), related to the law governing the movement of individuals and freedom in choosing their place of residence.
- Article (16): Eradicating discrimination against women in matters of marriage and family relations
- Article (29) related to arbitration in case the state breaches the Convention.

In spite of the reservations mentioned above, ratification of the Convention has enhanced confidence by women non-governmental organizations to continue their demands to remove these reservations and to utilize what is available to work during the present stage, especially that what the official report comprised did not compare between the status of women in Bahrain before and after joining CEDAW, and the extent to which this affects women status after more than five years since Bahrain joined, and specifically in the following areas:

- The absence of the Personal Status Law
- The Citizenship Law
- The Law for Initiating Political Rights
- The Penalties Law

1- The Absence of the Personal Status Law [Article 16]

In spite of demands by women organizations and relevant national organizations, since 1982, that a personal status law be enacted, through the formation of a special committee for this purpose, the law has not been enacted to this date. The absence of such a law, which organizes matters related to marriage, divorce, custody, inheritance, and guardianship and protects women and guarantees for them equality and non-discrimination in rights, which created a legislative gap before the jurisprudence of the Bahraini judiciary in accordance with Islamic *Shari'a* from the references and interpretation invoked by followers of the two schools (Sunni and Ja'afari), to judge in family affairs. This results in a number of legal ambiguities, because of jurisprudence on behalf of judges, that is different and sometimes contradictory. The absence of this law in Bahrain is considered a stark discrimination against Bahraini women and a prejudice against their human rights.

Much as the courts implement Islamic *Shari'a* laws which guarantee freedom for women to select their husbands in total and absolute freedom, as an example, the true and practical reality is that problems in married life abound, in addition to conflicts that result from divorce when women enter into the whirlwind of courts and the annals of the judiciary, which take several years, without them attaining their rights in the divorce. And if this does happen, it does after much travail and many years of negotiation over custody rights and alimony for children, and women may end up losers, especially in cases of *Khula'* (divorce initiated by the wife).

The solution, as we perceive it, is the rapid enactment of a fair law that encompasses an equitable right of women to men's in the marriage contract, and based on the availability of similar rights of the husband, such as the right to rear children and shouldering an equal responsibility for them in case of a divorce.

2- The Citizenship Law [Article 9]

Bahrain expressed its reservation on Paragraph (2) of Article 9 of the CEDAW Convention, which deals with the citizenship of Bahraini women married to foreigners. The Bahraini law issued in 1963 stipulates that the father should be Bahraini in order for the children to be Bahraini, although the same law grants citizenship to children born to a Bahraini father and a foreign mother. Many Bahraini mothers suffer from a number of problems resulting from their children being deprived of the Bahraini citizenship, especially in cases when the foreign father dies or divorces his Bahraini wife, or estranges her while she stills lives in Bahrain.

As for the official efforts exerted to alleviate this kind of discrimination inflicted on women, these have not, as yet, surpassed individual cases that are referred to the Joint Committee between the Higher Council for Women, the Royal Court and the Ministry of Interior. This is the committee formed in accordance with directives from His Majesty the King to study such cases. In spite of its contribution to dealing with a limited number of cases, this does not address the discrimination imposed on a Bahraini woman in granting her citizenship to her children. The problem can only be addressed basically through the amendment of the law.

3- The WOMEN'S POLITICAL PARTICIPATION :

The Constitution of the Kingdom, issued in 2002 guarantees women the right to nomination and voting, and women started, as of that year, to practice their political rights through participating in voting on the National Action Charter and municipal and parliamentary elections in 2002 and 2006. They failed, however, in their municipal and legislative election experience, and only one woman succeeded, uncontested, in the legislative elections in 2006, while the government appointed six women in the Second Bureau (The *Shourah* Council) in 2002, and ten women in 2006, out of a total of 40 members. This poor result of women participation in political life is the result of a number of reasons. These reasons may be summarized as follows:

- The traditional social and cultural legacy towards women.
- The manner in which voting districts are distributed, in a non-balanced manner where numbers are concerned.
- The election law is restricted to a single vote system for each district; there is no candidate list system, which contributed to no women reaching or winning in the past two experiences. The relatively new democratic experience of the one vote system for each district contributed to men winning all seats.

The solution requires the amendment of the Political Rights Initiation Law and the electoral system, so that they include texts and mechanisms which include a specific ratio of parliamentary seats for women, for the purpose of political representation and participation in decision-making. It should also specify a ratio for electoral districts distribution, which helps women reach decision-making positions.

4- The Penalties Law

The Penalties Law, issued by Decree number (15) for the year 1976, and its amendments, did not include a clear text that criminalizes discrimination against women. No other law touches on this issue, which requires the relevant official Bahraini party that committed to ratify the CEDAW convention to work at amending the texts of various legislations, among the most important ones is the Penalties Law, in such a way that texts criminalizing discrimination are clear and straightforward and women can refer to them and resort to them in cases of discrimination based on sex.

Part II. Areas of Priority

1- Women and Decision-Making [Article 7]

The Constitution of the Kingdom of Bahrain stipulates, in Article (16)B that citizens are equal in assuming government positions in accordance with the provisions of the law. Furthermore, the State has ratified the text of Article (7) Paragraph B of the CEDAW Convention, which stipulates that the State should take all appropriate necessary measures to eliminate discrimination against women, and to guarantee this right on equal basis with men through participation in articulating and implementing government policies, in addition to filling public positions and carrying out all public functions at all government levels

It should also be pointed out that Bahrain has achieved some progress in women reaching leadership positions, such as the appointment of two ministers, one ambassador, judges, a former university president, members in the *Shourah* Council ...etc. Such appointments, however, are limited individual cases that lack any performance and efficiency standards agreed upon with societal organizations, and international standards. This indicates the need to expand the range of women reaching leadership positions through the adoption of internationally and socially adopted standards. This requires strategic plans, to be interpreted

according to phased programs to achieve this objective, rather than formal interpretations based on a system of relationships and allegiances to fill these leadership positions.

Perhaps the closest example of this imbalance in appointments is what was mentioned in the gender gap (women empowerment) issued by the World Economic Forum in Davos in 2007, which indicates that the Kingdom of Bahrain has reverted to a rank of 115 out of 128 countries covered by the report, after reaching the rank of 102 in 2006. While the report registered an advance for Bahrain in closing the gender gap as far as the health and education indicators are concerned, indicators like economic and political empowerment showed a noticeable serious fallback, whereby the wide gap is evident from the presence of large numbers of female university graduates, amounting to double the number of male graduates, compared with a limited or even non-existent high-level positions occupied by women in some sectors. This indicates that women do receive the education but not the opportunity to be promoted fairly.

2- Quota [Article 4]

It must be pointed out that the Kingdom of Bahrain did not express its reservation to Article (4) of the Convention, which stipulates that the *“Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved”*. Yet the State did not take the initiative to quickly translate this text into a practical reality to accommodate changing conditions through applying the quota principle at the political and administrative levels. This principle was applied by some Arab countries such as Jordan and Morocco.

The issue also requires the implementation of the same quota system at the administrative level in the executive authority, through specifying a ratio to which these government systems should adhere in bringing women to leadership positions, and overcoming the resulting gender gap. Hence the need to bridge this imbalance through guaranteeing equal opportunities between the sexes and through a program that engages gender into developmental policies, plans and programs in the Kingdom. This can only be achieved through allocating part of the general budget for this purpose. It may be beneficial that the relevant official party carry out survey studies regarding leadership positions, functional and administrative positions that are still closed to women, or where women represent a very small ratio, and then work at

establishing equal opportunity units in ministries and institutions for the purpose of achieving higher participation rates by women in all functional positions.

3- Education and the Need to Change Women Stereotype Images [Article 5 and 10]

Many educational curriculum applied in Bahraini schools at different levels are still based on enhancing the stereotype image of women, because they do not highlight, with the required level of seriousness, the importance of the women's pioneering role in serving society and participating in public affairs. They also overlook highlighting outstanding women role-models. In general the image of women portrayed in school books is not compatible with women's position and their actual role in the Bahraini society, the level of changes, and what is required by development and modernization programs. Hence, the need has become urgent to review the content of educational books and curriculum and to modernize them in accordance with and support of the concept of gender equality.

THE SHADOW REPORT

FIRST : INTRODUCTION

General Introduction

Bahrain ratified the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) after forty seven years of the commencement of women action in 1955, represented in the establishment of the Bahrain Young Ladies Society as the first women grouping in Bahrain as well as the Gulf and Arabian Peninsula area. The national women movement consolidated its activity through demanding women rights and defending their issues. Its continued demands to ratify CEDAW resulted in ratifying the CEDAW Convention. With the commencement His Majesty King Hamad Ben Issa Al Khelifa, King of Bahrain's reforms program, the resumption of parliamentary representation and freedom of speech and expression, as well as giving women their political rights to nomination and elections, and the establishment of the first official entity for women, represented in the Higher Council for Women, through which the First and Second Official Reports of the Kingdom of Bahrain were presented in accordance with the provisions of Article 18 of the Convention. This report has come into existence as a result of the formation of a national committee that includes

Member Associations in the Bahrain Women Union

1. Bahrain Young Ladies Society.
2. Child and Mother Care Association
3. Awal Women Association
4. Bahraini Women Association
5. Bahrain Association of Women
6. Rural Women Association
7. Al Rifa' Cultural and Charitable Association
8. Hamad City Women Association
9. International Women Association

Other National Parties

1. General Union of Bahrain Workers
2. Bahraini Sociologists Association
3. Bahraini Association for Human Rights
4. National Democratic Action Association
5. Islamic Centre Association
6. Progressive Democratic Forum Association
7. Business Women Association
8. The Bahrain Society of engineer
9. Bahrain medical society
10. Bahrain economic society
11. Wasat Islamic Society

The National Committee was established on February 3, 2003 and started collecting information before seeing the final text of the official report, to be able to prepare its own shadow report, rendering the initial draft report an alternative report, until the Committee was able to obtain the report (unofficially) and after it was sent to the relevant committee at the United Nations.

The Committee has attempted to hold a number of meetings to specify priority axes for the Shadow Report as well as critical issues and relevant recommendations, emanating from the fact that the CEDAW agreement is considered a springboard towards establishing an integrated and balanced society, through its call for equality in rights between men and women in all political, economic, social, cultural and civil fields. It is emphasized that what gives this agreement its major value is its call for enacting national regulations to prevent discrimination

against women, taking special and temporary precautions to speed the process of introducing equality between men and women, and to effect changes in the trends affecting social and cultural patterns, in addition to striving to change legacies that oppose the principle of equality through awareness and education.

1- The site

The Kingdom of Bahrain is located in the middle of the southern coast of the Arabian Gulf. It is an archipelago consisting of 40 islands, with a total area of 746525 square kilometres. The largest of the islands is Bahrain, which includes the capital 'Al Manama' and comprises 83% of the total area of the Kingdom's islands. Bahrain is connected to the Kingdom of Saudi Arabia through the King Fahad causeway.

2- Demographic Indicators

- According to the 2001 census, the population of Bahrain was 650604 people, of whom 373649 are males (57.4%) and 276955 are female (42.6%).
- Non-Bahraini population in that year was estimated at 244937, of whom 169026 are male (69%) and 75911 are female (31%).
- The population concentration in 2001 was estimated at 903 people for each square kilometre.
- The ratio of urban to rural population is considered high in all areas of Bahrain, due to the expansion in development in new cities. The ratio of urban population was 87.7% in 2001.
- Note: The population of Bahrain as of September 2007 reached 1046814, of whom 529446 were Bahraini and 517368 were foreigners, according to a statement by the Minister to Akhbar Al Khaleej, Issue 1907 dated 2 February, 2008).

