



# Economic and Social Council

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## Committee on Economic, Social and Cultural Rights

### Initial report submitted by Bahrain under articles 16 and 17 of the Covenant, due in 2009\*

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## Introduction

1. The Kingdom of Bahrain acceded to the International Covenant on Economic, Social and Cultural Rights under Act No. 10 of 2007 on 16 July 2007.
2. The Kingdom of Bahrain trusts that the present initial report provides adequate coverage of the information requested by the Committee on Economic, Social and Cultural Rights, in line with the country's obligations under the International Covenant on Economic, Social and Cultural Rights, with Economic and Social Council decree 1988/4 of 24 May 1987 and with the Committee's own rules of procedure.
3. The Kingdom of Bahrain submitted its common core document (HRI/CORE/BHR/2019), which forms part of the present report, on 1 May 2019.
4. The report being submitted to the Committee on Economic, Social and Cultural Rights was adopted by the High Coordinating Committee for Human Rights, which is the national mechanism responsible for preparing and submitting national reports on human rights in the Kingdom of Bahrain, and which is chaired by Assistant Foreign Minister Abdullah bin Faisal bin Jabur Al Doseri.
5. The report presents the key features of the efforts made by the Kingdom of Bahrain to implement its commitments in regard of economic, social and cultural rights. It should also be noted that Bahrain achieved the Millennium Development Goals and, in July 2018, submitted its first voluntary report regarding progress towards the goals enshrined in the 2030 Agenda for Sustainable Development.

## Article 1

### Right to self-determination

6. Bahrain believes in the right of peoples to self-determination, which is an inalienable right enshrined in the Charter of the United Nations. In line with the purposes of that Charter, the members of the international community are required to work together to assist peoples still living under foreign occupation in their struggle for independence.
7. On the basis of that principle, the Kingdom of Bahrain has supported the United Nations resolutions that affirm the right of peoples to self-determination and their right to dispose of their wealth and economic resources, and it supports the efforts of the Palestinian people to realize their legitimate and inalienable rights, including the right to establish an independent State, in accordance with international law and the terms of the Arab Peace Initiative.

### Political system

8. As the National Action Charter states, Bahrain achieved political independence through a struggle waged by a wise leadership and a faithful people and preserved the unity of its land and its territorial waters, which are inalienable and non-negotiable in any way and under any circumstances. This is expressly envisaged in article 1 of the Constitution, according to which the State may not "relinquish its sovereignty or surrender any part of its territory".
9. The independence of Bahrain and of its determination to pursue economic, social and cultural development and to dispose freely of its own natural wealth and resources are conveyed in the Constitution and in national programmes and policies. In fact, the Constitution reads as follows:

- (a) Inter alia, article 1 states that:

"(i) The Kingdom of Bahrain is a fully sovereign, independent Islamic Arab State. Its people are part of the Arab nation and its territory is part of the great Arab homeland;

"(ii) It may not relinquish its sovereignty or surrender any part of its territory;

“(iii) The form of government of the Kingdom of Bahrain is a hereditary constitutional monarchy;

“(iv) All matters regarding succession are to be regulated by a special royal decree that will have constitutional status and that can be amended only under the provisions of article 120 of the Constitution;

“(v) The system of governance in the Kingdom of Bahrain is democratic, sovereignty being in the hands of the people who are the source of all authority. Sovereignty shall be exercised in the manner stated in the present Constitution.”

### **Economic foundations**

10. The national economy is underpinned by social justice and by fair cooperation between public and private activities. Its objective is to pursue economic development and to achieve prosperity for citizens, according to a predefined plan and within the limits of the law.

11. The Economic Development Board was established in the year 2000 under the leadership of His Royal Highness Prince Salman bin Hamad Al Khalifa, heir apparent, Deputy Commander-in-Chief and First Deputy Prime Minister. In 2005, the Board’s functions were modified pursuant to a royal decree and it now plays an important role in economic growth, strategic and sectoral economic planning and privatization policies as well as in consolidating the unique investment environment of Bahrain.

12. The Bahrain Economic Vision 2030, which was launched in 2008, focuses on three fundamental principles: sustainability, competition and justice. The main objective of the Economic Vision is to more than double the real income of families by 2030.

### **Social and cultural foundations**

13. Article 4 of the Constitution reads: “Justice is the basis of government. Cooperation and mutual respect create a firm bond between citizens. Freedom, equality, security, trust, knowledge, social solidarity and equality of opportunity for citizens are the mainstays of society and are safeguarded by the State.”

14. Article 5 of the Constitution states:

“(a) The family, which derives its strength from religion, morality and patriotism, is the cornerstone of society. The law shall protect its legal status, strengthen its bonds and values, and provide a shield for mothers and children. The law shall also provide for the welfare of the coming generation, guard them from exploitation and protect them from moral, physical and spiritual neglect. The State shall show particular concern for the physical, moral and intellectual development of young persons;

“(b) The State shall ensure that women are able to reconcile their family responsibilities with their work in society and shall guarantee their equality with men in political, social, cultural and economic life, without prejudice to Islamic sharia;

“(c) The State shall guarantee the requisite social security for its citizens who are elderly, ill, unable to work, orphaned, widowed or unemployed and shall provide them with social insurance and health-care services. It shall also strive to safeguard them against ignorance, fear and poverty.”

## **Article 2**

### **Realization of the rights recognized in the Covenant**

15. The Government of Bahrain ensures that the legal system upholds equality and non-discrimination, something that is clearly reflected in constitutional provisions regarding the right to work, education and health care. There is nothing in domestic legislation that legitimizes discrimination against any group of citizens vis-à-vis enjoyment of constitutional rights. Moreover, the Government’s policies and programmes relating to

work, health, housing and social security are all founded on equality and non-discrimination.

16. According to chapter I, section II of the National Action Charter, “individual freedoms are guaranteed and equality, justice and equal opportunity are core principles of society. It is up to the State to ensure that these are available to all citizens without discrimination. This is based on the broader principle that people are equal in human dignity”. From that principle, which belongs both to Islam and to humankind, derive a number of other principles, the main ones being that “citizens are equal before the law in terms of rights and duties, without distinction of race, origin, language, religion or belief”.

17. Article 18 of the Constitution reads: “People have equal human dignity and the same public rights and duties before the law. There shall be no discrimination on grounds of gender, origin, language, religion, or belief.”

18. In accordance with the Constitution-based approach outline above, the following pieces of legislation and ministerial decrees have been issued upholding the principles of justice and equality and prohibiting discrimination.

(a) **Education Act No. 27 of 2005<sup>1</sup>**

- According to article 3 of the Act, the purpose of education is to provide students with civic, academic, vocational and cultural formation with a view to promoting their emotional, moral, mental, social, health, behavioural and sporting development and their growth in other areas. In particular, educational concepts are to be developed that foster peace, establish the foundations for a better future for humankind and promote international cooperation and solidarity on the basis of justice, equality, mutual respect and interaction among all countries and peoples.

(b) **Decree-Law No. 49 of 2010, which amends several provisions of the National Audit Office Act promulgated by Decree-Law No. 16 of 2002<sup>2</sup>**

- According to article 14, failure to abide by laws, regulations and decrees concerning justice, equality and equal opportunity in all matters relating to employment and employees, during the application of the Decree-Law, amounts to an administrative violation.

(c) **Act No. 37 of 2012 promulgating the Children’s Code<sup>3</sup>**

- Article 2 stipulates that the State guarantees that children shall enjoy the rights set out in the Code without discrimination on grounds of gender, origin, colour, disability, language, religion or belief, with due regard to the provisions of other laws pertaining to Bahraini children.

(d) **Act No. 36 of 2012 promulgating the Private Sector Labour Code<sup>4</sup>**

- Article 29 states that, while taking account of the provisions of this chapter, female workers shall be subject to all of the provisions governing the employment of male workers in equivalent working conditions;
- Article 37 states that, if no precedent exists, the competent court shall determine the remuneration due to a worker in accordance with the requirements of justice;
- Article 39 prohibits wage discrimination on grounds of gender, origin, language, religion or belief;
- Article 104 (a) states that the termination of an employment contract shall be considered to constitute arbitrary dismissal if motivated by any of the

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<sup>1</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K2705.pdf>.

<sup>2</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4910.pdf>.

<sup>3</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3712.pdf>.

<sup>4</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3612.pdf>.

following considerations: sex, colour, religion, belief, social status, family responsibilities, pregnancy, childbirth or the nursing of a child.

- (e) **Act No. 58 of 2009 concerning the rights of older persons**<sup>5</sup>
  - Article 3 explains that the care and protection of older persons is based upon the following core principles: ... (5) Opposition to all forms of discrimination and exclusion that older persons might encounter in the family and in society.
- (f) **Decree-Law No. 24 of 1976 promulgating the Social Security Code**<sup>6</sup>
  - Article 2 states that the provisions of the Code are binding on all workers without discrimination as to sex, nationality, age, etc.
- (g) **Act No. 57 of 2006 establishing the Labour Fund**<sup>7</sup>
  - Article 4 stipulates that the Fund is to carry out its functions efficiently, effectively, transparently, without discrimination, appropriately and in a manner that is consistent with the State's labour market strategies and its economic and social development plans.
- (h) **Labour Market Regulation Act 19 of 2006**<sup>8</sup>
  - Article 5 (a) stipulates that the Labour Market Regulatory Authority is to carry out its functions and exercise its powers efficiently, effectively, transparently, without discrimination and in a manner that is consistent with the national plan for the labour market.
- (i) **Decree-Law No. 33 of 2002 promulgating the Trade Unions Act**<sup>9</sup>
  - Article 3 states that courts shall require an employer to pay compensation of not less than two months' wages and not more than six months' wages, if it is proven that the employer discriminated against a worker on account of the latter's trade union activity.
- (j) **Decree-Law No. 50 of 2010, which amended certain provisions of the Social and Cultural Associations and Clubs, Private Youth and Sports Organizations and Private Institutions Act**<sup>10</sup>
  - Article 72 (b) states that the Bahrain Olympic Committee is to carry out the functions and exercise the powers necessary to achieve its objectives including, in particular, to prevent and reject any form of discrimination, violence or disorder linked to sports or sporting venues.

### Article 3

#### **Ensuring the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant**

19. The State's concern for women is enshrined in article 5 (b) of the Constitution according to which women are to be enabled to reconcile their family responsibilities with their work in society, within the framework of Islamic sharia. The provision in question states: "The State shall ensure that women are able to reconcile their family responsibilities with their work in society and shall guarantee their equality with men in political, social, cultural and economic life, without prejudice to Islamic sharia."

20. Bahrain has dedicated a lot of care to examining the place of women in society and to evaluating their contribution and their potential. This concern on the part of the State was

<sup>5</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K5809.pdf>.

<sup>6</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L2476.pdf>.

<sup>7</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K5706.pdf>.

<sup>8</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K1906.pdf>.

<sup>9</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L3302.pdf>.

<sup>10</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L5010.pdf>.

most powerfully expressed in the establishment of the Supreme Council for Women in 2001, which aims to achieve the advancement and the social, economic and political empowerment of Bahraini women. The Council, which makes its views known on all matters that directly or indirectly affect women, rolled out the National Strategy for the Advancement of Bahraini Women in 2005. It also launched an ambitious national plan for the advancement of Bahraini women (2007–2012), which was followed by a second national plan for the advancement of Bahraini women (2013–2022). The plans cover five areas: family stability and family cohesion; empowerment of women to enable them to participate competitively in the development process and thereby ensure equal opportunity; integration of women’s needs into development in order to provide them with opportunities to excel and to improve their choices and their quality of life; and lifelong learning through interaction with institutional partners and allies.

21. Civil Service Bureau Decree No. 4 of 2014 mandated the creation of equal opportunity committees in the government sector, and 45 such committees have since been established. The committees concern themselves with the development of rules, standards and plans regarding the practical application of equal-opportunity principles. They also aim to ensure that women’s needs are fully integrated into the equal-opportunity framework, follow up on implementation and, according to need, provide consultations in coordination with the Supreme Council for Women and the Civil Service Bureau.

22. The Kingdom of Bahrain has ratified a number of treaties and submitted the relevant periodic reports such as, for example, reports on the status of women to the Committee on the Elimination of Discrimination against Women and reports under the Beijing Platform for Action.

23. Like men, women enjoy full capacity under the law, and they may conclude contracts and manage their own assets and property. Article 72 of the Civil Code, promulgated under Decree-Law No. 19 of 2001,<sup>11</sup> states: “Every person shall be competent to conclude a contract unless they have lost that capacity by course of law”. Men and women thus have equal capacity under the law to conclude contracts without discrimination on grounds of sex, because capacity is based solely on mental ability and understanding.

24. Women may also conclude contracts concerning credit, real estate and other forms of property and they can engage in commercial activities in their own name without need for prior permission from their spouse. In this context, article 10 of the Commercial Code, promulgated under Decree-Law No. 7 of 1978,<sup>12</sup> stipulates: “All Bahrainis who have reached the age of 18 shall be competent to engage in commerce, unless they face a legal impediment regarding their person or the kinds of commercial dealings in which they may engage.” Thus, the law places men and women on an equal footing regarding their capacity to engage in commerce, without discrimination on grounds of sex. One example of this is an initiative focusing on young Bahraini women entrepreneurs, which was launched under Decree No. 10 of 2011 and aims – by helping to create a supportive economic environment – to provide support, incentives and recognition for young Bahraini women to take up entrepreneurial activities. At the same time, the initiative seeks to develop and draw out outstanding energies and abilities in the field of entrepreneurship, disseminate a business culture among young women and encourage them to be innovative and creative. A further objective is to build capacity among young women by nurturing new talents, to establish partnerships between the Supreme Council for Women and civil society institutions and to promote the economic empowerment of women while pursuing the goals of the plan for the advancement of Bahraini women. Lastly, it is hoped that the initiative will draw attention to successful experiences of young female entrepreneurs and highlight new economic investment sectors in Bahrain.

25. Women are also entitled to manage their assets without the interference of men or the need for their consent. A woman may sell, buy, mortgage, transfer, borrow, lend, etc.

<sup>11</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L1901.pdf>.

<sup>12</sup> <http://www.moic.gov.bh/Ar/Industry/ResourcesLaws/CommerceLaw/CLaws/Pages/GeneralTrade.aspx>.

without having to obtain the permission or consent of her spouse or father, regardless of whether the assets in question were transferred to her before or after her marriage.

26. Bahraini women who work or have a fixed monthly income and who support a family and divorced women who have custody of their children, are entitled to benefit from State-run housing services. For example, they may obtain a housing loan, a residential apartment or one of the model homes constructed by the Ministry of Housing.

## **Articles 4 and 5**

### **Limitations and restrictions on the rights set forth in the Covenant**

27. The International Covenant on Economic, Social and Cultural Rights has force of law and it is upheld by current domestic laws and legislation.

28. It should be noted that the Constitution was drafted with the intention of establishing secure guarantees for public rights and freedoms, and to prevent them being violated. One fundamental guarantee is enshrined in article 31, which states: “The public rights and freedoms envisaged in the present Constitution shall be regulated or defined only by, or in accordance with the law. Such regulation or definition shall not detract from the essence of the right or freedom concerned.”

## **Article 6**

### **Right to work**

29. The Kingdom of Bahrain guarantees fair and just employment opportunities for citizens, in accordance with article 13 of the Constitution, which states:

“(a) Work is the duty of every citizen and is a necessity both of personal dignity and of the public interest. All citizens have the right to work and to choose the type of work they wish to do, within the limits of public order and public morals;

“(b) The State shall guarantee fair and just employment opportunities for citizens.”

30. Bahrain has implemented measures and policies to create job openings as part of its Economic Vision 2030, which aims to build foundations of sustainability, competitiveness and justice in economic development and to improve standards of living. Bahrain has also taken action to combat all forms of discrimination and has developed legislation in that regard. The steps taken by the Government reflect many of the principles addressed by International Labour Organization (ILO) Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and Bahrain has been at the forefront in combating certain negative phenomena in the labour market that affect women and migrant workers.

31. Bahraini domestic legislation is considered to be outstanding in terms of equality and does not discriminate between individuals on grounds of sex, race, origin, colour, etc. Bahraini legislators strive to apply the principle of equality between the sexes, between national workers and migrant workers and between other categories within society.

32. Bahraini society includes a mixture of races and nationalities, and no groups are vulnerable or disadvantaged. In fact, society is characterized by peaceful coexistence and understanding among all those groups.

33. The Civil Service Bureau supervises the human resources of all government departments and analyses those departments’ future staffing requirements. It also reviews and develops programmes and systems governing wages, emoluments, employment benefits, leave and working hours in the civil service and in other services.<sup>13</sup>

34. According to the Civil Service Act No. 48 of 2010,<sup>14</sup> together with the decrees and guidelines regarding its implementation and, specifically, according to article 9 of the

<sup>13</sup> <https://www.csb.gov.bh/ar/civil-service-bureau/values-and-strategy.html>.

<sup>14</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4810.pdf>.

implementing regulations of the Civil Service Act, promulgated under Decree No. 51 of 2012,<sup>15</sup> government departments must inform the Civil Service Bureau of any vacant positions they might have that need to be filled. The Bureau then determines which vacancies are to be announced in the local and foreign press. In this way, citizens are fully free to choose whatever work they feel is best compatible with their qualifications or inclinations and may apply to take exams and interviews. Moreover, under article 22 of the implementing regulations of the Civil Service Act, promulgated under Decree No. 51 of 2012, the Bureau is to make opportunities for training and study freely and fairly available to functionaries. The training provided takes account of career development trajectories, the objectives of government departments, the outcomes of functional and institutional performance evaluation reports, the annual budget and general State policy. Moreover, time spent on training is considered as working hours and the functionary concerned receives full pay and other benefits.

35. As regards the private sector, Act No. 36 of 2012<sup>16</sup> promulgating the Private Sector Labour Code regulates the various aspects of the working relationship between employers and workers, such as the work contract, working hours, annual wages and working conditions. The Code sets forth the rights and duties of private-sector workers, without discrimination against one category in favour of another. The fact that the Code does not explicitly prohibit discrimination in training, employment or conditions of employment does not mean that Bahraini legislators authorize or accept such practices. The proof of this lies in the fact that – from the time the Code was issued in 2012 to the present – the Ministry of Labour and Social Development has received no complaints of any kind regarding discrimination in regard of wages, employment or occupation.

36. The Ministry of Labour and Social Development is paying increasing attention to the question of vocational training and is working to develop national vocational training policies. This is also in view of the fact that training is a key factor in the success of economic and social development programmes and is something that enables workers to rise in the hierarchy and to occupy positions of leadership in private-sector institutions.

37. The Government has launched a number of initiatives to accompany the training policies that are being rolled out by the Ministry of Labour and the Tamkeen Labour Fund. At the same time, it has sought to consolidate a belief in the importance of providing workers with technical training as a way of strengthening competitiveness and productivity across the sectors in which they operate, as well as a belief in the need to develop the quality of services provided by private training centres and institutes in Bahrain. This is considered to be a positive indicator, one that shows that training policies are taking the correct approach and supporting high-quality, human-resources training outcomes.

38. The main areas of focus of government action plans include developing human resources; reducing unemployment and keeping it within safe limits; establishing standards and mechanisms with which to identify jobs available on the labour market with their characteristics and recruitment procedures; providing ongoing basic awareness-raising to jobseekers and private-sector workers regarding their rights and duties; and reviewing training as part of a continuous process to consolidate capacities and skills among citizens to make them the primary applicants for openings in the domestic labour market.

39. The Government is continually launching initiatives and projects aimed at providing career opportunities for citizens and offering training programmes that reflect the needs of the Bahraini labour market. The purpose is to meet the private sector's requirements in terms of human resources and qualified personnel.

40. As part of those initiatives and as part of the Government's plan to give citizens the possibility of living lives of dignity – which includes its efforts to provide suitable career opportunities for jobseekers and to develop the domestic human-resource base – in March 2014, the Ministry of Labour launched its second Employing and Training Bahrainis

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<sup>15</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB5112.pdf>.

<sup>16</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3612.pdf>.

project<sup>17</sup> at a cost of 13 million Bahraini dinars (BD). The project is just one in a series of initiatives the Government has taken in order to keep unemployment within safe and stable limits and to find appropriate job openings for its citizens.

41. Job fairs, which take place on a regular basis, aim to encourage the private sector to nurture talent among Bahrainis and to give them the opportunity to gain the experience they require. Another purpose of the fairs is to stimulate job openings in the private sector and to use them for the employment of Bahraini citizens.

42. In August 2006, Bahrain established the Tamkeen Labour Fund, under Act No. 57 of 2006. The Fund, which is one of the main pillars of national reform initiatives, has made the private sector in Bahrain the main engine of the country's economic growth. Tamkeen aims to achieve two main objectives: firstly, it seeks to consolidate the process for establishing and developing businesses and, secondly, it provides support for the development of individuals and of businesses according to the needs of the market, building the capacity of businesses as a way of contributing to the consolidation of the national economy.

43. Over the course of a decade, Tamkeen has provided, and continues to provide, Bahrainis with the opportunities, resources and projects necessary to develop the national economy. It has done this via programmes tailored to the national labour market, including financing for small- and medium-scale businesses, skill-enhancement initiatives and entrepreneur support schemes. In this way, Tamkeen has laid solid foundations for a development-oriented economy and promoted its vision of a more prosperous future.

44. Since the establishment of the Tamkeen Labour Fund, more than 200 programmes and initiatives have been rolled out in areas such as finance, training, qualifications and entrepreneurship. Around 13,000 citizens have received training and acquired qualifications in a number of different areas. Since it was created in 2006, Tamkeen has invested in excess of BD 800 million and it has provided support to some 100,000 Bahraini citizens and to more than 35,000 businesses in various different fields.

45. Decree No. 33 of 2015 broadened the mandate of Tamkeen by transferring to it the functions and role of the Supreme Council for Vocational Training, which had been brought into being under article 3 of Decree No. 20 of 1975.

46. Vocational Training Act No. 17 of 2007 envisages the use of visual media and practical programmes to develop the knowledge and skills of workers and jobseekers so as to improve their productive capacity and train them in a specific job, or enable them to transfer from one job to another. The Act covers basic training, advanced training, workplace training, continuous training and job-conversion training.

47. Royal Order No. 37 of 2014 included provision for the establishment and regulation of the Bahrain Centre for Vocational Training, the name of which was subsequently changed under Royal Order No. 28 of 2015 to the Nasser Vocational Training Centre. The Centre aims to deliver professional training and qualifications to unemployed youth who have not been able to complete their education and to offer them job opportunities consistent with their abilities. The Centre also seeks to provide the necessary professional and technical skills so that existing industries can meet their requirements using local workers; in addition, it seeks to meet the public and private sectors' need for qualified technical staff. The Centre specializes in training programmes to produce qualified technical personnel, in which regard it coordinates with other competent bodies, and it also provides consultancy services and technical courses on professional career development. Bahraini legislators work constantly to bring legislation into line with developments in the domestic labour market and with changes at the international and regional levels, with a view to improving the working environment and to protecting the rights and interests of employers and workers alike.

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<sup>17</sup> <http://www.social.gov.bh/sites/default/files/img/files/FINAL%20BOOKLET%20FOR%20FILM%20SETTING%20proof%203.pdf>.

48. Listed below are some of the more important projects currently being implemented with a view to developing the domestic talent pool.<sup>18</sup>

(a) *Strategic workforce planning*: Its purpose is to pursue a proactive employment policy via a number of national projects, most notably the National Employment Project and the unemployment insurance scheme, to ensure that staff are available at the right times to meet the effective working requirements of government and private institutions;

(b) *Restructuring government agencies*: This involves the creation of posts within those agencies while bearing in mind the need to curb the superfluous administrative expansion of the State sector. It is put into effect by using a transparent mechanism to build the organizational structures of government agencies;

(c) *Transparency in advertising*: The Civil Service Bureau takes all necessary steps to ensure that vacancies in government bodies are duly announced in various media outlets;

(d) *Employing women and equality of opportunity*: The Government works constantly to empower women, enhance their role in everyday life and integrate them into national development plans so that they can occupy leadership, executive and decision-making positions. To this end, equal-opportunity committees have been set up in a number of ministries and government departments as well as in some areas of the private sector. Moreover, government vacancies are advertised to the public across different media.