3- General Indicators

- Economy: Capitalism of the State
- Gross Domestic Product per capita: 17170 dollars.
- Education: Males: 91.5%, Females: 84.2%
- Year women obtained voting rights: 2002
- Women Fertility Rate: 2.6 in 2005

4- Political Structure of the Kingdom of Bahrain

4-1- Kingdom of Bahrain System

The Kingdom of Bahrain is an Arab, Muslim state with complete sovereignty. Its people are part of the Arab nation, and its region is part of the Arab World as a whole. Bahrain is a constitutional monarchy where governance is hereditary democratic, and supremacy is for the people, the source of all power and authority. The King assigns the members of the *Shourah* Council (40 members), while the people elect (40 members) of the Council of Representatives. Together(80 members), the two councils form the National Congress.

4-2- The Constitution

The Constitution is the document that specifies the system of governance. The first Constitution was issued in 1973, and was amended later on in accordance with the National Action Charter. The amended Constitution was published on February 14, 2002.

4-3- The Authority

The State has three authorities:

- The Legislative Authority, carried out by the King and the National Congress as stipulated by the Constitution.
- The King also handles the Executive Authority with the Cabinet of Ministers and the Ministers.
- The Judicial Authority, represented by judges who issue judgment in the name of the King.

SECOND : THE LEGAL SIDE

Women rights in Bahrain are subject to the provisions of the Constitution and national laws.

1- Provisions of the Constitution [Article 1]

There is no discrimination against women in the Constitution of the Kingdom of Bahrain, issued in 2002. This is clear in Articles (1-E, 4, 5, 13, 16, 18) of the Constitution, which stipulate the principle of equality among citizens, men and women, in all walks of political, social, cultural and economic life. They also guaranteed the principle of equal opportunities among citizens, men and women, and that each citizen has the right to work, to choose the type of work, and equality in assuming public employment. People are also equal before the

law in acquiring public jobs, with no discrimination related to sex, origin, language, religion, faith, creed or other.

As for equality before the law, women were granted the right of equality with men in all areas. The law gave women equal opportunities to practice their legal qualification to conclude contracts on their own and to manage their property. The law also treated women on equal basis regarding court procedures and measures and in legal proceedings. However, the Constitution does not include a text that prohibits all sorts of discrimination, especially discrimination against women. In order to rectify social imbalances in the shadows of a culture of sex discrimination, as governed by social legacies that are not fair to women, it would have been more effective for Article (4) to be more precise in the paragraph that stipulates equal opportunities among citizens, and between the sexes in specific, in order to provide equal opportunities and the appropriate climate that guarantees women engagement in society.

2- International Agreements

2-1- Bahrain has concluded the following international agreements regarding women:

- Convention for the Elimination of all Forms of Discrimination against Women in March 2002
- Agreement on Elimination of discrimination with respect to employment and occupation (2002) by the International Labour Organization to eliminate all forms of discrimination against women in employment
- International Covenant on Civil and Political Rights
- Agreement on International Rights of Children 1989
- International Covenant on Economic, Social and Cultural Rights
- Agreement for the Arab Women Organization
- The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- A group of international agreements from the International Labor Organization

2-2- International Agreements on Women that were not Signed by the Kingdom of Bahrain

- Special Agreement on Motherhood for 1919 and its amendment of 1952
- International Agreement for Workers with Family Responsibility 1981

- International Agreement on Equal Pay or Remuneration for Equal Work 1951
- Agreement on Suppression in Traffic of Persons and for the Exploitation of Prostitution of Others 1949
- Convention on Political Rights of Women 1955
- UNESCO Convention against Discrimination in Education 1964

3- National Laws and Women

The Bahraini legislator tended to use the term “citizens” in the legislative articulation of all national laws, which indicates that all citizens, men and women, are equal before the law in general rights and duties. However, the truth of the matter is that many practical applications of laws do not give women equal opportunities with men to practice their legal qualification as stipulated by the Kingdom’s Constitution and other applicable laws.

3-1- Decree for Law No. (15) for the Year 1976 to Issue the Penalties Law

The Penalties Law does not include texts that punish any person proven to have practiced discrimination against women, or has violated the principle of equal opportunities and gender equity, whether in assuming public or private positions or in any area of life. It does not include either any articles that punish whoever is proven to have committed sexual harassment, especially against women employees or women in the workplace, whether verbally, physically or by insinuation. However, the Bahraini legislator has addressed these issues in general in Articles (350) and (351) respectively in Part II, on rape and violation of honor.

A- Crimes of Honor and Rape: Article (535) of the Bahraini Penalties Law stipulates that crimes of violation of honor and rape shall not be punished if the perpetrator properly married the victim. If a final judgment was passed against him before marriage was concluded, it is suspended and its criminal results are cancelled. This text represents a harmful discrimination against the victim in that it does not represent an equal treatment by the law with the criminal, who would utilize this text to avoid criminal punishment. He can also impose a one-sided divorce from the victim, after avoiding punishment. The suspension of criminal sentences issued against the perpetrator upon marrying the victim allows him to avoid punishment, and to repeat his crime against other women, knowing that he can avoid punishment as soon as he marries his victim.

B- Violence against Women: [General Recommendation 19: Violence Against Women]

With the exception of Article (6), which addresses trafficking in women and exploiting them in prostitution, the issue of violence against women was not addressed in the Convention. The International Declaration on the Elimination of Violence against Women defined violence as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.” And since the Kingdom of Bahrain does not have any laws that criminalize violence practiced against women because of their gender, be it domestic violence, violence in the workplace or in public places, and since there are no available administrative protection arrangements for the abused women to guarantee their safety and dignity, although the Bahraini legislator did address cases of violence and aggression against citizens in general in Part VIII under crimes committed against persons, in the Penalties Law, hence there is need to issue a law that criminalizes all forms of violence against women because of their sex, and takes measure to protect women against whom violence is directed.

C- Crimes of Adultery: The Penalties Law has a special section composed of

seven: articles (324-330) [Article 6] for crimes of debauchery and prostitution, inflicting various forms of punishment on whoever leads or attempts to lead a woman to prostitution, or used threats or intimidation or any form of deception against her. The Law also punishes anyone who prepares a house for prostitution, or earned part or all of his or her living from what a female earns from prostitution. The same Law contains two articles regarding the violation of manners or public decorum, including punishment to whoever instigates publicly, in a public place, the practice of debauchery, or managed or established a location for debauchery or prostitution. However, the magnitude of social, economic and cultural changes through which the Bahraini society is passing requires a special legislation to outlaw trafficking in women for the purpose of sexual exploitation, especially that practiced in many locations under the cover of tourism, in order to provide protection to expatriate women and to prevent their exploitation by people they work for, or to compel them to sell their bodies as a result of material needs.

3-2- Decree Law Number 24 for the Year 1976 Enacting the Social Insurance Law [Article 11]

The Social Insurance Law guarantees equality for women in obtaining insurance benefits, except for the age for receiving retirement benefits, whereby Article (34) of the Law

stipulates that the age of retirement for men is 60 years, while retirement age for women is 55 years. This is considered discrimination against women subject to this Law, and in contradiction with Article (11) of the Convention, which stipulates the need for eliminating discrimination against women in the field of work, guaranteeing the same rights to both men and women equally.

3-3- Law Number (11) for the Year 1975 regarding Passports [Article 15]

Article No. (13) of the Law stipulates that a wife may not be granted a separate passport without the approval of her husband. Those who do not qualify are not granted a passport without the approval of their legal representatives.

This legal text represents a diminution of women's capacity and her equality before the law, and is considered inappropriate logically and legally, as it treats a sane and fully competent woman on equal footing with incompetent individuals, by stipulating the need for a woman to obtain her husband's approval for an important document such as a passport. It is also considered unconstitutional because it restricts a woman's personal freedom and freedom to travel.

3-4- Bahraini Labor Law in the Private Sector [Article 2 and 11]

The Bahraini Labor Law includes, under the section on women labor, seven points only that address the following issues:

A- Prohibition of night work for women “and the prohibition of employing women in dangerous industries and professions”. It specified the maternity leave as 45 days only, before and after delivery, which is much shorter than in other Gulf and Arab countries, and is not comparable with leaves estimated by the International Labor Organization as 12 weeks (3 months).

B- The Bahraini Law used the statement: “An employer may not terminate a female employee because she is getting married or during her maternity leave”. The legislator should have used the statement: “An employer may not terminate a female employee because of, not only marriage but pregnancy and delivery as well, and during her maternity leave”.

C- The Law did not give women or working couples the right for a leave without pay for a period not exceeding one year, in order to rear children, without losing the right to return to work.

D- The Law did not give women the right for a two-year leave to accompany her husband who is seconded to work abroad without losing her job.

E- The Law did not compel the employer in an establishment that employs a certain number of women to prepare a special area as a day-care center for the children of female employees whose age is below 4 years, as some sort of a protection for the working woman and to support her socially to implement Article No. (5) Paragraph (B) of the Constitution, which guaranteed compatibility between a woman's work and her family duties.

3-5- Amiri Decree No. (4) for the Year 1971 Regarding Regulations for the Diplomatic and Consular Corps

The Decree stipulates in its Article (34) that an employee of the Diplomatic Corps abroad and his wife may not take another employment. Since the stipulation that a diplomat's wife may not seek employment is considered unconstitutional and contradicts clearly the International Convention for the Elimination of all Forms of Discrimination against Women, which compels countries signatory to it to desist from initiating any discriminatory action or a discriminatory practice against women, and taking the necessary precautions to prevent discrimination against women as a result of marriage, we see it as necessary to amend this article so that the wife of a diplomat may be able to continue with her original line of work, or any other employment while with him on his diplomatic mission, as long as her line of work does not contradict with the public interest of the state.

3-6- Civil Laws and the Implementation of the Agreement

Qualitative amendments were effected in 2005 regarding some provisions of Resolution No. (3) for the year 1976 in the area of housing, whereby the new amendments emphasized the right for a working woman who is the head of her household to benefit from housing services, but this law won't come with the woman married with non Bahraini husband, in a similar as the man.

4- Reservations

The Kingdom of Bahrain has expressed its reservations on the following articles of the CEDAW Convention:

4-1- Article No. (2), regarding measures required from signatory countries to eliminate discrimination against women. Bahrain's reservation came in order to guarantee implementation within the provisions of Islamic *Shari'a* Laws. Improving the legal status of women is one of the main objectives that Islamic *Shari'a* pays much attention to. Islam, which set the laws, fourteen centuries ago, for human rights, covering them with sufficient guarantees to protect and support them in order to achieve a society with no privilege or discrimination between two people, regardless of their origin, element, sex, color, language or religion, and in such a way that equality is the basis for rights and duties, and hence Islam does not contradict with the spirit of article (2) of the Convention, which justifies removing the reservation on all of Article (2).

4-2- Article (9) Paragraph (2), which is the article related to granting women equal rights to men in maintaining or changing citizenship after marriage. Bahrain expressed reservation on this article because the Bahraini Citizenship Law for the year 1963 discriminates against women as follows :

A- The Citizenship Law stipulates that the father should be Bahraini in order for the child to be granted the Bahraini citizenship. In other words, the child of a Bahraini mother is not considered Bahraini if his/her father is a citizen of a Gulf country, an Arab or a non-Arab. Hence, this article contradicts all articles of the Constitution and the provisions of articles (15 and 16) of CEDAW, which the Kingdom ratified, although Paragraph (C) of the same article considers the child Bahraini, born to a Bahraini mother, if his father is anonymous.