49. The Ministry of Labour and Social Development plays a key role in the care of persons with disabilities and in the protection of their rights. The Ministry runs an academic scholarship programme and it works with civil society organizations, and with private and non-profit centres that operate in the area of disability, in order to ensure that persons with disabilities are able fully to exercise their rights to education, training and employment. In addition, steps are taken to adapt the environment and make it more accessible, in line with the capacities and needs of persons with disabilities.

50. The Ministry of Works also plays an important role in the care of persons with disabilities, particularly as regards access to infrastructure and public services. In this connection, the Ministry designs all new public buildings and schools to ensure that they accommodate and facilitate the movement of people with special needs.

51. Act No. 40 of 2010,<sup>19</sup> which amends certain provisions of Act No. 47 of 2006 concerning the care, habilitation and employment of persons with disabilities, envisages allowances to persons with disabilities of not less than BD 100 per month, under specific terms and conditions.

## Article 7

### Enjoyment of just and favourable conditions of work

52. Through its economic policies and labour-market development, the Government of Bahrain works continuously to improve the living conditions of its citizens. In 2018, those policies led to an increase in average individual income and the maintenance of the unemployment rate within safe limits, at 4.3 per cent. This is evidence of the efforts Bahrain has made to provide decent job openings for its citizens and of the proactive employment policies it has pursued. The unemployment insurance scheme, which was launched under Act No. 78 of 2006, has helped to prevent people falling into destitution. The Act was drafted with assistance from ILO, which recognized how serious and effective it was and considered it to be an advanced and innovative initiative for the region. Two kinds of payment are envisaged.

<sup>18</sup> Third national report of Bahrain to the United Nations Human Settlements Programme (UN-Habitat).

<sup>19</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K4010.pdf>.

- Firstly, unemployment benefits for first-time jobseekers, which is available only to citizens;
- Secondly, unemployment subsidies, which are available to Bahraini and non-Bahraini citizens who worked in the country under regular contracts of employment and who did not leave their work voluntarily or were not dismissed on disciplinary grounds.

53. The scheme is financed with monthly contributions paid equally by the three parties involved: workers (1 per cent), employers (1 per cent) and the Government (1 per cent). The contributions are deposited in a special fund from which benefits and subsidies are paid out to beneficiaries under specific conditions.

54. Legislators in Bahrain have not enacted any legislation to identify or set a minimum wage in the private sector, and the wages of workers in that sector are defined by an individual or collective contract of work and the regulations of the enterprise concerned. If the wages are not defined in any of those ways, the worker is entitled to an adequate wage, if one has been stipulated; if it has not, the wage is calculated according to the custom of the profession the worker in question practises. If there is no custom, it is up to the competent court to assess the wages due to the worker, in line with the requirements of justice.

55. The Ministry of Labour and Social Development has made considerable efforts to increase the recognized minimum wage in the private sector, in which regard it has conducted studies and analysed the labour market and the rate of inflation. This experience showed that employers were in agreement about raising the minimum wage of workers, on a goodwill basis and moved by a concern for workers' social and material conditions and by a desire to improve the working environment and the economic condition of workers. This has had positive implications in terms of quality of work and increased productivity as well as in terms of improved job security, as resignations and transfers to new jobs have fallen. Moreover, owners of companies – by pursuing national capacity-building through training, improvement of the working environment and wage reviews – have reaped positive benefits in terms of productivity, profits and job stability.

56. Bahraini legislators do not differentiate between women and men in terms of wages. The same wages, emoluments and bonuses that are granted to men are also granted to women, in the same amounts and rates, when they perform similar work. The Labour Code explicitly prohibits wage discrimination on grounds of sex, origin, language or belief. In addition, prevailing customs, which are tantamount to law, do not discriminate between men and women in the workplace or as regards wages.

57. In line with article 15 of the Civil Service Act No. 48 of 2010<sup>20</sup> and with article 10 of the implementing regulations of the Civil Service Act, promulgated under Decree No. 51 of 2012,<sup>21</sup> the wages and benefits due to functionaries are set by decree of the Prime Minister, on a proposal from the Civil Service Bureau. Thus, all functionaries who operate under the aegis of the civil service receive a fair wage commensurate with the value of the work they do, without discrimination and in accordance with predetermined pay scales for functionaries with general or specialized duties or who work in the judiciary, the executive, education, the diplomatic corps or higher education.

58. In the same context, article 10 of the implementing regulations of the Civil Service Act, promulgated under Decree No. 51 of 2012, also stipulates the rules and conditions for determining the salaries of civil servants when they are appointed on the basis of civil service-approved grades and pay scales. Thus, posts in the civil service are classified according to duties, responsibilities and the qualifications required for employment, thereby guaranteeing fair and equitable salaries.

59. Policies and programmes relating to salaries, bonuses and other employment benefits are continually being reviewed and developed, and special bonuses are being

<sup>20</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4810.pdf>.

<sup>21</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB5112.pdf>.

created for certain professional categories to ensure that their wages remain in step with labour market standards. Functionaries receive regular annual bonuses to raise their salaries in line with the cost of living, as per civil service-approved rules and conditions.

60. The table of professional salaries and benefits and the eligibility rules for functionaries who are subject to the Civil Service Act, which was issued pursuant to Decree No. 77 of 2013,<sup>22</sup> introduced changes to the policy of social bonuses. It made the second category of such bonuses available to married female functionaries on an equal footing with their male counterparts, thereby ensuring equality between men and women regarding marriage allowances. The relevant provision is contained in article 11 of the Decree. As concerns equal opportunities for advancement, article 14 of the Civil Service Act No. 48 of 2010 stipulates that promotion – which comes about by decree of the competent authority and with the approval of the Bureau – is to be on the basis of merit. The thinking behind this is to improve the efficiency of functionaries and to encourage competition between them with a view to improving workflow and productivity and to increasing wages by promotion to higher professional categories.

61. The Civil Service Bureau reaffirms that all functionaries have an equal entitlement to paid annual leave of 30 working days per year for each year of service; in other words, two-and-a-half days per month. This provision is enshrined in article 28 (1) (a) of the implementing regulations of the Civil Service Act. In addition, they are also entitled to 24 working days per year, or 2 days per month, of paid sick leave which must be justified by an approved medical certificate. This provision is enshrined in article 30 (1) (a) of the implementing regulations. Other leave entitlements are also envisaged in the implementing regulations.

62. Rest times and leisure are contemplated in article 26 of the implementing regulations of the Civil Service Act, promulgated under Decree No. 51 of 2012. Under that article, functionaries are to be granted leave with full pay and benefits for official holidays, weekly days of rest and other legally prescribed holidays. Civil service instruction No. 3 lays down the days and times to be worked each week as well as the regulations governing work in government departments, in line with the public interest. Furthermore, if any weekly day of rest coincides with an official holiday, functionaries are to be compensated by extending that holiday by an additional day or they are to be given other compensatory time off. The instruction also stipulates that functionaries are to be given a period of rest in which to consume food, of not more than 15 minutes within core working hours and, in addition, it forbids the employment of women in any State-run industrial project between 8 p.m. and 7 a.m. except in exceptional circumstances as set forth in the instruction.

63. Civil service instruction No. 5 of 2013<sup>23</sup> envisages flexible working arrangements by providing unified and fair rules to govern the working hours and departure times of functionaries in government departments, including departments where personnel are subject to special rules. This provision is intended to improve workflow, optimize and increase productivity and provide staff with a working environment that is comfortable and appropriate.

64. It should be noted that the Labour Code and the Trade Unions Act – wherein Bahraini legislators drew on ILO expertise and on international labour standards and treaties (both ratified and unratified by the Kingdom of Bahrain) – make no distinction between workers on grounds of sex, race or colour. Moreover, labour laws and legislation are applied to the entire national workforce, irrespective of whether a worker is male or female, a citizen or a migrant.

65. The Kingdom of Bahrain sees women as key partners in a comprehensive development process and believes that the role they play in that area, as well as in other fields, must not be overlooked. In fact, Bahraini women have come to play their part and occupy their place in society, including in the labour market. In order to protect that state of

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<sup>22</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB7713.pdf>.

<sup>23</sup> <https://www.csb.gov.bh/media/document/Ins-05-2013.pdf.pdf>.

affairs, Bahrain acceded to the 1979 Convention on the Elimination of All Forms of Discrimination against Women under Decree No. 5 of 2002.<sup>24</sup>

66. Act No. 36 of 2012 promulgating the Private Sector Labour Code<sup>25</sup> and the ministerial decrees regarding its implementation constitute the main protective shield for the workforce. The Act includes a number of provisions that provide comprehensive protection to workers, including the following:

(a) It envisages special bonuses, on top of basic salary, for individuals who work night shifts or who are on call;

(b) It increases the length of maternity leave to 60 days with full pay and allows female workers to obtain unpaid leave to care for children under 6; they can take such leave for up to a maximum of 6 months and on 3 separate occasions during their period of service;

(c) It envisages an entitlement of 30 days of annual leave for workers who have worked for an employer for a minimum of one year. In this way, the Act unifies annual leave entitlements in the private sector with those of persons who are subject to civil-service regulations;

(d) It increases the length of sick leave to 15 days with full pay, 20 days with half pay and 20 days without pay;

(e) It stipulates that workers must not enter into competition with their employers after leaving their employment, in a manner that preserves the rights of both parties. In fact, existing laws were silent on that matter and solutions in that connection had to be sought through civil law;

(f) It stipulates that the term of contracts is to be considered as indefinite if they are entered into for more than five years, if the original term plus any renewals amount to five years or if the worker continues to work after the expiry of the contract even without any specific agreement on its renewal;

(g) It determines the compensation due to a worker if an employer terminates a contract without legal justification. This provision is intended to prevent disputes between the parties, to reduce the number of labour claims that come before the courts and to encourage national workers to enter the private sector;

(h) It stipulates that workers are entitled to an end-of-service emolument if the working relationship comes to an end for any reason. The emolument amounts to half a month's pay for the first three years then one month's pay for each of the following years.

67. In addition to the foregoing, other decrees have been issued that aim to prevent discrimination between male and female workers.

68. Since the issuance of the Private Sector Labour Code and its implementing decrees in 2013, particularly those governing occupational health and safety, labour-market legislation has witnessed a qualitative shift as new benefits and rights have been introduced, in line with international labour standards and reflecting changes in the Bahraini labour market. In fact the decrees envisage improvements in occupational health and safety conditions in the workplace as well as the restructuring of the occupational health and safety inspectorate so as to ensure that the Ministry can monitor employers and ensure that they fulfil their obligations under the Code. By activating the role of ministerial inspectors in overseeing employers' compliance with occupational health and safety directives, the implementing decrees aim to protect workers' health and prevent workplace accidents. In addition, the Supreme Occupational Safety Council has been established, which brings together all relevant stakeholders and has the task of drawing up and enacting public policies on occupational health and safety and the working environment. Lastly, the Code requires employers to provide basic health care and other benefits for their workers, irrespective of how many they employ.

<sup>24</sup> [http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/DLaw\\_5\\_2002\\_CEDAW.pdf](http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/DLaw_5_2002_CEDAW.pdf).

<sup>25</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3612.pdf>.

69. Chapter XV of the Private Sector Labour Code, entitled “Occupational health and safety and the working environment”, obliges employers to take occupational health and safety measures in places of work in the form of hazard protection, in particular against the following risks:

(a) Mechanical hazards that might arise from the impact or contact of a worker’s body with a solid object, such as in construction, building or excavation work, or that might be associated with collapses or falls or with the use of tools, machinery and means of transportation;

(b) Risks resulting from handling chemicals – in solid, liquid or gaseous form – or from the leakage of such substances into the working environment;

(c) Natural hazards that might affect workers’ health and safety such as heat, humidity, cold, noise, harmful or hazardous radiation, vibrations or increased or decreased atmospheric pressure;

(d) Risks arising from a lack of means to ensure security, rescue, first aid, hygiene or the like, or nutrition in cases where the employer is legally obliged to provide food;

(e) Fire hazards and risks from electricity or lighting;

(f) Employers are under an obligation to display guidance, instructions, posters, etc. in the workplace explaining the hazards associated with the activity in question and the prevention measures in place.

70. The Labour Market Regulatory Authority was established in May 2006 and has responsibility for all aspects of labour market regulation, including the licensing of foreign labour, foreign labour recruitment agencies, employment offices and foreign employers, in order to ensure that human rights and the rights of society are safeguarded. The Authority works in coordination with a group of ministries and organizations to deliver a first-rate service that directly benefits the local economy. At the same time, it monitors the affairs of expatriate workers in an efficient and humane manner in order to ensure that their rights are protected.<sup>26</sup> A new flexible permit system has been in place since mid-July 2017, which allows migrants working in unjust conditions to submit an application for a personal work permit, independent of their employer, in accordance with established regulations. This helps them to avoid exploitation and guarantees access to legal care and protection. The system will allow migrant workers to sign temporary employment contracts while enjoying all the privileges and rights envisaged under the Private Sector Labour Code, including freedom to move and to change employer. The new system is expected to help regularize the status of a large number of irregular workers in Bahrain and to allow them to benefit from social security, unemployment insurance, health care and other national systems. A number of embassies of Asian countries of origin of migrant workers have praised the system and the privileges it accords to their citizens in Bahrain.

71. A national referral system for victims of trafficking in persons was launched in May 2017. Its purpose is to strengthen measures to combat human trafficking and to regulate the role played by agencies and mechanisms dealing with cases of trafficking or of suspected trafficking.

72. The Ministry’s labour inspection department is intensifying its efforts vis-à-vis complaints from workers, particularly complaints relating to discrimination in treatment or in rights on grounds of race, colour, sex, qualification, etc. Complaints from workers are regulated by a special section within the Labour Code, which focuses on non-discrimination between foreign and Bahraini workers, although none of the violations mentioned have been recorded by the labour inspection department. Such cases, and in particular dismissal on discriminatory grounds, are referred directly to the labour relations department for it to take the necessary legal action, which consists in seeking an amicable solution to the problem and, if that is not possible, in referring the matter to the courts.

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<sup>26</sup> <http://lmra.bh/portal/ar/page/show/56>.

73. The only exception in this area concerns domestic workers, and it is due to the different nature of the work they do and the practical difficulties involved in monitoring that work. In fact, domestic workers reside with a family and the Code does not allow for the inspection of homes, which are considered to be inviolable. Nonetheless, Bahrain is leading the way for other States, having made domestic workers subject to the Private Sector Labour Code as regards annual leave, end-of-service emoluments and other provisions aimed at establishing equality among all workers.

74. The Ministry is striving to enhance its operational ability to monitor compliance with occupational health and safety standards, covering as many establishments and places of work as possible during the year. In doing so, its aim is to provide the workforce with adequate protection against vocational hazards and to reduce occupational accidents.

75. Inspections in private-sector establishments that are subject to the Private Sector Labour Code are one of the most important tasks the Government carries out. Their purpose is to raise awareness among employers and workers about the importance of following occupational health and safety measures in the workplace.

76. Labour inspections play an important role in monitoring, regulating and ensuring the stability of the labour market. Moreover, by enforcing the provisions of the Private Sector Labour Code, they serve to safeguard the rights and duties of all parties involved in the production process. In the course of 2018, ministerial inspectors conducted 14,578 visits of various kinds to verify the correct application of Decree No. 3 of 2013. A total of 3,582 sites and 216,818 workers were inspected; of the latter, 41,498, were nationals while 175,320 were foreigners.

77. Ninety-four violation reports were drawn up during the course of the visits and some of the establishments concerned were placed on a follow-up list for verification that they are duly applying the Private Sector Labour Code.

#### **Promoting occupational health and safety**

78. The Kingdom of Bahrain strives to provide a safe and secure working environment. The Government has increased its focus on promoting occupational health and safety in private-sector establishments and is determined to develop the legislation necessary to protect the safety of workers, in line with international labour standards. It has also sought to raise awareness among employers and workers about the importance of adhering to occupational health and safety measures in the workplace.

79. In that context, the Ministry of Labour and Social Development has been conducting year-round inspection programmes, which have involved visits to various production sectors including, in particular, building and construction sites and the industrial sector. It has also found occasion to visit workers' accommodation facilities and to investigate labour-related complaints, and it has rolled out a campaign to prohibit work at specific times of day during the months of July and August. In addition, it has made return visits to certain places of work and worker accommodation facilities in order to ensure that occupational safety and health instructions were duly applied following the first inspection.

80. A total of 10,697 visits were conducted between the beginning of the year and last November. These included 309 visits to places of work and 203 to worker accommodation facilities and included both periodic visits and visits occasioned by complaints from workers.

#### **Prohibition of work during the summer**

81. The decree banning work during the middle of the day has humanitarian implications that well reflect the respect Bahrain shows for human rights in general and for workers' rights in particular. In fact, Ministerial Decree No. 3 of 2013 prohibits work under direct sunlight during the months of July and August, and the Ministry monitors places of work to ensure that they are duly applying its provisions. A total of 10,185 visits to various places of work have been carried out as the Ministry intensified its efforts to ensure the implementation of the Decree; prior to that, it also conducted awareness-raising campaigns. This has led to an increased sense of voluntary commitment to the Decree among both

employers and workers and this year the level of compliance rose to 98.5 per cent while the number of violations fell to just 156, involving 323 workers.

#### **Inspection of workers' accommodation facilities**

82. Bahrain has been witnessing a large and diversified expansion of commercial and industrial projects, which has contributed to an increase in the number of migrant workers. This in turn has necessitated an increased demand for facilities to accommodate the workers, and the Ministry of Labour and Social Development has been conducting inspection visits to ensure that workers' housing complies with safety and security specifications. A total of 203 such visits, carried out across various governorates up to last November, served to ensure that the necessary conditions were being applied to ensure the well-being of persons residing in that kind of accommodation.

83. In a context of community participation and cooperation with other agencies in Bahrain, and following the issuance of Decree No. 45 of 2013 of the Minister of the Interior, the Ministry of Labour and Social Development collaborated with governorates and other stakeholders to create field working groups in the Capital governorate. The groups survey buildings and housing that pose a potential danger to inhabitants and, up to November 2018, visited 74 worker accommodation facilities that had not previously been visited. In addition, repeat visits were conducted to five locations this year in order to follow up and verify compliance with the required conditions.

#### **Workplace accidents**

84. Thanks to the Government's concern to reduce the number and scale of workplace accidents by ensuring that private-sector establishments comply with occupational health and safety requirements, the rate of such accidents has, in effect, fallen. A total of 309 workplace accidents was recorded up to the month of November, most of them – 151 – in the building and construction sector, followed by the industrial sector with 63.

85. Investigations into workplace accidents have shown that most are due to failures on the part of the establishment concerned to take adequate health and safety provisions. Accidents also come about as consequence of non-compliance with the Private Sector Labour Code or with ministerial decrees that define and regulate conditions and specifications intended to protect workers from occupational hazards. Up to November 2018, a total of 327 injuries had occurred at various production sites, including 20 deaths and 127 serious injuries. The building sector was the hardest hit, with 16 deaths.

#### **Amicable settlement of labour disputes**

86. As of last August, and as part of its role to monitor relations between parties involved in labour relations, the Ministry of Labour and Social Development, had received 2,562 labour-related complaints. A solution was found in 65 per cent of these cases, as the Ministry was able to resolve 1,668 complaints by reaching a consensus between the two sides (employer and worker). A total of 1,521 of the labour-related complaints involved Bahrainis while 1,096 complaints were from migrant workers, as of the end of August 2018. The number of complaints referred to the Resolutions Board or the Court of Arbitration fell by 98 per cent in 2018 with respect to previous years. Just 2 of an original 10 collective labour-related disputes were referred, after the others had been resolved amicably.

#### **Workers' festival**

87. In order to pay tribute to the national workforce, which has contributed to the revival of Bahrain across various production sectors, the Ministry – under the patronage of His Majesty King Hamad bin Isa Al Khalifa, may God preserve him – organized the thirty-fourth festival in honour of outstanding workers and exceptional enterprises in the private sector. The event served to acknowledge and pay homage to leading entrepreneurs, outstanding workers and administrators, and exceptional enterprises and to recognize community groups that have supported ministerial initiatives aimed at consolidating the status of national workers across a number of different sectors and improving performance and productivity in the labour market. With the festival, the State seeks to recognize

excellence, acknowledge efforts made and express appreciation for the value of hard work in a number of different areas.

### Workforce size and trends

88. The following table gives numbers and proportions of workers and the size of the workforce for persons aged 15 years and over. It shows that the number of workers increased from 689,961 in 2012 to 769,619 in 2015, in which year workers accounted for 54 per cent of the total population. The size of the workforce increased from 696,749 in 2012 to 776,565 in 2015 and, in the same year, accounted for 55 per cent of the total population of persons aged 15 and over.

Information/Year		2012	2013	2014	2015	2016
Workers	No. (thousands)	690.0	718.9	734.7	769.6	812.3
	Percentage of workforce to total working age population (15+)	71.0%	71.2%	70.3%	70.9%	71.2%
Total workforce	<b>No. (thousands)</b>	<b>696.7</b>	<b>727.4</b>	<b>742.1</b>	<b>776.6</b>	<b>820.7</b>
	<b>Rate of participation (%) in workforce to total population aged 15+</b>	<b>71.7%</b>	<b>72.1%</b>	<b>71.0%</b>	<b>71.6%</b>	<b>72.0%</b>

Source: Estimates based on 2010 census.

### Periods of rest

89. The Private Sector Labour Code sets maximum working hours at 8 hours per day and 48 hours per week. Employers may employ their workers for an additional period on condition that the number of hours of effective work per day does not exceed 10, interspersed with periods of rest. In the case of certain jobs, which are identified in Decree No. 25 of 2013 of the Minister of Labour, the Code allows employers to increase the time their employees are required to be present to more than 11 hours, with an upper limit of 12 hours in a single day.

90. Legislators in Bahrain have insisted that workers should be granted a weekly period of rest of not less than a full 24 hours, and there is no impediment to workers' being given a weekly period of rest with full pay in excess of 24 consecutive hours, while taking account of the fact that working hours per week are not to exceed 48. In view of the time for Friday prayers, Friday has been designated as the weekly day of rest although, for some of their workers, employers may substitute that day for any other day of the week.

91. The involvement of juveniles in active employment for more than six hours a day is prohibited by law, and they are not allowed to spend more than seven consecutive hours at the workplace, with one or more periods amounting to one hour for rest or nutrition, arranged in such a way that they do not work for more than four hours consecutively. Moreover, they are not allowed to work on weekly rest days or official holidays.

92. Act No. 59 of 2014<sup>27</sup> amends article 5 of Act No. 74 concerning the welfare, habilitation and employment of persons with disabilities with the addition of a second paragraph under which functionaries or workers with disabilities are to be given two paid hours of rest per day, in accordance with specific rules and conditions.

93. If circumstances so require, employers can require their workers to do overtime, for which they are to be paid an hourly wage. This is defined in the Labour Code as the normal

<sup>27</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K5914.pdf>.

wage plus at least 25 per cent for overtime during the day and plus at least 50 per cent for overtime during the night.

94. Decree No. 27 of 2013 of the Minister of Labour envisages exceptions for certain jobs and certain situations in which activity must continue without interruption. It is up to employers to organize the work in such a way as to allow workers to drink or eat light meals, and to rest when possible. This includes the following kinds of activities.

- (a) Activities where work continues without pause, under a system of rotating shifts;
- (b) Work in water, electricity or sewage facilities or in activities related to cleaning or security;
- (c) Work in hospitals, clinics and other treatment facilities;
- (d) Work in pharmacies;
- (e) Other activities mentioned in the Decree.