B- The Bahraini legislator totally ignored a non-Bahraini woman who could obtain the citizenship by law. Would she be able to give Bahraini citizenship to her husband and minor children?

C- This clearly indicates that it is impossible for the Kingdom of Bahrain to grant citizenship by law to any woman, as a human being with rights and who could offer great and profound services to the country, just like men, according to Recommendation No. (21) of CEDAW, which stresses that citizenship plays a decisive role in complete participation in society.

The legislator also excluded women from true nationality, and set another discriminatory legislation when the Citizenship Law indicated clearly in Paragraph (1) under ‘citizenship of wives’: “If a foreign woman marries a Bahraini citizen after this law becomes effective, she shall become Bahraini. If a Bahraini woman marries a foreign man after that date, she shall lose her Bahraini citizenship if and when she acquires her husband’s citizenship. Otherwise, this does not apply”.

D- Many Bahraini mothers suffer from many problems because their children are deprived of acquiring the Bahraini citizenship, especially in cases where the husband of a Bahraini woman dies or divorces or estranges her while she still resides with her children on Bahraini soil.

4-3- Article (15). The Kingdom of Bahrain expressed reservation to Article (15) Paragraph (4)

A- Countries party to the Convention shall grant women equality before the law. Member countries grant women similar capacities in civil affairs to those of men, as well as the same opportunities to practice these opportunities.

B- They also guarantee women, in specific, equal rights to those of men in concluding contracts and managing property, and to be treated equally in all stages of procedures followed in courts and judicial establishments. The man basis resides in non-discrimination against Bahraini women in the Bahraini Constitution, which granted equal rights to male and female citizens. Bahraini women enjoy legal capacity, equal to that of men, in all civil affairs, such as concluding contracts, managing property, and all commercial activities such as ownership, management, and supervision, without interference or permission from their husbands or any male members of their families.

c- Women are treated in a perfectly similar manner as men before courts, and a woman’s testimony is accepted by the court on equal footing as that of a man, except in cases related to Islamic *Shari’a* Law, in which a man’s testimony carries double the weight of a woman’s, according to Islamic *Shari’a* principles. A female attorney has the right to represent her clients before courts and special judicial establishments on equal footing with a male attorney. As for delivering legal services, the state is committed to delivering such services to those who need them, males or females alike. Women are granted similar

compensations as men in similar circumstances, and women face the same provisions faced by men in similar cases. Reservations have weakened the positive effects of the Kingdom of Bahrain joining the CEDAW Convention, since there are no conflicts between the Convention and the principles of the Constitution, which clearly stipulate that citizens are equal before the law and general duties, on the basis of sex, origin, language, religion or faith. Furthermore, there is no conflict with Islamic *Shari'a* Law, which requires the cancellation of these reservations.

4-4- Article (16), related to all appropriate measures to eliminate discrimination against women in matters related to marriage and family relations.

A- The Kingdom of Bahrain has expressed reservation on this article in its entirety, if it contradicts the provisions of Islamic *Shari'a* Law. Since this article deals with marriage and family relations, and with equality in rights and responsibilities in marriage, and other matters that govern family life, it must be pointed out that there is no law of personal status to regulate laws of marriage, divorce, custody, inheritance, guardianship and alimony, that protects women and guarantees their security and non-discrimination in rights. The Bahraini judiciary operates in accordance with the teachings of Islamic *Shari'a* Law, as per its Sunni and Ja'afari schools of jurisprudence, to judge in family affairs, which results in legal complexities resulting from interpretations of various judges that are often conflicting, in addition to the psychological and humanitarian ramifications resulting from the absence of this kind of legislation.

B- The absence of a Personal Status law in Bahrain is considered a stark discrimination against women and a disparagement of their human rights in justice, security and tranquility. Women under this reality suffer from a severe prejudice and unlimited discrimination due to the absence of the law, which is considered necessary to provide the protection needed for the family in general and women in particular, and to support judges, lawyers and parties in court cases in the deliberation process, instead of surrendering the Bahraini family to various and conflicting judicial interpretations presently followed by courts of *Shari'a*. In view of the absence of a law that organizes family relations, what is presently followed to decide in family disputes in courts is to apply Islamic *Shari'a*, which cost women their freedom in choosing husbands, and marrying by their full and free choice. However, reality has witnessed a number of cases where women were married off against their will and approval,

although we have no statistics to support this assumption due to the private and sensitive nature of the issue.

C- In view of the dominance of a male culture in society, and the absence of legal legislation and preventive measures to protect women in the family system, and through observing the practical reality of cases registered in courts, it has become clear that rarely are women allowed to acquire the same rights and responsibilities during marriage or after divorce. Divorce is considered the sole right of men and not women, and could involve women in a cycle of conflicts that take years to solve in courts and the annals of the judicial system, sometimes compelling women to buy her freedom through *Khula'* (divorce her husband against a payment), giving up all her legal financial rights and returning what was paid to her. Sometimes, the husband persists in his abuse and demands higher amounts than what he had paid her, reaching prohibitive figures. In other cases, the husband compels her to give up custody of her children against the right for a divorce. Those who follow up on family courts can witness the level of injustice inflicted on women, and the loss of their rights in the cycle of values.

D- No standard legislative or legal provisions exist regarding children custody and child support after divorce. This issue is subject to the opinions of the two Islamic schools of jurisprudence applied in the Kingdom, namely, Sunni and Ja'afari. There are also no legal texts or preventive measures related to maternal health, such as birth control, abortion or other, noting that the Ministry of Health may provide health awareness and education regarding reproductive health and the use of contraceptives and birth-spacing. However, the legacy of values, norms and traditions contribute to the extent to which society accepts these concepts, which negatively affects the potential for women to enjoy the same rights in this area. The decision mostly belongs to the husband alone.

E- As for guardianship and support in the family, these are the responsibility of the father, according to Islamic *Sharia'a*.

F- According to *Shari'a*, women are entitled to maintaining their maiden names after marriage. As for selecting a profession or a field of employment, sometimes husbands specify areas of work and type of employment for the wives. These are mostly jobs where women are not exposed to men in the workplace, but sometimes husbands may totally

deprive women of the right to work. This requires that laws and regulations be enacted to assure non-discrimination against women in this field.

As for the financial liability of each of the husband and wife, Islamic *Shari'a* has granted women the right for a separate financial liability from their husbands'. However, the actual reality is in the wife participating with the husband in shouldering the burdens of married life in the absence of any legal organization or specific arrangements that permit the wife to maintain her financial obligations when divorce occurs, resulting in the wife leaving the marriage empty-handed, without a place of residence or personal belongings, even if she was a co-owner of that residence or property.

G- As for specifying a marriage age, a decision was issued by the Minister of Justice and Islamic Affairs, under number (45) for the year 2007 regarding an official list of marriage officials, and the provisions for documenting covenants regarding personal status. Article (10): "No marriage contract may be concluded or ratified unless the age of the wife is fifteen years and the age of the husband eighteen years at the time of concluding the contract, unless an urgent necessity exists, justifying marriage for people less than this age. A court permission is mandatory in this case. The marriage official or the judge, as the case may be, relies in verifying the legal age of the couple to be married on a birth certificate or any other official document listing their birth dates." Although this decision may contribute to limiting cases of marriage below the legal age, it nevertheless represents a clear discrimination against women through specifying a lower age for women than men. In addition, this decision contradicts the Agreement on the International Rights of Children, to which Bahrain is a signatory, in that the Agreement specified the age of childhood until 18 years. Add to this that the drafting of the Decision left a wide margin for exceptions, without specifying any controls, which leaves the doors open for circling around it, especially that this Decision was not very popular among some religious figures, who considered it to have the audacity to question the authority of guardians and marriage officials.

4-5- Article (29) regarding Arbitration in case of the State violating the Convention.

This article is of a procedural nature, and the Convention has openly permitted member countries to express reservation on this item in accordance with Item (2) of the same Article, when the state signs or ratifies the Convention or upon joining it. Based on this, parties to the

Convention shall not be committed to Item (1) of Article (29) regarding conservative countries.

5- Mechanisms and Institutions that Protect Women Rights [Article 3]

The current mechanisms that protect women rights in Bahrain are distributed over civil society institutions and the Higher Council for Women, which is the official agency dealing with women affairs.

5-1- National Sector Institutions

Civil society institutions, represented in women, professional, political, and religious organizations, unions and syndicates have an important role to play in motivating the role of women and promoting awareness, and to encourage them and provide them with the opportunity to practice their role as guaranteed by the Constitution, for the purpose of arriving at the principle of total partnership between men and women.

A-Women Associations

As a result of women's involvement in education at an early stage since 1928, and their engagement in work, it was necessary for this to be accompanied by the establishment of entities that took it upon themselves to care for women. As a result, the Association for Bahraini Women Revival was established in 1955 as the first women association at the Arabian Gulf level. That represented the beginning of the establishment of women associations with numerous aims and objectives. These associations bore the burden of demanding women rights and protecting them over a long period of time, extending until 2001, through the adoption of many programs and demands that can be summarized as follows :

- Illiteracy elimination programs were carried out in the sixties and the seventies of the last century, aimed at women in various areas of Bahrain.
- In the seventies, and after the country gained its independence, these associations demanded that women be granted their constitutional right to voting and elections, when the election law dropped women rights in voting and nomination for membership in the establishing council, and then the National Council.
- They defended working women rights for the improvement of their status, sending memoranda of complaints to companies and banks that took administrative decisions touching on the rights of working women, as well as to government officials.

- They formed a personal status committee in 1982, certified by the Ministry of Labor and Social Affairs at the time, which included all women and relevant professional associations in addition to some dignitaries, both men and women, working in the field of women issues. Among its most significant objectives was the issuance of the Personal Status Law, in view of its importance to women and to family life as a whole. It also implemented a number of cultural activities, workshops and meetings with officials to speed up the issuance of the law. This issue became urgent in order to alleviate the injustice from which women and families suffer.
- Carried out a number of social awareness programs and campaigns regarding women rights and the need to involve them in all aspects of public life.
- Published a number of studies dealing with realities of women
- Established centers for family legal guidance and counseling aimed at battered women as well as a home for battered women.
- Established a number of productive projects for women such as the Microstar project, the hospitality project, paper project, and seamstress projects in order to achieve wider participation for women in the development process.
- Carried out the National Campaign, “Citizenship is my Right and my Children’s”, which carried out a number of activities for the purpose of promoting awareness in society of the dimensions of this phenomenon, and henceforth to hasten the amendment of the Citizenship Law to guarantee women rights in full citizenship.
- Formed the National Committee for Eliminating all Forms of Discrimination against Women in 2002, from women and rights associations, professional associations and individuals interested in women affairs. Among its main objectives are working at eliminating the Kingdom of Bahrain’s reservations in implementing CEDAW, observe discrimination signs in local laws and regulations, explain the articles of the agreement and reaching out to all women categories and classes.

B- Union of Bahrain Women

Over fifty years have elapsed since the establishment of the first women association in Bahrain (Bahraini Women Revival Association), followed by the establishment of a number of active women associations interested in women affairs. It became necessary to form a women grouping under one umbrella, so in 2001, the Union of Bahrain Women was formed from 13 associations, and was launched on September 16, 2006 with a judicial decree issued by Bahraini courts of law. Despite its rather young age, it initiated its action through continuing the work started by the Personal Status Committee, demanding that a fair personal

status law be enacted, in addition to amending election laws to accommodate the women quota system.