95. The Private Sector Labour Code and its implementing decrees lay down rules in regard to working hours, periods of rest, sick leave, annual holidays, etc. However, they leave employers free to regulate these matters in their own establishment depending upon the requirements of the kind of work involved.

96. Child labour – involving children under the age of 15 – does not exist in the Kingdom of Bahrain. The question of the employment of juveniles is dealt with in the following terms under chapter IV of Act No. 36 of 2012.

(a) Article 23: In applying the provisions of the present Act, a juvenile is intended to mean anyone who has reached the age of 15 but is under the age of 18.

(b) Article 24: It is prohibited to employ anyone who has not reached the age of 15. Moreover, the involvement of juveniles in active employment for more than six hours a day is prohibited by law, and they are not allowed to spend more than seven consecutive hours at the workplace, interspersed with one or more periods for rest or nutrition, which together must not amount to less than one hour. The period or periods are to be arranged so that the juvenile does not work for more than four hours consecutively.

(c) Article 26: It is prohibited to employ juveniles at night or on weekly rest days or official holidays.

(d) Article 27:

Before employing juveniles, employers must:

- Ensure that the parent or guardian of the juvenile agrees;
- Arrange for a medical examination of the juvenile to ensure that he or she is fit to work;
- Not employ juveniles in work that is onerous, dangerous or harmful to their health, safety or morals;
- Notify the Ministry of all information concerning the juvenile.

Having employed juveniles, employers must:

- Place a copy of the provisions regarding the employment of juveniles, as set forth in the present chapter, on clear display in the place of work as well as a Ministry-approved notice specifying working hours and daily and weekly periods of rest;
- Draw up a statement setting forth the names of the juveniles working in the establishment, their ages, the activities they undertake and the date they were employed;
- Ensure that the juveniles undergo a periodic medical examination to verify that they remain fit to work; the examinations are to take place at intervals to

be set by decree of the Minister following consultation with employers' and workers' representatives.

97. Article 28: Taking due account of the provisions of the present chapter, the Minister is to issue a decree to define any other conditions or circumstances to regulate the work of juveniles. The Minister must also identify occupations, industries or activities that are onerous or dangerous, or harmful to the health, safety or morals of juveniles, depending upon their age, and in which they must not be employed. Such professions are to be reviewed periodically or according to need.

## **Article 8**

### **Right to form and join trade unions**

98. According to article 27 of the Constitution, the freedom to form national associations and unions, for lawful objectives and by peaceful means, is guaranteed under the terms and conditions laid down by law, provided that the fundamentals of religion and public order are not infringed. No one can be forced to join an association or union or to continue as a member.

99. Decree-Law No. No. 35 of 2011,<sup>28</sup> which amends certain provisions of the Trade Unions Act promulgated under Decree-Law No. 33 of 2002,<sup>29</sup> regulates all the technical and administrative aspects of trade union activity. For its part, the Bahrain Chamber of Commerce and Industry is regulated by Decree No. 48 of 2012.<sup>30</sup>

100. The purpose of the Trade Unions Act is to protect the rights of workers and to raise their cultural, professional and technical standing. This is to be achieved via a system that protects their rights while improving their living and working conditions, an approach that is consistent with developments on international labour markets.

101. The provisions of the Trade Unions Act are applicable to workers who are subject to the Private Sector Labour Code, to maritime law and to civil-service regulations.

102. Article 7 in chapter II – the union structure and its purposes – of the Trade Unions Act sets forth the goals trade unions work to achieve. These include, in article 7 (e), participation in Arab and international workers' gatherings. Moreover, under article 8 (3), which is in section I of chapter II of the Act, workers are given the possibility of representing the Kingdom of Bahrain at international gatherings. For its part, article 9 (f) authorizes trade unions to join Arab and international workers federations and organizations, on condition that they inform the Ministry of Labour and Social Development.

103. According to article 4 of the Trade Unions Act, the workers' organizations envisaged under the Act are to enjoy independent legal personality, which is to be effective from the date they lodge their documentation with the Ministry of Labour and Social Development. The union can thus undertake activities and organize events independently, having due regard for the provisions set forth in article 20 (a)–(d).

104. Article 8 (1) – in section I of chapter II of the Trade Unions Act – admits the establishment of "one or more trade unions", including a trade-union federation. A trade-union federation may be created or joined with the consent of a majority of members of the trade-union general assembly. Under article 8 (2), a trade union may not be a member of more than one federation.

105. Article 3 of the Trade Unions Act forbids any form of discrimination against workers – either in their employment or by exercising pressure against them – on account of trade union activity.

106. Article 21 of the Act concerns the right of trade unions to strike, while Decree No. 62 of 2006 identifies certain vital facilities where strikes are forbidden.

<sup>28</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L3511.pdf>.

<sup>29</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L3302.pdf>.

<sup>30</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4812.pdf>.

107. Through the Ministry of Labour and Social Development, Bahrain endeavours to strengthen social partnership with both workers and employers in order to advance the interests of the workforce and the nation. The three parties hold consultations and coordinate actions on various issues related to improving the working environment and the skills of workers, and promoting sustainable development in labour-market policies and practices.

108. Under article 294 of the Criminal Code, promulgated by Decree-Law No. 15 of 1976, as amended, public officials who abandon or neglect to carry out their duties with the intention of hindering or disrupting the orderly conduct of work – and especially if such actions endanger lives or health or lead to strikes or conflicts – shall be liable to a term of imprisonment of up to 6 months or to a fine of BD 50.

## **Article 9**

### **Right to social security and social insurance**

#### **I. Social security**

109. The provision of social security is enshrined in article 5 (c) of the Constitution of Bahrain, which reads: “The State shall guarantee the requisite social security for its citizens who are elderly, ill, unable to work, orphaned, widowed or unemployed”. It was on that basis that Social Security Act No. 18 of 2006 was enacted, which guarantees entitlement to social support in the form of cash benefits. Under the Act, these benefits are made available to any family or individual who do not possess a sufficient source of income with the aim of ensuring at least a minimum level of basic life requirements.

110. Bahrain is a country with very high human development, similar to that of the major European States, and it continues to rise on the scale of development indicators. For example, life expectancy at birth has reached 76 years while gross domestic product (GDP) per capita stands at US\$ 28,240.

111. The high level of human development is reflected in the social protection system available to citizens, which includes nine social centres distributed across all the country’s governorates. Work is currently under way on the construction of a new centre in the area of Al-Budaiya. Such centres, which are built on a rolling basis to keep pace with population growth, play an important role by providing a raft of social, welfare, economic, health-related and educational services. A total of 13,524 individuals of all categories from local communities have benefited therefrom, including 10,612 Bahraini women.

112. Evidence of the foregoing is to be found in a recent report by the Ministry of Labour and Social Development, according to which 15,354 citizens have benefited from social security assistance for a total value of BD 15,620,950. In addition, 11,006 citizens have received assistance in the form of disability allowances for a total of BD 12,047,800. At the same time, 118,393 Bahraini families have received a cost-of-living bonus at an overall cost of BD 91,069,730.

113. The cost-of-living bonus is additional to the cash compensation initiative for the removal of meat subsidies under the “redirecting meat subsidies” project, which has benefited 153,598 heads of household at an overall cost of BD 25,865,787. This comes alongside the “generous deed” of reducing costs of electricity and water. In fact, 13,741 families who benefit from the social assistance system saw their bills fall in 2017.

114. The Government is delivering social and developmental services to all groups in the community with a view to creating a Bahraini society that rests on solidarity, cohesion and partnership, that gains from positive modern advances and that moves to occupy a leading regional and global position.

115. The “Step” programme for home-based businesses aims to support persons who run businesses from home, persons registered in the Productive Families project, retirees, persons who are unable to work and recipients of social assistance. The aim is to support a new generation of outstanding products and designs by offering a package of specialized

professional training programmes and advisory services as well as practical and theoretical technical assistance, to stimulate innovative and out-of-the-ordinary ideas.

116. The Bahrain Development Bank seeks to support entrepreneurs as they manage their business projects by providing them with consultancy services, skills-development, training workshops and financial facilities. The Bank also allocates grants of between BD 5,000 and BD 100,000 to ensure that entrepreneurs have sufficient capital to found and develop their companies and to expand their operations, locally and globally. The Bank has a number of important business incubators, including the Bahrain Centre for the Development of Emerging Industries, Riyadat, Rukn and the University of Bahrain Business Incubator Centre, which can be engaged with support from Tamkeen. The Bank has invested BD 455 million to support small and medium-sized enterprises. Moreover, indicators show that the average income of Bahraini families has risen by 47 per cent since 2008 and that economic diversification efforts have been successful, boosting the contribution of the non-petroleum sector to the national economy by more than 80 per cent. The national economy grew by 28 per cent between 2008 and 2015, and investment in the country has tripled since 2008.

117. Ebdaa Bank works to achieve the Bahrain Economic Vision 2030 by helping persons on limited income and supporting microfinance projects to empower and develop the skills of more disadvantaged categories, particularly women, to engage in new initiatives with a view to improving their lives and achieving independence for themselves and for future generations. Self-employment will serve to expand the middle class as the incubatory period gives way to new levels of entrepreneurship that can guarantee sustainable national development.

118. The Family Bank is a social institution that provides financial and non-financial services in support of microprojects for families on limited income, families that receive social assistance from the Government or from charitable institutions, families registered in the Ministry of Social Development's "Productive Families" project and persons with disabilities. The Bank provides funding of between BD 500 and BD 7,000, depending upon the type of project involved. In addition, it offers training programmes on the basics of managing businesses and microprojects to develop borrowers' skills, as well as consultancy services and marketing and promotional facilities. On the basis of its strong belief in the role of civil society, the Bank has launched a support programme for non-governmental organizations. Under the programme, it provides funds to civil society organizations that support the "Productive Families" project so that they, in turn, can refinance their clients. Funding for the programme has reached BD 100,000.

## II. Social insurance

119. Bahrain has enacted the following three pieces of legislation, which are currently in force, concerning pensions and social insurance.

(a) Act No. 13 of 1975<sup>31</sup> concerning pensions and retirement emoluments for government functionaries, as amended, and Decree-Law No. 24 of 1976<sup>32</sup> promulgating the Social Security Code for private-sector workers, as amended. The implementation of these two pieces of legislation is overseen by the Social Insurance Organization;

(b) Decree-Law No. 11 of 1976<sup>33</sup> promulgating the Act concerning pensions and retirement emoluments for officers and enlisted personnel of the Bahrain Defence Force and the National Security Agency, as amended. The implementation of the Act is overseen by the Military Pension Fund.

<sup>31</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=573#.WMjqw9J97cs>.

<sup>32</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=4273#.WMjrM9J97cs>.

<sup>33</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=2865#.WMjsQtJ97cs>.

## Article 10

### Protection for families, mothers and children

#### Protection for families: laws and decrees

120. Legal protection for families is envisaged under article 5 of the Bahraini Constitution, which states: “The family, which derives its strength from religion, morality and patriotism, is the cornerstone of society. The law shall protect its legal status, strengthen its bonds and values, and provide a shield for mothers and children. The law shall also provide for the welfare of the coming generation, guard them from exploitation and protect them from moral, physical and spiritual neglect. The State shall show particular concern for the physical, moral and intellectual development of young persons.”

121. The Constitution guarantees equality of rights and duties, including those relating to marriage and the family. Article 18 reads: “People have equal human dignity and the same public rights and duties before the law. There shall be no discrimination on grounds of gender, origin, language, religion, or belief.”

122. The State seeks to provide all Bahraini families with outstanding developmental and preventive services. Its aim in so doing is to stimulate the role families play in meeting modern-day challenges and problems, to resolve issues family members may face and to nurture domestic contentment, stability and agreement. The State also uses all its potential to provide families with support and protection through social care institutions. In that connection, the Government has established the Al-Aman Home for women who have suffered domestic violence, which offers temporary shelter to female victims of violence and their minor children. In addition, it has created the Karama Home, which provides social welfare for persons who are first-time beggars and vagrants. Moreover, family guidance is available in the form of services and programmes to address and treat psychological and social problems. The productive families unit seeks to empower families by supporting and developing domestic businesses through appropriate training and funding, while specialized services and social support are made available to families in need.

123. Act No. 19 of 2009<sup>34</sup> promulgating the Family Act (section I) covers only Sunnis. Among the things the Act addresses is the legal status of family members, both during marriage and following the end of married life, in a way that guarantees the rights of all parties. The Act envisages that marriage is to take place with the consent of the prospective bride and it prohibits coerced marriage. Subsequently, the Unified Family Code was issued as Act No. 19 of 2017, covering both Sunnis and Shiites.

124. The Minister of Justice, Islamic Affairs and Endowments issued Decree No. 1 of 2016<sup>35</sup> regarding legally authorized persons and provisions for authenticating personal status documents. Article 10 of the Decree reads: “The legally authorized person shall use a legally prescribed positive and affirmative approach to instruct the two parties to the marriage contract and shall likewise verify the consent of the women and of her legal guardian. He shall do so in accordance with the legal rules of the religious denomination of the spouses.”

125. Violence of all kinds is criminalized under the Criminal Code and if a husband commits a harmful act against his wife in the domestic setting she has the right to take him to court and demand that he face the legally prescribed punishment. In addition, Domestic Violence Act No. 17 of 2015 has been issued.<sup>36</sup>

126. Decree-Law No. 22 of 2015<sup>37</sup> amending certain provisions of the Code of Sharia Procedure imposes obligatory recourse to a family reconciliation office before a case can be brought before the sharia courts. The purpose of this provision is to seek an amicable and

<sup>34</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K1909.pdf>.

<sup>35</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RJIW0116.pdf>.

<sup>36</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K1715.pdf>.

<sup>37</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L2215.pdf>.

peaceful solution to any dispute. This unquestionably mitigates any sufferings the woman might endure as a consequence of protracted legal proceedings.

127. Under Decree-Law No. 23 of 2015<sup>38</sup> rulings issued by sharia courts may be appealed before the Court of Cassation. This constitutes a crucial guarantee for the exercise and enjoyment of family rights.

128. The Maintenance Fund, which was set up under Act No. 34 of 2005,<sup>39</sup> makes maintenance payments to a wife if the husband is unable to do so.

129. The sharia and family research office, which is part of the sharia courts division, receives applications, which it submits to the competent judge and to criminal courts that are competent to issue rulings in cases of violence referred to them by the Office of the Public Prosecutor.

130. In order to mitigate the sufferings of women and families, the Code of Sharia Procedure has been amended with the establishment of summary-affairs courts.

131. Act No. 22 of 2011 was issued, ratifying the Convention on the Rights of Persons with Disabilities.

132. The Consultative Council's services committee and its women and children's affairs committee have been examining a bill to amend article 2 of Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities, as amended by Act No. 40 of 2010.<sup>40</sup> Their starting point for this was the principles and rules enshrined in international treaties ratified by the Kingdom of Bahrain regarding the protection and promotion of the rights and dignity of persons with disabilities. The purpose of the bill is to support children with disabilities of Bahraini mothers who are married to foreigners and who reside in Bahrain with their children, and to ensure their equality with their peers, in line with other domestic legislation regarding Bahraini women married to foreigners. This is in view of the fact that the circumstances of children with disabilities are such as to require specific care and services. These provisions reflect recommendations made by the Supreme Council for Women regarding support for that category of women.

133. The Family Code (Act No. 19 of 2017) was issued on 19 July 2017, it was published in edition No. 3323 of the Official Gazette on 20 July 2017 and came into force on 1 August of the same year. The new Code, which replaced the 2009 Family Act (section I), includes comprehensive provisions that unify the legal status of Bahraini families, facilitate recourse to justice and put an end to the disparity of rulings that had been issued in similar cases. The issuance of the Code involved a number of procedural steps in which the legislature first submitted a draft bill to be examined by the competent sharia committee, that was then adopted following the legislative channels envisaged in the Constitution before being ratified by His Majesty the King. The Code, which has produced positive echoes across a wide range of groups in society, is consistent with national commitments under the Convention on the Elimination of All Forms of Discrimination against Women, and it represents a qualitative leap in making people in society aware of their family-related rights and duties.

#### **National policies, strategies programmes and plans**

134. The Supreme Council for Women has placed family stability at the centre of the second national plan for the advancement of Bahraini women (2013–2022), which it seeks to achieve for the sake of women, within a framework of family cohesion.

135. In November 2015, the Council launched the National Strategy for the Protection of Women from Domestic Violence, which includes mechanisms, policies and laws to protect and raise awareness among girls. All the preparatory stages of the strategy were carried out in partnership with other stakeholders including ministries, official institutions, the private sector and civil society institutions, the aim being to translate the strategy into a detailed

<sup>38</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L2315.pdf>.

<sup>39</sup> <http://www.moj.gov.bh/defaultf10b.html?action=article&ID=1412>.

<sup>40</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K4010.pdf>.

action plan with a specific time frame and quantitative and qualitative indicators to assist with follow-up and evaluation.

### **State-run family-support services**

136. The Government provides high-quality basic services free of charge to everyone, particularly services relating to education, health care, housing, etc.

137. Family benefits in Bahrain are delivered through various agencies and governed by different pieces of legislation. They include unemployment insurance, social benefits on salaries, cost-of-living benefit, social insurance, guardianship for orphans and widows through the Royal Charity Organization, housing allowance and disability allowance.

138. The State has been redoubling its efforts to improve the economic situation of both men and women through loans and other facilitations as well as training and habilitation. This is in addition to legislation and decrees and to the launch of the 2005 National Plan for the Development of Families in Need.

139. Those efforts involve not just provision of support but also promotion of the human development and social advancement of Bahrainis through projects, programmes and services. These include specialized comprehensive social centres for persons with disabilities and older persons as well as other services such as training and habilitation.

140. Bahrain has a number of institutions that provide services to protect and support families. Of these, the most notable are the Supreme Council for Women; the Ministry of Labour and Social Development; the Ministry of the Interior; the Ministry of Justice, Islamic Affairs and Endowments; the Ministry of Health; the Al-Aman Home; and civil society institutions.

### **National legislation concerning the consent of both parties to a marriage**

141. The Family Code (Act No. 19 of 2017) includes provisions regulating the consent of parties to a marriage under both Sunni and Shiite jurisprudence, as follows.

142. Article 15 of the Family Code:

- (a) Under Sunni jurisprudence, guardianship is attributed in the following order:
- Father, paternal grandfather, son and descendants, full brother, paternal half-brother, son of a full brother, son of a paternal half-brother, a paternal uncle, a paternal half-uncle, son of a paternal uncle, son of a paternal half-uncle. The marriage may not take place without the consent of the woman.
- (b) Under Shiite jurisprudence:
- The marriage guardian of a virgin is her father or paternal grandfather, and the marriage may not take place without her consent. In the absence of the father or paternal grandfather, the woman can marry independently if she has attained majority. A woman who is in full possession of her faculties and was married before may marry without being subject to guardianship.

143. Article 17 of the Family Code:

A guardian may not force the person under his guardianship to marry, be she a person previously married or a virgin, adult or minor.

- (a) Under Sunni jurisprudence:
- The guardian may not marry off his ward save with her consent and with the authorization of a judge.

144. Article 25 of the Family Code:

Both parties to a marriage must:

- (a) Be fully eligible;
- (b) Consent to the marriage.

145. Article 26 of the Family Code:

The marriage is concluded by a proposal on the part of one of the two parties to the contract and an acceptance on the part of the other. They are to express their full consent using legally prescribed terms or a recognizable sign, or in writing if they are unable to speak, in line with the provisions of article 27 of the present Code.

146. Article 27 of the Family Code:

The proposal and the acceptance must:

- (a) Be by explicit or implicit consent;
- (b) Be given together in a single – physical or virtual – location;
- (c) Be effective, unconditional and not projected into the future.

147. Conditions for marriage, as well as for the marriage of minors, are set forth in the Family Act (section I)<sup>41</sup> as follows.

148. Article 15 of the Family Act states that the guardian may not marry off his ward save with her consent and with the authorization of a judge. Moreover, the guardian may not prevent the marriage save on legal grounds, and he may not force the person under his guardianship to marry, be she a person previously married or a virgin, adult or minor.

149. Article 18 of the Family Act states that a girl under the age of 16 can marry with the consent of the sharia court and after the suitability of the marriage has been verified.

150. Article 24 of the Family Act states that the marriage is concluded by a proposal on the part of one of the two parties to the contract and an acceptance on the part of the other. They are to express their full consent using terms that indicate such consent in formal language or common usage, or by a recognizable sign, or in writing if they are unable to speak.

151. Article 25 of the Family Act states that the acceptance must be by explicit or implicit consent; it must be given together with the proposal in a single location; and both proposal and acceptance must be effective, unconditional and not projected into the future.

### **Maternity protection**

152. Women in Bahrain enjoy access to special health-care services, including reproductive, antenatal and postnatal services, periodic screening and premarital tests. This has made a great contribution to improving maternal and infant mortality indicators, raising life expectancy rates and achieving the Millennium Development Goals. In fact, there has been a tangible increase in life expectancy at birth in Bahrain which, for women, rose from 75.9 years in 2000 to 77.4 years in 2015. According to international development indicators, Bahrain is one of the most developed countries in the world in terms both of the quantity and quality of health-care services.

153. The Bahraini Constitution envisages protection for the family, including maternity protection. Article 5 (a) of the Constitution reads: “The family, which derives its strength from religion, morality and patriotism, is the cornerstone of society. The law shall protect its legal status, strengthen its bonds and values, and provide a shield for mothers and children. The law shall also provide for the welfare of the coming generation, guard them from exploitation and protect them from moral, physical and spiritual neglect. The State shall show particular concern for the physical, moral and intellectual development of young persons.” According to article 5 (b): “The State shall ensure that women are able to reconcile their family responsibilities with their work in society and shall guarantee their equality with men in political, social, cultural and economic life, without prejudice to Islamic sharia.”

<sup>41</sup> [http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/Legislation/Law\\_19\\_2009\\_FamilyLaw\\_section\\_1.pdf](http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/Legislation/Law_19_2009_FamilyLaw_section_1.pdf).

154. Decree No. 1 of 1995 of the Minister of Health regulates the practice of radiology for screening and treatment, and sets down the safety standards radiology clinics must follow when screening women.<sup>42</sup>

155. Act No. 11 of 2004 concerns medical tests for marriage candidates of both sexes, and imposes the obligation to undergo such tests before getting married.<sup>43</sup>

156. Act No. 35 of 2009 concerns non-Bahraini women who are married to Bahraini men and of the children of Bahraini women who are married to foreign men, who are to be treated on equal terms with Bahraini citizens in respect of fees for government health and educational services and for residency.<sup>44</sup>

157. On the subject of guardianship, Family Code (Act No. 19 of 2017) states:

(a) Article 123: Guardianship entails protecting, raising and caring for a child in a manner commensurate with the rights of the guardian.

(b) Article 128: Guardianship is the responsibility of both parents for as long as their marriage subsists.

### **National policies, strategies programmes and plans**

158. The Supreme Council for Women has placed quality of life at the centre of the second national plan for the advancement of Bahraini women (2013–2022). This means improving the health, environmental, social and psychological aspects of women's lives, empowering women of all ages to live with dignity and security, and promoting physical and mental well-being.

159. The Ministry of Health strategy 2011–2014, which was developed as part of the government programme in 2010, includes six strategic goals and a number of women-focused initiatives including an increase in periodic screening.

160. Special sectoral committees for the promotion of women's health – such as the periodic screening committee – have been formed in the Ministry of Health.

161. Pregnant women continue to receive first-rate services, with regular check-ups and vaccinations as well as ultrasound tests to monitor their health and that of the fetus. Medication to prevent anaemia and osteoporosis is available to all women free of charge.

### **Protection for female workers**

162. Legal provisions related to care leave.

163. Decree No. 51 of 2012 promulgating the implementing regulations of the Civil Service Act No. 48 of 2010.<sup>45</sup>

164. Article 31 of the Decree envisages the following forms of paid special leave for functionaries:

(a) Maternity leave of 60 days, which begins on the first day of the confinement, to be testified by an approved medical certificate. The functionary concerned must inform her office and may, at her own request, begin her maternity leave a maximum of 15 days before the expected date of delivery;

(b) Upon her return to work following maternity leave, the functionary is entitled to 2 paid hours per day in which to breastfeed her infant, until the infant reaches the age of 2. The timing of the breastfeeding period is to be defined in line with the exigencies of work and the functionary concerned is required to provide a supporting medical certificate.