C- General Union of Bahrain Workers

The General Union of Bahrain workers contributes largely in supporting working women's rights in various areas of work, and through concerted efforts to promote women awareness of their union rights and to create union awareness.

D- Juristic Associations

Juristic associations work at enhancing juristic awareness through a number of juristic awareness programs for women and society, receiving complaints and defending them.

E- Professional Associations

Professional associations work on developing women capabilities and skills in various professional areas.

5-2- Official Sector Institutions - Higher Council for Women

In 2001, Amiri Decree No. (44) was issued to establish the Higher Council for Women, headed by the wife of the King. The Council has a wide range of authorities and specializations.

THIRD: AREAS OF EQUALITY

1- Women and Participation in Political and Public Life [Article 7 and 8]

Under this title, the report addresses the content of Articles (7) and (8), which concentrate on the adequate procedures to eliminate discrimination against women in public and political life, and guarantee their equality with men. Article (7) of the Convention state : "*Countries party to the Convention take all the necessary measures to eliminate discrimination against women in political and general life in the country, guaranteeing for women, in particular, the right, on equal standing with men, to a) vote in all public elections and plebiscites, and the capacity to vote in all bodies whose members are elected through public vote*":

1-1- National Charter

Nevertheless, Bahraini women participated for the first time in the February 2001 plebiscite over the National Action Charter, or just before the issuance of the abovementioned Political Rights Initiation Law. The National Action Charter is considered a political document towards bringing back democracy to the country after His Majesty King Hamad Ben Issa Aal Khalifa assumes his responsibilities as ruler of the country in 1999 (he was an Emir at the time). The rate of women participation in that plebiscite reached 49%, which is considered high, reflecting a high level of awareness and willingness in active political participation.

1-2- The previous Bahraini Constitution:

promulgated in 1973, did not discriminate between men and women regarding their legal capacity and right to political participation. The previous election law, published in 1974, however, restricted the concept of ‘citizen’ to males only, preventing Bahraini women from participating in parliamentary elections. The amended Bahraini Constitution, promulgated in 2002 avoided restriction by mentioning “men and women” in specific, to ascertain specifically the political right of women as equal to that of men in all public plebiscites and elections and participation in public affairs. The 2002 Constitution stipulated in Article (1) E that *“The citizens shall have the right to participate in the public affairs of the State and enjoy political rights, beginning with the right to vote, in accordance with this Constitution and the conditions and procedures set forth in the law.”*

These rights were documented and guaranteed in relevant laws that were enacted after the Constitutional amendment as in the Political Rights Initiation Law of 2002 regarding the Councils of Representatives and *Shourah*.

1-3- the Municipal Code

Furthermore, the Municipalities Law issued in December 2001, emphasized women constitutional right of participation in nomination for local councils, in accordance with its Article No. (7). In spite of this equality in all the abovementioned texts, Bahraini women did not win a single seat when it came to the practical test, but rather faced the same social and cultural obstacles embedded in the previous municipal elections in 2002 and 2006. In the 9 May 2002 municipal elections, which were the first to take place since the twenties of the past century, 31 women were nominated for the membership of the municipal councils, or 10% of the total candidates, against 275 men. None of them won, and none of them

advanced to the second stage. In the second municipal elections of November 25, 2006, 5 women were nominated at the percentage rate of 3.1% against 160 men. Again, none of them won. In spite of this, Bahraini women are commended for their assertive participation at high rates in those municipal elections, whereby women participation was 51% in 2002 and 73.6% in 2006.

Table No. (1)

**Number and Percentage of Candidates for Municipal Councils and the Council of Representatives by Gender for the Year 2002
(Rounds One and Two)**

Description	Women		Men	
	Number	%	Number	%
Municipal Council 2002	31	10.1	275	89.9
Council of Representatives 2002 Round One	8	4.2	183	95.8
Council of Representatives 2002 Round Two	2	4.3	44	95.7

* Source: Central Information System

Table No. (2)

Number and Percentage of Candidates in Round One of Municipal Councils and Council of Representatives by Gender for the Year 2006

Description	Men		Women		Total	
	Number	%	Number	%	Number	%
Municipal Councils	5	3.1	160	96.9	165	100
Councils of Representatives	16	7.7	190	92.3	206	100

* Source: Central Information System

1-4- National Council

At the parliamentary elections level, 8 women were nominated for the first Council of Representatives elections on October 24, 2002 at a rate of 4.2% against 183 men, but none of them won, although two women succeeded in reaching the second round. In the second Council of Representatives parliamentary elections of November 25, 2006, which coincided with the municipal elections, 16 women were nominated at the rate of 7.7% of the total number of candidates against 160 men. One woman succeeded uncontested.

It is noteworthy to mention that 6 women members were appointed to the *Shourah* Council out of 40 members for the year 2002. This is the second Chamber of the National Council. The appointment came in the form of a Royal Order No. (41) for the year 2002, appointing

members of the *Shourah* Council. The number of women was also increased to 10 in the *Shourah* Council of 2006, and to 11 after the Minister of Health resigned her post and was appointed to the Council. Such appointments, however, remain as individual cases, selected on the basis of nominal interpretations such as family relations or allegiances, and lack the adoption of performance and efficiency standards regarding women participation as agreed with internationally approved social institutions. In order to guarantee larger women participation in political life, it is necessary to adopt strategic plans that are interpreted according to timelines and that drive towards changing concepts and values regarding women participation, in addition to amending laws and regulations in accordance with this approach.

1-5- National associations

A- The law regulating the activities of national associations, that has been in effect since 1989, in addition to the Law for Political Associations which was issued in 2003, do not agree with the concepts of reform as presented, or with the essence of the international agreements on human rights. The first does not permit national associations to practice any activities in the political field, while the other curtails the activity of political associations, especially those connected to international organizations. The draft law for national associations is controversial because of the many restrictions it imposes and supervision from the administration, which negates the voluntary nature of the associations and imposes subordination on them, as they wait for authorizations. Hence, the government of Bahrain should issue an advanced law for political parties, giving them a wider space for movement within society, instead of the current political associations.

B- As for the Law for Initiating Political Rights, it prohibits, in its Article No. (22), unions, associations and syndicates from carrying out or participating in any election campaigning in favor of a specific candidate, which hindered women associations from contributing effectively to supporting some candidates in the 2002 and 2006 elections. In addition, Article (2) of the same law stipulates that a citizen should have reached the full age of twenty years on the day of the plebiscite or election. This deprives a large section of men and women from political participation and the right to vote.

C- Women representation in civil society institutions with the exception of women associations is considered low in general, if compared to that of men, whether at the level of political associations of all orientations, or professional and Islamic associations. In

professional associations, according to statistics by the Central Information System for 2006, women work is concentrated in medical services areas such as physical therapy (60%) and pharmacy (56%). Percentages of representation in other areas are as follows:

Table No. (3)

Women Representation Percentages in Civil Society Institutions According to 2006 Statistics

Description	Percentage
Information Technology	81
Social Work	50
Teaching	46
Consumer Protection	38
Lawyers	36
Economists Association	4.6
Money Exchange, Labour Offices, Insurance	0

* Source: Central Information System

Except for the above, percentage go down and become almost non-existent in some areas like money exchange. As for percentages of women in managerial positions, Table No. (4) below shows percentages of women in associations in descending order:

Table No. (4)

Percentage of Women in Managerial Positions in some Professional Associations in Descending Order, According to 2006 Statistics

Description	Percentage
Consumer Protection	75
Osteoporosis	55.6
Doctors	44.4
Nursing	44.4
Pharmacy	44.4

* Source: Central Information System

D- As for Islamic associations, women participation in most of them is non-existent, with the exception of some, such as the Islamic Association (75%), Islamic Message Association (56.5%), the Reform Association (36%) and Ahl El Bait Association (40%). There are no women in the boards of directors of the first three associations. In spite of women participation in unions since the issuance of the Royal Decree organizing labor unions' work No. (33) for the year 2002, and with women heading four unions, women have assumed positions in the boards of directors of 17 labor unions only, and the percentage of

women to men on these boards is 22.5% only. Political associations are in no better position. The number of women on boards of directors, on average, does not exceed two in the best of cases (18.2%) of the total number of the board members (11-12 members), as is the case in the National Democratic Action Association and the Democratic Progressive Forum Association. The number decreases to one woman only in associations of Islamic National Reconciliation, National Action Charter and Islamic Arab Center. It is non-existent in Islamic associations that represent *Salafi* affiliations and Muslim Brotherhood affiliation such as Islamic Truth ('*Assalah*) Association, Progressive Forum Association and Al *Shourah* Islamic Association. The reason behind this is attributed to a number of obstacles, such as:

- The absence of policies, mechanisms and institutions supporting women and helping them reconcile family burdens and job burdens outside the home, in addition to their general activities, in spite of what the Constitution stipulates.
- The social and cultural legacies that perceive women as inadequate for political work.
- The limitations of the role of institutions defending women rights and opposing discrimination against them, according to clear strategies, demanding women empowerment to perform their roles at home, work and the public field.

Hence, political and professional associations and labor unions are required to take the necessary measures to guarantee wider women participation. These include:

- Set measurable strategies, and monitoring towards the increase of women participation in general, empowering them, in specific, to assume leadership, executive and managerial positions in the structures of these institutions.
- Provide training programs for the purpose of enhancing women understanding of the democratic governance system, the importance of their role and participation in decision-making.
- Form women pressure groups through holding training courses and workshops to motivate women for political participation.
- Creating mechanisms that involve women in electoral processes and political activities as well as other leadership areas more effectively.

1-6- public employment

In the field of public employment, and in spite of the fact that the Constitution, legislations and legal regulations did not discriminate between the two sexes, and their guarantee of equal rights for women without discrimination on the basis of sex, and since the Kingdom of Bahrain has ratified the International Labor Organization Agreement on Non-Discrimination

in Employment and Occupation No. (111), and according to statistics published in the First Report (Men and Women in the Kingdom of Bahrain: A Statistical Image) 2006, and data from the Civil Service Bureau, (66.2%) of women work in jobs within grades five to seven, compared to (46.4%) of men, who control (75%) and more of the positions in grades nine and ten and with higher salaries. According to 2004 statistics, the average monthly salary for women in the public sector is less than men's salaries by about 7%, and the equality indicator is skewed in favor of men. Although the number of female employees in the Health, Education and Social Affairs ministries is 55% of the total number of employees, women presence in leadership positions in the Ministry of Health is 32% only, and does not exceed 38% in the Ministry of Education. Discrimination is clear from what tables 5 and 6 below show, in the private and public sectors, whereby we notice that the percentage of women in leadership and public positions is limited, which indicates a violation of women rights and a non-recognition of their efficiency and right to obtain what they deserve.

Table No. (5)

Women Participation in Public Offices

Position	Total	Female	Percentage
Minister	47	3	8.51%
Undersecretary	61	1	2%
Assistant Undersecretary	47	5	10.6%
Assistant General Director	3	0	0%
Executive Director	5	0	0%
Director	286	31	11%
Secretary General	9	1	11%
Assistant Secretary General	6	0	0%
University President	1	1	1%
College Dean	10	3	30%
Governor	5	0	0%
Assistant Governor	4	0	0%
Ambassador	23	0	0%
Court Director	3	0	0%
Court Deputy	3	0	0%
Attorney General	1	0	0%
Judge	43	0	0%
Member of Constitutional Court	6	0	0%
Member Labor Court Judge	7	0	0%

* Table was accumulated from different sources

Based on the above, we realize that the development which accompanied the signing of the CEDAW Agreement since July 2002 to date, and in spite of some numerous achievements, is still slow. Most efforts, especially official ones, are unable to achieve a noticeable improvement vis-à-vis urgent and central issues to eliminate the most salient forms of discrimination against women, such as the enactment of a just family law, and the enactment of a law that criminalizes discrimination and giving women their right to full citizenship, through the amendment of the citizenship law, and increasing women participation in decision-making positions.

Article (16) of the Constitution stipulates that (Citizens shall have equal opportunities to hold public offices in accordance with the conditions specified by the law). The number of women working at the Ministry of Islamic affairs in 2006 reached 6 only, compared to 177 men.

Table No. (6)

Number of Employees and Job Promotions by Sex in Five Major Banks in 2003

Bank	Year	No. of Employees			No. of Employees Promoted	
		Female	Male	Total	Female	Male
Bahrain National Bank	2003	128	288	516	5	25
Bahrain and Kuwait Bank	2003	153	400	553	36	79
United National Bank	2003	151	247	398	12	19
Arab Banking Institutions	2003	*	*	*	6	2
Gulf International Bank	2003	91	219	310	12	19

* Source: Based on data from the banks mentioned in the Table * Unavailable

In 2001, the first Bahraini and Gulf woman was appointed as a minister, followed by limited appointments in various areas such as college dean (3 women), bank management, Ministry of the Interior and office of the general prosecutor, whereby three women were appointed as assistant public prosecutor and one at the rank of deputy assistant public prosecutor. This is a tentative step undertaken by the government on the road to eliminating discrimination against women. However, the government is capable of taking positive measures that motivate the selection of women for promotion when their qualifications are equal to those of men in various ministries and official institutions, in realization of the principle of temporary positive discrimination. Furthermore, and after there were two female ministers, the Minister of health resigned in 2007, and rejoined the *Shourah* Council, to be replaced at the Ministry by a man. There are no measures or arrangements until now to increase the percentage of women in leadership positions in the private sector boards and institutions, from which

women are almost totally absent. There is also a lack of agreed upon scientific standards in such appointment process, because they are left to the estimates of official parties and the authority of the political decision.

In general, and according to the National Action plan issued by the Higher Council for Women recently, the Council aspires to raising the percentage of female members in both the *Shourah* and the Representatives councils in the near future, and within 5 years.

However, the question here is, according to what standards will this happen?

In the field of journalism, we find that in spite of the presence of highly capable and famous female journalists and writers in the field, there are no women in positions like chief editor or managing editor in all newspapers and journals published in the Kingdom. The political side has not taken any steps in this field to eliminate discrimination against women there, and most chief editors and editorial directors of publications are appointed by an official order that lacks internationally approved standards, with the exception of newspapers and magazines that are managed by private companies.

1-7- Representation and Participation on the International Level

The Kingdom is represented abroad by 23 male ambassadors compared to two female ambassadors, the second of whom was appointed in 2007, which indicates that Bahraini women are not given the real opportunities to represent their country on the international level, in spite of the absence of any legislative or constitutional obstacles. Three Bahraini women have reached the level of international organizations representative, and one employee fills the position of assistant to the Resident Representative of the United Nations Development Program (Bahrain Office). Others may be working in United Nations Bahrain offices as administrators. A Bahraini woman headed the General Assembly of the United Nations in 2006, in addition to the participation of two Bahraini women, and they were the only Gulf women ever, in the Higher Consultative Commission of the Gulf Cooperation Council heads of states. According to the estimations of the Ministry of Foreign Affairs, the participation of Bahraini women in foreign diplomatic missions reached 15%, which is actually a very small percentage that does not correspond to the level of Bahraini women qualifications. In spite of noticeable trends by the government to increase women participation in various international forums in recent years, whether in activities in Arab or foreign countries, the government admits, however, the low level of women representation at the international level in official missions, and restricting it to relationships to the Royal Family or parties subordinate to officials. The number of women sent on delegations reached

415 women compared to 2213 men in 2003, and 338 women compared to 2227 men in 2004. This calls for urgent action to raise this percentage in coordination with government agencies, relevant ministries and the national sector.

1-8- Necessary measures to achieve equality

A- The reasons for non-predictability of women in decision-making positions

A field study* mentions ratios concerning the most important reasons behind women not winning in elections. Following are some results:

- Effect of religious values (77.77%-96.51%)
- Effect of social values prevailing in society (62.99%-93.39%)
- The lacking role of the media (97.04%)

In addition to what was mentioned in the above study, we believe there are other factors that converged to prevent women from winning in the infant elections experience, most important of which are:

- Social upbringing of men and women alike, and the cultural legacy which still places women in a lower class than men.
- The relatively new democratic experience and the lack of the accumulated values to deal with it.
- The absence of material and moral support for women, in addition to the limited efficiency of some candidates and their weak abilities.
- Limited financial resources and human cadres who are free to organize election campaigns, and the technical support programs by international organizations restricted to official establishments, especially the Higher Council for Women.
- The failure of Law No. (26) for the Year 2005 regarding political associations, which is void of any motives or standards that encourage women participation in these associations, and the moral and financial support for pioneering associations where efficient women are active within their advance structures.
- The one-man-vote and the manner in which election districts are distributed, which affected the position of women in municipal and parliamentary elections negatively. Many votes were also wasted because of the principle of “majority for the winning candidate”.

* A field study carried out by Dr. Huda El Khaja

- The official school curriculum dedicates the negative perspective towards women, placing them in an inferior class to men.
- The state has not taken any temporary positive measures on the legislative side, to guarantee the provision of real opportunities for women to win, according to Article (4) of the Convention. On the contrary, the declaration by the Higher Council for Women, rejecting conclusively the concept of quota, even on temporary basis, with non-constitutionality as a justification, has had a negative effect on attempts at defending and framing that were initiated by some political associations and activists.

B- Procedures to ensure the implementation of Discrimination against Women

We see that there is a need to take the necessary measures regarding the implementation of the constitution and law articles on the ground, especially that the text has guaranteed women the right to candidacy and election, in addition to working at eliminating discrimination against them.

Among the measures we propose the government should take are :

- Take special, temporary measures, according to one of the mechanisms for implementing the quota system, for the purpose of increasing political participation and expediting actual equality as per Article (4) of the Convention.
- The state has not taken any temporary positive measures on the legislative side, to guarantee the provision of real opportunities for women to win, according to Article (4) of the Convention. On the contrary, the declaration by the Higher Council for Women, rejecting conclusively the concept of quota, even on temporary basis, with non-constitutionality as a justification, has had a negative effect on attempts at defending and framing that were initiated by some political associations and activists.

B- Procedures to ensure the implementation of Discrimination against Women

We see that there is a need to take the necessary measures regarding the implementation of the constitution and law articles on the ground, especially that the text has guaranteed women the right to candidacy and election, in addition to working at eliminating discrimination against them.

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Among the measures we propose the government should take are :

- Take special, temporary measures, according to one of the mechanisms for implementing the quota system, for the purpose of increasing political participation and expediting actual equality as per Article (4) of the Convention.
- Review the current electoral system and one-man-one-vote system, since the plural two-stage majority system, in small, individual districts, does not provide women with the opportunity to win, as was shown in the 2002 and 2006 election experiences and the experience of many other countries.
- Consider the selection of one relative representation system by lists where women are placed at the top of the list. A study by the Inter-Parliamentary Union carried out in 1995 showed that the relative representation of women in parliament jumps to 20% in countries implementing a relative representation system.
- Redistribute of election districts and make them a responsibility of the legislative authority and the executive one (as Article 17 of the Political Rights Initiation Law stipulates at present), in addition to adopting larger districts because they provide a larger number of seats and therefore provide more opportunities for women, as well as considering and adopting gender balance.
- Adopting a principle of equal votes, and making election district equal in the number of voters.
- Issue an amendment to the Political Parties Law by adding incentives that motivate women to engagement in political activity, such as a condition by law to increase support to associations and increasing women participation in their leadership boards in accordance with one quota mechanism.

- Ratifying the optional protocol that gives women the right of complaining to the judiciary committee on discrimination against women concerning the Convention provisions by their opponents.
- Support building training centers under the supervision of national and political organizations, in order to develop capabilities in the field of leading election campaigns, political action skills, self-assurance and others.
- Provide human and material capabilities to carry out independent and specialized field studies and research, to study the reasons preventing women participation, incorporating women in the decision-making process and devising the solutions thereof.

2- Social Perspective of Women, the Media and Publicity [Article 5]

Member countries take the following measures to achieve the following:

- A. *Change social and cultural patterns of men and women behavior for the purpose of eliminating partiality, favoritism and conventional habits, as well as all other practices based on the belief that one of the two sexes is more superior or inferior from the other, or on stereotypical roles for men and women.*
- B. *Make sure than family upbringing includes a proper understanding of motherhood as a social career, admitting that rearing and educating children is a joint responsibility between the parents, keeping in mind that the children's interests are the basic consideration in all cases.*

2-1- In the Bahraini society

Prevailing social and cultural patterns in the Bahraini society continue to operate within the system of norms and traditions. These patterns are, in most cases, connected to the religious side, which gives it a holy tone, especially that social beliefs are nothing except a product of its prevailing culture and social legacies, which have nothing to do with religion, rendering them in many cases acceptable and agreed upon, which makes it difficult to oppose or resist them, or even to describe them as discriminatory.

On the cultural and educational level, accepted, desired and expected roles by society for women are the very same ones emanating from its culture and the perspective of its members. They are also the same roles that are promoted even in educational curricula. What is accepted in these roles is that the priority for women is to undertake traditional duties and missions and to share roles with men within the context of traditional patterns. Furthermore, the norms and values legacies still dedicate men as 'heads' of households and their only

bread-earners. This makes it difficult to demand necessary changes in labor laws, social and end-of-service indemnities. We also miss strategic programs that work at changing or amending these trends.

2-2- In the Family Sphere

Women undertake a number of responsibilities inside and outside the family. The prevailing Bahraini society perspective towards women is based on a gender perspective of their roles, restricted to traditional roles, specifically as a mothers and wives. The burden of rearing children and caring for them falls normally on their shoulders. Anyone following women realities in Bahrain can summarize the main reasons behind dedicating this stereotypical image in the low level of awareness on behalf of society in general and the family in particular, dedication of discrimination in treating sexes, the acceptance of women of their marginal role and their ignorance of their legal and Islamic law rights, in addition to the practice by societal media of a negative role in dedicating the stereotypical perspective of women roles. The legislator in the Bahraini Constitution referred, in Article (18) to the principle of equality between the sexes, yet ignored to refer to the mechanisms needed to implement this Article and the manner in which it could be realized in practice.

3- Discrimination and Violence against Women [General Recommendation 19: Violence Against Women]

3-1- At the legal level

The phenomenon of violence against women represents one of the most dangerous social phenomena that arouse concern. It is also considered a dangerous indicator of the receding human and moral values in society, resulting in a number of negative results at the levels of society and the family, especially taking into consideration the increase in the frequency of unjustified violence, in all its forms against women in all societies in general and in ours in particular. Add to this the failure of the absence of legislation and penal laws that protect women, and the negligence of the authorities and civil society in implementing these legislations. Statistics published by the Ministry of the Interior in 2005 have revealed that one woman is exposed to violence every two days, taking into consideration that many violently abused women do not resort to police stations or hospitals to report violence inflicted on them, either to avoid scandals or from fear of the negative reaction of society, or due to total ignorance of their rights.