165. Article 32 of the Decree concerns special leave without pay.

<sup>42</sup> <http://hajj.moh.gov.bh/PDF/Licensure/Arabic%201995%20Order%20No%201%20on%20Radiology.pdf>.

<sup>43</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=2230#.WmV4MbyWaM8>.

<sup>44</sup> [http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/Legislation/Law\\_35\\_2009\\_NonBahrainiwife.pdf](http://www.nihr.org.bh/MediaHandler/GenericHandler/pdf/Legislation/Law_35_2009_NonBahrainiwife.pdf).

<sup>45</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB5112.pdf>.

(a) A functionary may obtain unpaid leave to care for children under 6; they can take such leave for up to a maximum of six months and on three separate occasions during their period of service. This is in line with international labour standards.

166. Article 33 of the Decree lays down other rules concerning leave.

(a) Functionaries may not be granted the leave envisaged under the Civil Service Act during their probationary period, except for reasons beyond their control, in accordance with instructions issued by the Bureau. In such cases, the probationary period must extend so as to cover the period of leave.

167. Act No. 36 of 2012 promulgating the Private Sector Labour Code<sup>46</sup>

### Article 32

(a) Female workers are entitled to 60 days of paid maternity leave in the period before and after the birth of their child, on condition that they present an approved medical certificate showing the expected date of delivery, from a State-run medical centre or a clinic approved by the employer;

(b) In addition to the foregoing, female workers may obtain a further 15 days of unpaid maternity leave;

(c) It is prohibited to employ a female worker during the 40 days following delivery, while the provisions of article 62 of the present Act are applicable if she is employed by a different employer during her maternity leave.

168. Article 33:

(a) Employers are forbidden from dismissing or terminating the contracts of female workers on grounds of marriage or during maternity leave.

169. Article 34:

(a) Female workers are entitled to unpaid leave to care for children under 6; they can take such leave for up to a maximum of six months and on three separate occasions during their period of service.

170. Article 35 regarding the employment of women:

(a) Female workers, after their maternity leave has come to an end and until their child reaches the age of 6 months, shall have two periods of not less than one hour each in which to breastfeed their infant, then two half-hour periods until the child reaches the age of 1 year. If she wishes, the female worker may take the two periods together. The additional periods are to be counted as working hours and the worker is not to suffer any drop in salary. It is up to the employer to decide when the worker can take that period, depending upon the circumstances and exigencies of work;

(b) Under article 5 of Act No. 74 of 2006 concerning the welfare, habilitation and employment of persons with disabilities, female workers with disabilities are exempted from the provisions regarding maternity leave in the Private Sector Labour Code and civil-service regulations. If they are pregnant and a medical committee deems that such leave is necessary, such workers are to be granted special paid leave with full pay, which is not to be counted as part of other leave.

171. Article 104 regarding the termination of employment contracts:

(a) Termination of an employment contract by an employer shall be considered to amount to arbitrary dismissal if it is done on any of the following grounds:

(b) Sex, colour, religion, belief, social status or family responsibilities or, for female workers, pregnancy, childbirth or breastfeeding.

172. Special rules and conditions govern work done by women regarding such things as working hours and a prohibition on work at night. Ministerial Decree No. 32 of 2013,

<sup>46</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3612.pdf>.

which identifies jobs in which women may not be employed, reflects the country's aspiration to provide women with a safe and healthy working environment that is consistent with international labour standards and treaties, particularly the ILO Night Work (Women) Convention (Revised), 1948 (No. 89) and the ILO Occupational Safety and Health Convention, 1981 (No. 155). Under the Decree, women are prohibited from working in a number of activities and occupations in private-sector establishments. These include activities and occupations that are conducted underground, or that would expose them to excessive heat such as work at blast furnaces, or that involve excessive or continuous physical effort such as carrying or dragging weights in excess of 15–20 kg. Other prohibited activities include those that would expose them to vibrations harmful to the upper limbs or the entire body such as drilling in rocks, roads, buildings, etc. or activities involving contact with lead. The latter include lead smelting; the handling or treatment of ore containing lead oxide; the removal of lead-based paints; soldering or manufacturing soldering materials or alloys with a lead content of more than 10 per cent; manufacturing lead compounds; mixing lead in the manufacture or repair of electrical batteries; or cleaning premises where any of these activities take place.<sup>47</sup>

173. Protection of children and adolescents.

174. Bahrain is considered as a pioneer State in the legal protection it provides for the rights of children, in which regard it has issued numerous decree-laws regarding the registration of births and deaths, and conditions for obtaining authorization to open kindergartens as well as other pieces of legislation regarding education, work, juveniles, family custody and penalties. Bahraini legislators have enacted a number of laws that aim to provide protection and safeguards for children and to prevent them being exploited by employers or becoming destitute. The most significant of these laws are detailed below.

175. The Children's Code (Act No. 37 of 2012),<sup>48</sup> which is the primary reference for most legislation concerning children, contains 69 articles as well as a preamble that makes reference to numerous other pieces of legislation. The Code includes a chapter on child health care, vaccination and immunization, children's health cards and child nutrition. Another chapter regulates the operation of kindergartens while a third focuses on education and creating the right conditions for a healthy upbringing. As a further protection measure, the Code also contains detailed provisions regarding persons – relatives as well as strangers – who violate the physical integrity of children and it sets forth penalties to be applied against persons who violate the provisions of the Code.

176. The Code is the first law exclusively focused on children, not just in Bahrain but in the entire Arab world. Its issuance represents a sign of positive action in the implementation of those international child rights treaties and conventions that do not conflict with the essence of Islamic sharia.

177. The Code gives full consideration to the best interests of children and it guarantees their rights such as the right to life, to education, to the highest levels of health, to freedom of expression and to protection from violence in the family and in the community. One chapter in the Code contains provisions regarding the creation of a child protection centre with an organizational structure that envisages branches in the Ministry of Justice the Ministry of the Interior, the Ministry of Health and the Ministry of Education.

178. Within the framework of the Code, the National Commission for Childhood was established with members drawn from across all stakeholders. Part of the Commission's mandate is to identify children's basic requirements and to propose appropriate solutions.

179. Act No. 36 of 2012 promulgating the Private Sector Labour Code also deals with the question of children. The Code, which includes a chapter regulating the employment of juveniles, defines juveniles as "anyone over the age of 15 years and under the age of 18 years" and it prohibits the employment of anyone under the age of 16. The Code also sets forth rules and conditions for employing juveniles and prohibits the employment of anyone

<sup>47</sup> National report of the Kingdom of Bahrain concerning the Millennium Development Goals, 2015.

<sup>48</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K3712.pdf>.

under the age of 15. When employing a juvenile under the age of 18, employers must ensure that they do not work for more than six hours a day, or at night or on weekly days of rest or public holidays. Also according to the Code, before employing juveniles, employers must ensure that the parent or guardian of the juvenile agrees, and they must arrange for a medical examination of the juvenile in question and notify the Ministry of Labour of all information concerning the juvenile. Moreover, the Labour Code prohibits the involvement of juveniles in work that is onerous, dangerous or harmful to their health, safety or morals. In enactment of these provisions, the Minister of Labour issued Ministerial Decree No. 23 of 2012, which sets forth the conditions regulating the employment of juveniles and identifies professions and industries that are considered onerous or dangerous and where juveniles may not be employed. For example, the Ministerial Decree prohibits the employment of children in mines, blast furnaces, the handling of dangerous chemicals or the production of alcohol, as well as in other jobs. Likewise, the Decree prohibits the involvement of children in jobs involving the carrying of weights in excess of 10 kg for boys and 7 kg for girls. Under the Decree, employers are required to inform the juveniles of the occupational hazards and to provide personal protective equipment consistent with the nature of the work, before the juvenile begins on his or her duties.

180. Another law to protect children from exploitation or involvement in illegal activities is Act No. 5 of 2007 to combat vagrancy and begging.<sup>49</sup> Under article 7 of the Act, anyone who uses a juvenile in begging, or gives a juvenile to a third party to use in begging, shall be liable to a term of imprisonment of not less than 3 months and/or to payment of a fine of between BD 50 and BD 100. If the instigator is the juvenile's parent or guardian, or a person assigned to supervise or care for the juvenile, the penalty shall be a term of imprisonment of not less than 6 months.

181. The national Child Protection Centre,<sup>50</sup> which is a social welfare institution that is part of the Ministry of Labour and Social Development's social welfare department, offers protection to children under the age of 18 from all forms of ill-treatment and neglect. The Centre deals with cases of physical and mental abuse, sexual aggression and severe neglect. It seeks to advance the cause of children, address questions affecting them, defend their rights, provide the care they need and protect them from harm, both in their family environment and in society. It also shields children from harm during the course of investigations, and it offers protection and family habilitation services to ensure that, to the extent possible, children are able to remain in their own homes.

182. The Criminal Code of Bahrain places an outright criminal ban on any trade in sex or in narcotic substances. The fact that children are not specifically mentioned in the provisions of the Code does not mean that such acts are permissible for them or that Bahraini legislators overlooked them or neglected to consider their involvement therein as a criminal act. The treatment of cases takes account of all forms of exploitation against individuals, irrespective of their age or sex.

183. Decree-Law No. 17 of 1976 regarding juveniles, as amended.<sup>51</sup>

184. Article 20: Persons who have charge of a juvenile and who neglect their duties, thereby causing the juvenile to commit an offence or exposing the juvenile to delinquency by placing him or her in one of the conditions envisaged in article 2 of the present Act, shall be liable to a term of imprisonment of up to 1 year and/or payment of a fine of up to BD 2,000.

185. Article 22:

(a) Without prejudice to any more severe penalty, persons who expose a juvenile to delinquency or to one of the conditions envisaged in article 2 of the present Act, be it by preparing or assisting the juvenile to that end or by inciting or facilitating such behaviour in any way, even if the state of delinquency does not effectively come about, shall be liable to

<sup>49</sup> <http://www.gcc-legal.org/LawAsPDF.aspx?opt&country=6&LawID=3548>.

<sup>50</sup> [http://www.social.gov.bh/childhood/childhood\\_protection/child-protection-centre](http://www.social.gov.bh/childhood/childhood_protection/child-protection-centre).

<sup>51</sup> <http://www.moj.gov.bh/defaultee1d.html?action=article&ID=983>  
<http://www.legalaffairs.gov.bh/Media/LegalPDF/L2313.pdf>.

a term of imprisonment. The term of imprisonment shall be of not less than 3 months if the offenders use coercion or threats, if they are antecedents of the victim or responsible for the victim's upbringing or if they have charge of the victim under the law;

(b) If the offence affects more than one juvenile, even at different times, the perpetrators shall be liable to a term of imprisonment of between 1 and 5 years. The knowledge of the juvenile's age is presupposed unless offenders can show that they could not have been aware of the true age.

186. Decree-Law No. 19 of 2001, promulgating the Civil Code, as amended.<sup>52</sup>

187. Article 73:

(a) Minors without capacity for discernment cannot dispose of their own assets and any such transactions are invalid;

(b) Persons under the age of 7 are considered to have no capacity for discernment.

188. Article 74:

(a) If the minor has capacity for discernment, any financial transactions he or she makes are valid if they are solely advantageous and void if they are solely detrimental;

(b) Financial transactions that lie somewhere between advantageous and detrimental may be rendered void in the minor's own interest. However, that possibility itself becomes void if the minor authorized the transaction after coming of age or if the authorization came from a parent or guardian or from the Commission for Minors' Assets, or parties of like status, depending upon circumstances and according to the law.

189. Article 75: A minor is considered to have capacity from the age of discernment until attaining majority.

190. The National Committee for Childhood, which was established under Decree No. 64 of 2013,<sup>53</sup> is responsible for developing and promoting the comprehensive welfare of children.