Table No. (7)

Crimes of Violence against Women (Physical Aggression)

Type of Case	2001	2002	2003	2004
Bodily aggression	466	625	574	610
Rape	21	6	7	7
Kidnap	2	2	2	6
Attempt of Kidnap	0	1	1	1
Dishonoring	21	22	12	7
Aggression on a Public Servant	1	0	0	1
Total	513	669	612	649

Table No. (8)

Crimes of Violence against Women (Verbal Aggression)

Type of Case	2001	2002	2003	2004
Threatening	67	74	72	134
Slander	218	284	228	388
Cursing	109	187	131	170
Incitement and Facilitation of Practicing Prostitution	0	0	0	3
Total	394	545	431	695

The above statistics summarize the seriousness of the violence problem against women, in addition to the fact that these numbers do not demonstrate the real extent of violating women rights. Furthermore, they are not inclusive and complete, and should therefore be interpreted carefully. There is a shortage of field surveys, research and systematic statistics that monitor incidents of violence against women especially that the official side does not admit to their presence as a phenomenon but rather insists that they are simple incidents that do not represent a social phenomenon. Many violently abused women do not report the circumstances of their abuse, feeling ashamed or worried about suspicions in their report, or that they may not be believed or may be exposed to additional violence. Hence, the absence of information and accurate statistics does not negate the presence of this dangerous phenomenon from which many Bahraini women suffer.

It should be pointed out that there are no laws in Bahrain that criminalize violence inflicted on women because of their sex, whether such violence is committed within the framework of

private life, such as domestic violence, or public life. In addition, there are no administrative or executive arrangements to protect abused women and preserve their dignity and safety. The Bahraini legislator treated cases of human beings in general within the provisions of Part VIII, Crimes Committed against Persons, chapter one, which addresses dangers against human life and physical safety in the Penalties Law. Violence committed on sexual basis is considered one form of discrimination against women, curtailing them from practicing their rights as a human being on equal footing with men. Hence, we see the need for enacting a law that criminalizes this form of violence and to take the necessary special and general measures to apply constitutional texts and to protect gains achieved by Bahraini women along their long march

3-2- On the Media Level

The media address suffers from the lack of adapting its situation to accommodate changes in the local and international community. Some media outlets continue to promote rhetoric that dedicates the inferior perception of women, and indulges in separating their world from that of men, restricting women to stereotypical social roles that do not take into consideration the new position women started to acquire in society as catalysts to change. The image portrayed of women in most media outlets remains to be one of a stereotype, compartmentalized in models: Traditional Women, the woman as a sex object, the superficial woman, the victimized woman. The image of women appears through these models as a negative, consumer and non-producer being that needs protection and does not participate in taking important decisions. Their behavior is also restricted to consumption and beauty, while their bodies are exploited for commercial advertising. These models do not reflect the real interests of all women, nor do they reflect the position which women should assume as productive and effective elements of society. Add to this that limited numbers of women reach leadership positions in the media, which negatively affects the image presented of women due to the absence of media strategies that recall gender equity.

3-3- At the Intellectual and Research Levels

There is a severe shortage in the research process dealing with women affairs. Furthermore, there is no disclosure or updating of statistics related to women. Any such statistics that may be found is incomprehensive, disorganized and requires compilation and analysis. In addition, university curricula in Bahraini universities lack the incorporation of the culture of gender, and there is no course curriculum on “women studies”.

4- Education [Article 10]

The Constitution of the Kingdom of Bahrain in its Article (7.A) stipulates that: *“The State shall patronize the sciences, literature and the arts, and shall encourage research. It shall ensure educational and cultural services of citizens. Primary education shall be compulsory and free in accordance with the law. The law shall lay down the necessary plan to eliminate illiteracy “.*

4-1- Pre-School stage:

The state education system does not include the early childhood stage prior to the elementary stage. There are no government kindergartens. These are restricted to the private sector belonging to civil society institutions or those owned privately by individuals.

Table No. (9)

Numbers of Students in Non-Government Education Prior to the Elementary Level, by Sex for the Academic Year 2005-2006

Sex	Daycare Centers	Kindergartens
Female	494	9143
Male	543	9848

4-2- Basic Education Stage

There are educational curricula for the early stages of education for both sexes. Numbers of students from both sexes are close in various educational levels, but discrimination exists in the traditional, undeveloped stereotype image of women roles in the curricula, because the gender culture is missing in basic education.

Table No. (10)

Number of Students in Government Education by Stage and Sex for the Academic Year 2005-2006

Stage	Male	Female
Primary	31152	31276
Preparatory	16189	16170
Secondary	61667	62245

4-3- Secondary Education

A- Although the number of females in the secondary education stage exceeds that of males, discrimination lies in specifying some courses for males and others for females. Some

practical areas of basic education dedicate a perception of discrimination for females because they specified certain areas for women, such as needlework, crochet and tricot. There are also specific areas of specialization of feminine style, such as textiles and clothing, and others of a male nature such as industrial and vocational training, which include two streams; applied, that prepares students for joining the labor market and academic that prepares students to join the university. This excludes girls from this field, which reduces their chances of attaining employment opportunities, in addition to agriculture and animal production areas of specialization, which are restricted to males as well.

B- In the area of special education, there was in Bahrain, and up till the school year 2005-2006 a special education government institution and a private one. However, the number of disabled female students in them is limited, because of poor family awareness of the importance of educating this group.

C- Although both males and females suffer from the same disability, areas of specialization for females are specified in tailoring, handicrafts, ceramics, cosmetics and beauty, home management and domestic services. This proves the stereotypical perspective and the discrimination in practical life roles between women and men.

4-4- School Activities

These are activities represented in boy-scout and girl-guide programs and sports, offered by the Ministry of Education, where discrimination is clear where some sports games in government schools are concerned, such as football, which is restricted to boys' schools. In private schools, sports games are available for both sexes, and there are girls' teams as well as boys' teams.

Table No. (11)

Number of Boy-Scouts and Girl-Guides Programs in Schools

Program	Female	Program	Male
Bunnies	31	Cubs	34
Girl Guides	10	Boy Scouts	17
Advanced	8	Advanced Teams	11

4-5- Private Education

The difference between the number of males and females registered in private schools is related to the desire of some families to guarantee an outstanding education for their children,

together with the highest level of proficiency in the English language for male children, in order to guarantee good employment opportunities for them in future. Some families do not wish their female children to mingle with male children in private schools, and hence refrain from sending female children to private schools.

Table No. (12)

Numbers of Males and Females in Private Education for the Academic Year 2005-2006

Sex	Number
Male	21870
Female	18107

4-6- Elimination of Illiteracy

According to the Bahrain census of 2001, the rate of illiteracy among women decreased from 28.75% in 1991 to 17% in 2001. Illiteracy among men also decreased from 13.3% to 7.5%. With this decrease, the number of illiterate and literate women remains high compared to men, reaching about double.

Table No. (13)

Bahraini Illiterate and Literate Males and Females According to the 2001 Census

Sex	Illiterate and Reads	Percentage	Reads and Writes	Percentage	Total	Percentage
Male	17578	4.3%	7894	1.95%	9684	2.39%
Female	30562	7.5%	8677	2.13%	21885	5.39%
Total	48140	11.87%	16571	4.08%	31569	7.78%

As a state commitment to the International Decade for Eliminating Illiteracy, which requires reducing the rate of illiteracy to its half by the year 2012, this requires motivating illiterate women to join illiteracy classes and continuous education through assigning financial motives for studying, increasing financial returns for female teachers in adult learning centers, in addition to motivating working illiterate women, especially in the government sector, through promoting them according to achievement made in the field of illiteracy elimination and continuous learning. Furthermore, in order to motivate women studying in illiteracy elimination programs and driving them towards continuing programs of follow-up and enhancement, the situation requires promoting awareness of the importance of educating the elderly, and its impact on developing society, in addition to supporting families that permit married women to continue these programs.

Table No. (14)

Percentage of Women in Programs Proposed for Eliminating Illiteracy

Program- (2 Years)	2002-2003	2003-2004	2006-2005
Illiteracy Elimination	80.4%	78%	81.8%
Follow-Up	51.0%	56%	52%
Enhancement	21.4%	20.3%	22.1%

The percentage of women participating in illiteracy elimination and education of the elderly programs has increased. With the advance of stages, especially the follow-up stage, (equivalent to the preparatory stage), it is noticed that the number of female students decrease to one fifth of the total number of students, because there are no legal compulsory implementation mechanisms for mandatory learning, and there are no laws either to reduce dropping out from this education, which is considered the primary source of illiteracy. Dropping out is a practice by females at all levels of education, and this is attributed to private family circumstances, such as the death of a parent, or a divorce or social circumstances such as poverty. Among the factors behind increased drop-out rates by females is marriage, because the law does not permit a married woman to continue with formal study, which increases the number of drop-outs in the preparatory and secondary stages, in addition to the lack of vocational training programs for drop-outs from various education stages.

Table No. (15)

Female Drop-Out Rate from Government Education in Education Stages for the Academic Year 2001-2002

Sex	Primary	Preparatory	Secondary	Total
Female	43	66	166	275

4-7- Higher and University Education and Scholarships and Grants Rules

Opportunities for university studies increased for women after the University of Bahrain and the Arab Gulf University opened, as well as the Health Sciences College. The Scholarships Law being applied stipulates equality between females and males. Since females form the larger ratio among high school students with the highest grades, the distribution of scholarships and grants does not reflect the spirit of the law or the equal opportunities principle. Distribution is usually equal where numbers are concerned, but it is skewed where “how” is concerned, and the quality regarding what ministries and the labour market requirements are concerned, as some scholarships can only be given to male students in the first place, especially in areas like industrial education which is geared for male schools only.

Table No. (16)

Number of Educational Scholarships by Sex

Year	Male	Female	Total
2002/2003	296	230	526
2003/2004	263	263	526

* Ministry of Education, Private Education Directory / Department for Cultural Affairs and Scholarships at the Ministry

4-8- Training and Vocational Rehabilitation

While the number of females in higher education exceeds that of males, and females represent the higher percentage of students in the Medical Science College and the Gulf College for Hospitality and Tourism, the number of female trainees is less than male trainees in training institutes such as the Bahrain Institute for Banking and Financial studies and the Bahrain Training Institute which carries out vocational and technical training. Furthermore, most programs offered are geared for males, due to the fact that secondary vocational is geared for males only.

Table No. (17)

Administrative and Leadership Positions and Administrative and Technical Educational Activities

Position/ Sex	Minister	Undersecretary	Assistant Undersecretary	Department Director	Administrative and Services	Technical & Educational
Male	1	1	5	11	636	263
Female	-	-	-	6	435	460

Table No. (18)

Number of Teachers in Government and Private Education for the Academic Year 2005-2006

Sex	Government Education	Private Education
Male	4218	434
Female	6618	3009

4-9- Leadership Positions

Females represent the higher percentage of the labor force in the field of education, whether at the general or private education level. The percentages of females also increase in technical activities, due to two reasons: transferring male schools to female schools in the primary stage, which created the need for more females in the field of teaching, and the desire of males to work outside the teaching field. However, leadership positions in education are concentrated with males. School textbooks concentrate their content on the traditional role of women, in

spite of introducing the Family Education curriculum and citizenship after the changes which society passed through. However, they do not highlight services rendered by women in society, and neither do they highlight women role models who are active and prominent in society, which makes the image portrayed in school books of women incompatible with the position of women, and the changes that took place regarding their actual roles they perform in society.

5- Work

5-1- Right to Equality in Pay and Allowances, Treatment and the Evaluation of quality of Work

A- The following Table shows the large disparity in average wages and salaries for both sexes employed in the government and private sectors

Table No. (19)

Average Salaries and Wages for Both Sexes Employed by the Private and Government Sectors

Average Monthly Salaries in (BD)	Female	Male	General Average
Government Sector	583	657	620
Private Sector	264	400	332

* Source: Economic Indicators Report, Bahrain Monetary Institution, 2000-2004

B- The following tables shows a decrease in the influence of women in political and economic decisions. This is due to low levels of women representation in political and economic decision-making positions, and can be overcome through what national institutions like women and professional associations directly related can do, in terms of an important role in spreading awareness and formulating realistic programs, in addition to relaying their perspectives to decision-making positions.

Table No. (20)

Numerical and Relative Development of the Bahraini Women's Contribution to the Labour Market

Percentage of Women to Total Number of Bahrainis (%)	Number of Women	Year
3.2	3.2	1959
3.2	3.2	1965
4.9	4.9	1971
15.1	15.1	1981
19.4	19.4	1991
25.8	25.8	2001

* Source: Statistical Series, Central Statistics System, 2003

Table No. (21)

Average Annual Increase in Bahraini Women's Contribution in the Labour Market
(1959 – 2001)

Years	Average Annual Increase (%)
1965 – 1959	0.7
1971 – 1965	14.0
1981 – 1971	40.1
1991 – 1981	8.5
2001 – 1991	9.2

- Table number (21) shows the frequency of the increase in the women percentage contribution in the labour market, which can be explained in the initial stages as an expression of the nature and volume of economic and social changes that drove women towards education, and societies' adoption of values of modernity in viewing women's work and their role in society. Economic changes have widened the scopes of work opportunities available. The percentage of women participation in the labor market is reasonable compared to what happens in other societies. It is slow, however, and does not reflect the nature of the economic situation and the market requirements, especially if we notice the high levels of unemployment and the limitations in employment opportunities.
- On the other hand, Table number (19) shows the difference in the average salary of the Bahraini woman in relation to the average salary of the Bahraini man in the public sector. This indicates a new division of labour in the Bahraini society, as women are focused in the occupation of low-income lower level jobs. It also raises questions about the achievement of equal salaries for women and men in similar jobs despite the percentage increase of women in education. Women's contribution in the workforce continues to be modest in comparison with male contribution, where Bahraini women constitute 25.8% of the Bahraini workforce, according to the 2001 population census, and equal to 21.7% of the total workforce in 2001. It is noteworthy that this participation does not co-relate with the education level and outputs, where a huge gap is noticeable.
- In addition, there is the discrimination against women as regards their assumption of administrative and higher leadership jobs and the extent of enabling them to reach decision-making positions. This applies to both the government and public sectors, where women are almost absent in the top levels of large economic institutions and major industries. This results in women's absence from the economic decision-making process

while their presence increases in mid- and low-level jobs. Moreover, women's participation in higher administrative and leadership jobs reached 6% according to 1991 statistics.

- It is also noted that women's participation is limited to particular sectors while they are absent from other sectors. The statistics of 2001 reflect a great discrepancy between percentage of women in the workforce in the government sector and the private sector. This percentage rises in the government sector in comparison with the private sector, where the number of female employees is more than the number of male employees in each of the Ministry of Education and the Ministry of Health. The number of female employees in the Ministry of Education reached 7470 compared with 5788 male employees, and they are concentrated in teaching jobs, while their number in the Ministry of Health reached 3976 compared with 3200 male employees, often concentrated in nursing jobs. Female employees in these two ministries numbered 11446 and this number makes up 84.8% of the total number of female employees, which is 13499, in the civil service, and makes up 33.7% of the total number of employees in the civil service, which is 33979.

Table No. (22)

Job Status of Women in Public Jobs Compared with Men in the Government Sector

Year	Female	%	Male	%	Total
1995	10116	20.832	18616	64.792	28732
1996	10446	35.005	18979	64.500	29425
1997	11574	35.994	20581	64.006	32155
1998	11176	38.073	18178	61.927	29354
1999	10892	37.608	18070	62.392	28962
2000	11822	37.968	19315	63.032	61137
2001	11825	37.991	19301	62.009	31126
2002	13731	40.022	20578	59.978	34309

- While the Bahraini woman is absent from some jobs, as in the case of the Marriage Official and the Governor jobs, and participates in a limited manner in some diplomatic tasks, her participation in the army is limited to administrative areas, medical services, and support services.
- As for women's management of special projects, economic developments and new investments have not had an effect except to engage a minority number of women in

these areas, those who were able to manage their own projects as small and medium sized organizations often in the commercial and service sector.

- While there are no explicit legal texts that distinguish between women and men in jobs, employment, promotion, and the assumption of leadership positions, the reality on the ground indicates to us that this discrimination is exercised with influence and does have social, economic and political aspects more than if it was a written law.

In the face of this reality, there are no punitive legal measures and legislations that incriminate perpetrators of discrimination, and no legislations or measures have as yet been adopted to enhance women's participation in the labor market. On the contrary, there are calls by some forces in society to shorten women's work duration and give them early retirement. There is also discrimination against women for choosing some scientific specialization that do not co-relate with the society's viewpoint of women's desired roles, as was the case for 16 women who were not able to find work because they had degrees in chemical engineering.

Table No. (23)

Distribution of Women's Participation in the Labor Market according to the 2001 Census by Age Group

Age Group	Percentage %
15-24	17.4
25-29	4.6
45 and above	2.9

5-2- Insurance and Retirement Privileges

Family Benefits in the Government Sector

- **Social Allowance:** The married female employee is entitled to a single person's allowance if her husband is working for one of the various Ministries in the Kingdom.
- **Housing Allowance:** It is paid to some official parties and women are excluded from it, and are not granted social allowance.
- **Health Insurance:** There is no health insurance in the government sector (on the understanding that health services are provided free by the state). If health insurance is present in the private sector, like companies and banks, it is often provided to the male employee while the female employee is excluded, and if included, her family members are

often excluded, which constitutes a clear discrimination. Moreover, some health insurances do not include health problems related to pregnancy and maternity in their coverage.

- **Marriage Leave:** The female employee is granted marriage leave of fully paid three working days after the marriage certificate is presented.
- **Widow Leave:** It is granted in accordance with Islamic law, whereby “the Muslim female widow whose husband dies is entitled to a mourning leave fully paid and inclusive of allowances for a period of 4 months and ten days.”

Legislations and laws are not the main factor in the creation of a discriminatory reality against the working woman, but rather their impact comes due to the societal culture and the prevalent customs, norms and traditions combined with the religious and sect factor in society. Consequently, there will be no qualitative gains and progress that give justice to women and strengthen their stance in defending their interests and legitimate rights unless the woman herself leads the responsibility of lobbying and advocating for her rights. Sources¹. This requires an actual monitoring of discrimination against women and endeavoring to undertake several steps towards the elimination of this phenomenon, particularly since its continuation constitutes a flagrant violation of the provisions of international agreements in the area of labor laws. Thus, this entails the importance of activating the Convention’s principle of considering maternity a social event whose burdens are shouldered by society and undertaking the necessary measures relevant to that in order to keep abreast with the development of the pioneering role of women in international laws and legislations. One of these entitlements and measures is in the obligation to provide specialized networks for childcare, such as nurseries, means of transport, and children playgrounds that are attached to the work sites. There are no such official networks in Bahrain that are supposed to be attached to the work sites of mothers working in the government sector, which makes talk about government provisions of and financial support for such facilities at the national level inaccurate. Most available networks are private projects that belong to the private sector or individuals or some popular and women organizations, of which we mention the following:

- Number of Arab nurseries is (23) of which (19) include kindergartens.
- Number of foreign nurseries is (10).
- Number of private schools that include nurseries is (7).

¹ Law Number (13) of the year 1975 about regulating rewards and pensions of government employees and workers.
Law Number (11) of the year 1976 about regulating rewards and pensions of officers and privates.
Social Insurance Law issued by a decree by Law no. 24/1976.
Labor Law issued in 1976.

- One nursery for people with special needs (As-Sadaqa for the Blind).
- Number of kindergartens is (150).

It should be noted that the prices of some of them are high and some lack the necessary health conditions and equipments, which limits parents' ability to benefit from these networks. The state does not support the children's education and care before the school age, which entails burdens and huge costs on families that are incapable of suffering that for the sake of enrolling their children in nurseries and private kindergartens. This is as far as children between the ages of 3-6 years old. As for school-aged children, parents' working hours are usually longer than that of school hours, and labor laws do not take this into consideration, which requires undertaking the necessary measures relevant to that. In France for instance, adopted measures include taking leave and working half days without impacting promotion opportunities or job availability. Thus, it has become imperative to formulate a part-time law, particularly if we consider maternity as a societal responsibility.

5-3- Protecting Women from Sexual Harassment

Article (115) of Section 14 of the present Labour Law stipulates that a worker may leave work before the end of his/her contract and without prior notice, without losing his right to the end-of-service indemnity and compensation for damages sustained by him in a number of cases, including: If the employer or someone who represents him committed an act of indecency against him or a member of his family: The punishment in this case, incurred by the employer according to Article (165) is a fine of a minimum of 50 Dinars, not exceeding 300 Dinars. The fine multiplies according to the number of workers against whom the violation was committed. As for the Penalties Law, Article (351) stipulates that anyone who harasses a female in a manner that violates her integrity, verbally or by action, in a public place or a frequented road, shall be punished by a maximum period of 3 months in prison, or a maximum fine of 20 Dinars. Article (346) of the same Law stipulates that "Anyone who violates the honour of an individual against his will, shall be punished with a prison sentence, of a maximum of seven years, and according to Article (348), it shall be considered an aggravated situation if the perpetrator is from the roots of the victim, or his/her guardian, or has power over him/her, or if the victim is in the perpetrator's service.

Women are, in many cases, exposed to sexual, psychological and moral harassment in the workplace in general at the levels of the private and public sectors. In spite of the presence of legislative and private laws in the penal code, there are no deterrent or strict arrangements or measures that restrict such harassment, except for complaints procedures in labor laws in

general, which many women choose to avoid for various reasons. Hence, necessary steps should be taken to introduce stricter provisions in legislation and to create deterrent arrangements, measures and preventive laws and punishment that are more effective and binding.

5-4- Women and Union Action

Table Number (24) explains the status of women inside professional unions under the General Union of Bahrain Workers, and the noticeable level of weakness of women participation in unions.

Table No. (24)

Women Status in Professional Unions under the General Union of Bahrain Workers

No.	Name of Union	No. of Members	No. of Women	Female Management
1	Medal Cables	7	1	-
2	Duty-Free Markets	6	3	✓
3	Betelco	15	1	✓
4	Hotel and Supplies Sector	11	4	-
5	Babco	15	2	-
6	Bas	11	1	-
7	Al Darfala	9	1	-
8	Air Stewards	7	2	-
9	Retirement Fund	11	1	-
10	Water and Electricity	9	2	-
11	Travel and Tourism	7	1	-
12	Insurance Sector	7	1	-
13	Trade Bureau	9	1	-
14	Bankers	9	1	-
15	Post Office	9	1	-
16	Ready-Wear Factories	11	11	✓
17	EDS Gulf Countries	5	2	✓
Total		160 members	36members	-

6- Health [Article 12]

The right to health is considered one of a positive nature and a required condition to achieve comprehensive development for the Bahraini society in various economic, social, cultural and political areas. The Constitution guarantees medical care for all citizens. Article (8) paragraph A stipulates that “each citizen has the right to medical care, and the state shall undertake general health and guarantee means of prevention and cure through the establishment of various kinds of hospitals and medical institutions”.

Bahrain is in the forefront among many countries in the region in the field of providing primary, secondary and tertiary health care. Now, at the outset of the third millennium, the

Ministry of Health faces basic challenges, primary of which is the limitations to financing medical services per governorate, in spite of achievements in the field of health. Decision-makers in the government (legislative and executive branches) are supposed to create concepts and mechanisms, and to deal with core issues according to changes taking place in society, and in accordance with advances at the economic level.

6-1- Maternal Health and Family Planning Services

Family planning services are provided free of charge as part of primary health services. Some family planning tools are provided, such as contraceptive pills, Intra-Uterine Devices, and permanent sterilization are provided free of charge, whether at the time of private counselling or through post-natal examination services and periodic check-ups for women. Although these services are available free of charge, Bahraini women utilization of them is still below expectations in pregnancy clinics. This may be attributed to the availability of family planning tools in pharmacies without the need for prescriptions. Other women prefer to use private medical institutions to receive this type of service.

Health statistics show that the number of visits in public clinics, quick testing clinics, post-natal examination, infant examination, post abortion examination and pre-marriage examination reached 2 423 800 visits in 2002 and 2 696 378 in 2006.

Laws require that the husband's consent be taken before performing permanent sterilization on women. However, the wife's consent is not required when permanent sterilization is performed on men, which is considered a discrimination against women in this area. The husband's consent is also required before caesarean-section delivery procedure is performed on a pregnant wife. In general, Bahraini women suffer from their inability to make the final decision about the use of family planning methods, and this decision is often in the hands of the man who, in most cases refuses, to shoulder this responsibility. Most husbands see it as a matter that goes against religious principles and that affects his procreation ability. The issue remains subject to educational and mental levels, as well as the nature of the relationship between the man and the woman. Therefore, one could say that the responsibility of family planning and determining the number of children in the family remains up to the man.

Despite the development and availability of health services provided to Bahraini women, there is still a need to raise the level of awareness and to enable women in the decision-making area regarding reproductive health. Moreover, girls need health awareness in terms of preparing for marital life and reproductive health through the development of curricula. There is also a need for introducing the topic of family planning for both sexes in school curricula and not limiting it to females.

6-2- Contagious Diseases

Although the Kingdom of Bahrain was able to eliminate most of the contagious diseases prevalent in developing countries, like Diphtheria, polio, and whooping cough, recently published reports about diseases in the beginning of the Millennium indicate the spread of some sexually transmitted diseases, like Syphilis, gonorrhoea, and AIDS. These sexually related diseases may spread among adolescents and the youth due to the practice of unsafe sex. Foreign labour and women tourism may also play a big role in facilitating the beginning for this type of relations, due to the differences in values and moral concepts by these youth. One could say that this issue is not seen clearly among girls in the same age group due to restraints imposed by *Shari'a*, imposed by religion and society. According to **AIDS**, Statistics of the Ministry of Health up until the end of 2002 indicate that (5) women were infected by the Acquired Immune Deficiency Syndrome virus as opposed to (87) incidences among men. The women have most likely contracted the disease because they did not know about the husbands' infliction in the first place. Some of the anti-AIDS measures adopted by the Ministry of Health include the formation of a committee called the Anti-AIDS National Committee whose tasks include monitoring and following up the cases and providing advice and treatment. It is thus important to stress in this area the importance of setting policies (standards and conditions) that obligate notification about cases of sexually transmitted diseases.

6-3- Psychological Health

The need to provide psychological health services has become one of the program priorities of ministries of health worldwide, because of the increased demand for them in view of the evolution and massive changes of lifestyles in today's world. Therefore, the Ministry of Health gave special attention to psychological issues in the context of services made available at psychological hospitals through the following: Outpatient clinics, Children and adolescent psychological unit, Alcohol and drugs unit, Psychological medicine for the elderly, Therapy in society, Long stays, and day care unit.

Health statistics for 2002 indicate that the most significant psychological diseases prevalent in the Kingdom according to the main diagnosis upon checking out of the psychological hospital and type and categories are: Schizophrenia, Depression, and Alcohol and drug addiction. Statistics of 2006 also indicate that the average number of patients checking into the psychological hospital during the week reached (1.195) patients and checking out reached (1.184) patients from all the hospitals sections. The average number of checked-in females

reached (390) and checked-out reached (385), which shows that the percentage of females entering the psychological hospital is much less than the males. This reason for this may be the stigma related to psychological illnesses, which is part of the prevalent negative concepts and beliefs that consider psychological illness as marriage deterrent for women.

In this area, it is important to stress the following:

- The need to put in place special programs to raise the level of women's awareness about healthy approaches to reproduction, married life, and positive and sound handling of psychological and social pressures.
- Increasing the number of specialized and qualified employees capable of providing the necessary health services in order to protect the health of the female child, the girl, and the mother.
- Providing a database about the girl's health at the adolescent stage and the risks involved.
- Putting in place binding policies for educational institutions (schools) regarding health measures and healthy eating approaches that need to be available.

FOURTH : CONCLUSION AND RECOMMENDATIONS

Conclusion of thoughts and recommendations about eliminating all forms of discrimination against women, From this report's presentation of the status of Bahraini women and the forms of discrimination against them, it becomes clear that the dire and basic demands continue to mark time for a number of reasons, most important of which are the prevalent culture and the customs, traditions, values, and norms that interact with the stereotypical view of women and their role in society, which requires the adoption of several strategic steps to advance the status of women.

1- Strategic Steps

- Working on spreading a culture that opposes discrimination against women at all levels and in all programs and sectors and creating a societal awareness of the need to monitor all forms of discrimination against women and fight the phenomenon.
- Fighting the phenomenon of excessive violence exercised against women in the Bahraini society and working on putting in place policies that monitor and eliminate this phenomenon.
- Enhancing a gender related culture in all the different aspects of life.

- Adopting measures to raise awareness of the need to alter the stereotypical image of women in laws and legislations and in the media, school curricula and books, especially as regards the multiple nature of her role.

2- Second: Measures

- Removing reservations regarding Articles (2, 9 item 2, 15 item 4, 16, and 29) of the CEDAW.
- Issuing a unified law for personal status that takes into consideration the human rights of women and men and contributes to enhancing family stability.
- The need to adopt special temporary measures, such as the quota system, in order to speed the creation of an environment that prepares for a reality of actual equality between women and men, and to give women the opportunity to express themselves and prove themselves as an effective element in society as stated in Article (4) of the agreement.
- Amending the Bahraini Citizenship Law, granting women their right to full citizenship, including transferring their citizenship to their children.
- Reconsidering the one election district system, since this system does not allow for women to win in elections, as indicated by the elections of 2002 and 2006 in addition to the experience of many other countries, in return for what has been presented by the Morocco experience, which allocated seats for women (quota system) to be competed for nationally in the form of lists, contributing to the significant increase in the number of women in parliament.
- Joining the World Declaration for the Elimination of Violence against Women – 1993.
- The need to endorse the optional protocol that provides women the right to complain to the Committee for the Elimination of Discrimination against Women regarding the provisions
- Providing a special stand-alone system to give advice and training to women on self-assertiveness and campaign leadership and participation.
- Providing financial capabilities and human resources for conducting specialized studies and field researches to look into the reasons that restrict women's participation and engagement in the decision-making process and finding solutions.

FIFTH: APPENDICS

1- TABLES

Table No.	Title
1	Number and Percentage of Candidates for Municipal Councils and the Council of Representatives by Gender for the Year 2002 (Rounds One and Two)
2	Number and Percentage of Candidates in Round One of Municipal Councils and Council of Representatives by Gender for the Year 2006
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21	Average Annual Increase in Bahraini Women's Contribution in the Labor Market (1959 – 2001)
22	Status of Women inside Professional Unions of the General Union of Bahraini Workers
23	Distribution of Women's Participation in the Labor Market according to the 2001 Census by Age Group
24	Women Status in Professional Unions under the General Union of Bahrain Workers

2- List of References

- 1- Constitution of the Kingdom of Bahrain for the Year 2002
- 2- Law No. (7) for the year 1989 concerning the practice of human medicine and dentistry
- 3- Law No. (13) for the Year 1975 Regarding the Organization of Remunerations, Indemnities and Retirement Payments for Government Staff and Employees
- 4- Law No. (11) for the Year 1976 Regarding the Organization of Remunerations, Indemnities and Retirement Payments for Officers and Individuals
- 5- Social Insurance Law Issued by Decree No. 24/1976
- 6- Labour Law Published in 1976
- 7- Amiri Decree No. (4) for the year 1971 regarding the Diplomatic and Consular Corps
- 8- Decree for Law No. (15) for the Year 1976 Issuing the Penalties Law
- 9- Ministry of Education, Private Education Department
- 10- Cultural Affairs and Scholarships , Ministry of Education Administration
- 11- Ministry of Finance and National Economy
- 12- Economic Indicators Report, Bahrain Monetary Institution, 2000-2004
- 13- Human Development Report 1997
- 14- Ministry of the Interior Statistics
- 15- Social Insurance Statistics
- 16- Labour Force Statistics 1995, Labour Studies Department, Ministry of Labour and Social Affairs, Kingdom of Bahrain
- 17- Multi-Indicators Survey for the year 2000 – Bahrain
- 18- National Bank of Bahrain Data
- 19- Bank of Kuwait and Bahrain Data
- 20- National Union Bank Data
- 21- Arab Banking Institutions Data
- 22- International Gulf Bank Data
- 23- Data from some professional associations
- 24- Data published by some political associations
- 25- Bahrain Centre for Studies and Research
- 26- Central Statistics System
- 27- Joint Study, Analytical Study by Dr. Rashed Hammad Al Dousary
- 28- Study on Women Image in Assigned School Textbooks by Dr. Hussein Badr El Saada, Ministry of Education.
- 29- Field Study by Dr. Huda Al Khaja
- 30- General Union of Bahraini Workers
- 31- “A Beginning that would not End” March 2005. Documentary Study by Girls’ Revival Association – Bahrain
- 32- Official Gazette – Vol. 2733 Dated April 5, 2006
- 33- Al Alayam Newspaper, Vol. 5961 dated July 6, 2005
- 34- General Union of Bahrain Workers Website :
<http://www.gfbw.org/gfbw/modules/aboutus/index.php?storytopic=1>

3- Parties Participating in the Preparation of this Report

3-1- Member Associations in the Bahrain Women Union

10. Bahrain Young Ladies Society.
11. Child and Mother Care Association
12. Awal Women Association
13. Bahraini Women Association
14. Bahrain Association of Women
15. Rural Women Association
16. Al Rifa' Cultural and Charitable Association
17. Hamad City Women Association
18. International Women Association

3-2- Other National Parties

12. General Union of Bahrain Workers
13. Bahraini Sociologists Association
14. Bahraini Association for Human Rights
15. National Democratic Action Association
16. Islamic Centre Association
17. Progressive Democratic Forum Association
18. Business Women Association
19. The Bahrain Society of engineer
20. Bahrain medical society
21. Bahrain economic society
22. Wasat Islamic Society

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