**Act No. 36 of 2012 promulgating the Private Sector Labour Code (chapter IV on the employment of juveniles)**

191. Article 23: For the purposes of implementing the present Code, a juvenile is anyone over the age of 15 years and under the age of 18 years.

192. Article 24: It is prohibited to employ anyone under the age of 15.

193. According to the conditions for appointment under article 11 (5) of Decree-Law No. 48 of 2010 promulgating the Civil Service Act:

194. Anyone who is appointed to a post to which the provisions of the present Act are applicable must fulfil the following conditions:

(5) Be not less than 17 years of age.

**Decree No. 1 of 2016 of the Minister of Justice, Islamic Affairs and Endowments**

195. The Decree concerns legally authorized persons and provisions for authenticating personal status documents, and its article 12 reads: "For a contract of marriage to be stipulated and authenticated, the spouses must be not less than 16 years of age at the time the contract is concluded. A birth certificate or any other official document showing the date of birth may be used to verify that the spouses have attained the legal age. At the request of the parties concerned, permission may be obtained from the competent sharia court for marriage between persons under the age of 16, once the appropriateness of the marriage has been established under an urgent ruling issued by the court, sitting in chambers."

<sup>52</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L1901.pdf>.

<sup>53</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RCAB6413.pdf>.

### **International treaties**

196. The Kingdom of Bahrain acceded to the Convention on the Rights of the Child under Decree-Law No. 16 of 1991.<sup>54</sup>

### **National policies, strategies programmes and plans**

197. A number of pieces of guidance were published in 2008 and 2009, including the Guide for Protecting Children from Violence and Neglect and the Guide for Child Screening.

198. In 2011, a women and children's affairs committee was set up in the Council of Representatives, which is equivalent to the committee set up in the Consultative Council during the second legislative session of 2007.

199. In 2013, Bahrain launched its National Strategy for Childhood, which aims to guarantee the right of children to "health, survival, education, capacity development, protection, participation and non-discrimination". The Strategy has the following objectives.

200. Define the basic social, educational, health, psychological and physical needs of children with a view to coordinating efforts by relevant stakeholders to promote children's physical, cognitive, social and emotional development.

201. Foster an appropriate environment of policies, legislation, programmes and services to ensure that children survive and grow, address their needs, provide them with protection and promote their active participation in society, with a view to furthering their balanced and comprehensive development.

202. Increase the awareness of families and society to child-related issues, the significance of childhood, its various stages, the characteristics and needs associated with each stage and the support necessary.

203. Establish an integrated, comprehensive and coordinated structure to identify the opportunities available to children in Bahrain, and the challenges they face.

204. Provide support and resources to implement child development initiatives at all levels.

205. Establish new and effective mechanisms to promote cooperation and coordination among all parties concerned with child development and protection, including government and civil society institutions as well as private sector actors.

206. Establish a mechanism for evaluating child-sector initiatives in order to increase their effectiveness.

### **National child protection mechanisms**

207. The Ministry of Labour and Social Development's Child Protection Centre is a social welfare institution that offers protection to children under the age of 18 from all forms of ill-treatment and neglect. It has the following goals:

- Protecting children from abuse in their family environment and in society;
- Shielding children from harm during investigations and providing protection services;
- Providing services and support for children and families;
- Habilitating families to ensure that, to the extent possible, children are able to remain in their own home;
- Protecting society from abusers and holding them liable.

208. The 998 child emergency and support hotline is one of the services provided by the Child Protection Centre. Via the hotline, the Centre is able to receive any reports relating to

<sup>54</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L1691.pdf>.

the ill-treatment of children, both directly or referred by child protection agencies. The purpose is to ensure that all children can enjoy a safe childhood. Calls to the hotline, which is open round the clock, are free and the confidentiality of callers who identify themselves is respected.

209. The alternative care programme was launched in 2012.

210. The social research department, which is part of the board that administers health centres, provides social and family counselling services, including in cases of domestic violence, and it follows up on cases that have been transferred within the health-centre structure. In doing so, it follows the Guide for Protecting Children from Neglect and Abuse, which has been adopted by health centres.

211. The Child Protection Unit in the Ministry of Health provides health, physical, psychological and social assessment, treatment and habilitation to child victims of violence in all forms, and transfers cases to the Child Protection Centre for follow-up and to the Office of the Public Prosecutor for legal action. The Child Protection Unit has also been at pains to establish an accurate database of cases of violence against children, which has resulted in the publication of numerous research papers in peer-reviewed medical and scientific journals.

212. The government action plan envisages the following:

- Updating policies and improving the legal environment for social services;
- Reviewing and updating policies and programmes regarding social care and development, with a focus on persons most in need;
- Undertaking a comprehensive review of legislation regulating social protection services;
- Following up on the issuance of the implementing regulations for the Children's Code and on the issuance of the Domestic Violence Act;
- Following up on the implementation of the Convention on the Rights of Persons with Disabilities and on the issuance of a new law on the welfare and habilitation of persons with disabilities, which is consistent with the Convention; also, following up on the development of other disability legislation, in accordance with international treaties;
- Working to implement the law regarding older persons by expanding and increasing the list of benefits they enjoy;
- Reviewing regulations affecting kindergartens and developing their administrative and technical competencies by training teachers in order to improve the services provided to children.

#### **Providing care to children and young people and developing their abilities and skills**

213. Efforts are made to ensure the effective implementation of the National Strategy for Childhood (2013–2017), the aim of which is to safeguard the rights of children to health, education and other social rights and to prevent them being exploited through involvement in acts of violence.

214. Clubs for children and young people are being opened and run across the country. The clubs are open throughout the year and specialists in various fields are on hand to provide cultural, educational, social and recreational services.

215. Skill-development programmes and services in clubs for children and young people are being intensified to ensure that they reach the greatest possible number of beneficiaries and thereby increase the global presence of gifted and innovative Bahraini youngsters.

216. A shelter for child victims of domestic violence has been set up where they can receive social, educational and health care.

217. Staff in existing child protection centres have received training to improve the quality of the services available there.

### **Provision of care for child victims of domestic violence and neglect**

218. A high commission is looking into crimes involving young offenders and their involvement in acts of violence, and the responsibility of parents and guardians in that regard.

219. Social and habilitative services are being developed and made available to persons with disabilities.

220. To the extent possible, the demands and needs of persons with disabilities are being accommodated in the design of public facilities.

221. The implementation of the National Strategy for Persons with Disabilities is being monitored.

222. Efforts are ongoing to habilitate and train persons with disabilities in order to develop their skills and integrate them into the labour market.

### **Development of care and social services for older persons**

223. Efforts are being made to increase the number and improve the quality of care homes for older persons, in cooperation with civil society and the private sector.

224. Geriatricians and psychiatrists are available for older persons.

225. The National Strategy for Older Persons Efforts is being successfully implemented.

226. Efforts are being made to increase the number of homes and clubs that provide day care for older persons, by activating the role of community partnership.

227. Efforts are being made to benefit from the skill and experience of older retired persons.

### **Programmes to support the stability and cohesion of families**

228. The role and remit of family counselling offices is being promoted and expanded.

229. Awareness-raising programmes are being intensified to draw attention to the importance of family cohesion and stability.

### **Economic and social empowerment of individuals and families on limited incomes**

230. A national plan for needy families has been rolled out the purpose of which is to raise the standard of living of persons on limited income and to promote self-reliance and financial independence.

231. Training programmes are being run for the development of private businesses as well as training initiatives aimed at enabling needy families to join the labour market.

232. The number of points where products produced by needy families are displayed and sold has been increased across the country.

### **Empowering Bahraini women and enhancing their contribution to development**

233. Effective coordination takes place with the Supreme Council for Women with a view to implementing the national plan for the advancement of Bahraini women (2013–2022).

234. Issues affecting women are monitored and addressed and their needs are catered for in development programmes so as to ensure that they can continue to enjoy domestic stability and family cohesion.

235. Rehabilitation services for female victims of domestic violence are being developed.

236. Empowerment programmes are being intensified to help women obtain equal opportunities in all areas of life, to improve their status and to promote their contribution to the development process.

## **Article 11**

### **Right to an adequate standard of living**

237. The right to an adequate standard of living is a fundamental requirement for the attainment of individual human dignity. Individuals must, then, be able to achieve that goal by having their basic needs met; i.e., the right to decent housing and to sufficient water and food. The right to a decent life also involves improving the infrastructure of roads, bridges and sewerage, not to mention a clean environment, which ultimately ensures optimal enjoyment of an adequate standard of living.

#### **Policies and other measures in that regard**

238. The Government has formulated a plan of action for 2019–2022 under the title of “Achieving Sustainable Social and Economic Security and Maintaining Financial Equilibrium”. The foundation of the plan is to achieve gains for the nation and its citizens while maintaining a financial balance between expenditure and revenues in a context of positive economic growth, monetary stability and comprehensive development.

239. In developing the programme, care was taken to accommodate the most important directives, policies and initiatives that it is hoped will be rolled out over the next four years. The aim is to ensure security and stability, provide citizens with the services they require and maintain their current earnings without encumbering them with any additional burdens while, at the same time, improving their living conditions, which remains the fundamental aim of development.

240. Thanks to its free economic policies and its clear vision that aims to achieve development and prosperity for all members of society, Bahrain has grown successfully over the last decade, with its GDP over those years ranging from 2.1 per cent to 8.3 per cent.

241. Standard & Poor’s (S&P) maintained the credit rating of Bahrain at BB- with a stable outlook. The basis for this was the progress achieved over the past two years and its impact on economic activity and the general budget, as well its implications for the increase in public spending on key areas of infrastructure such as housing, health care and education. All this has helped to maintain positive growth rates, which stood at 3.9 per cent in 2016. Moreover, the non-petroleum, manufacturing and financial sectors have also begun to achieve good growth rates during that period, and this too has contributed to sustained development.

242. Extreme poverty does not exist in Bahrain, as basic services – particularly education and health care – are available to all free of charge. Bahrain was able to achieve the Millennium Development Goals and has been awarded the Millennium Development Goals Award.

#### **Provision of shelter**

##### **Please refer to the common core document HRI/CORE/BHR/2019**

243. Bahrain has taken a number of measures to upgrade its land-use systems and building regulations, to combat climate change and promote public transport and renewable energy and to provide decent employment opportunities and basic social services. In that connection, a major initiative is currently being launched to improve the procedures whereby land is made available for development and to create and strengthen land-management institutions. Thanks to the Bahrain National Strategic Development Plan, an additional 81 million square metres of new land (both sea and dry land) have been made available thereby expanding the space available to accommodate urban development and population increases up to 2030.

244. These new lands are being used for extensive social housing programmes, which cover an area of around 1,400 hectares, while large-scale projects are currently being carried out on around 8,400 hectares where polyfunctional infrastructure and public facilities are being built. In order for cost-subsidized social housing not to lose out in the intense competition over land usage, particularly usage for economic purposes, rapid urban

growth has had to be managed via coordination between government agencies. This improves effectiveness and ensures the provision and complementarity of services in new urban planning schemes. To that end, a number of government committees have been set up, at both the decision-making and the technical level, which oversee the implementation of housing, social and economic programmes.

### **Managing linkages between rural and urban areas**

245. Unemployment, inequality and environmental challenges are national concerns in which there is no distinction between rural and urban areas, which are economically, socially and environmentally interdependent. Although Bahrain has seen a decline in its rural population, who have been absent in recent census documents, it is important to take account of the reality on the ground. Population censuses define an urban area as a built-up agglomerate with 2,500 residents or more; consequently, when the number of residents in a built-up agglomerate in an agricultural or fishing area reaches that number, it too is considered to be urban. It is true that agricultural areas have shrunk from 6,400 hectares in 2004 to 3,750 hectares in 2014, but persons who practise farming and fishing have by no means disappeared from the population.

246. Against this background, the National Strategic Development Plan has focused on the planning of land use for economic development in both urban and rural areas, and on the development of infrastructure and social services while preserving heritage and protecting the environment. As part of the Plan, the Government has adopted a wide-ranging programme “to develop cities and villages”, which aims to improve quality of life overall and to ensure sustainable development by linking cities and villages. One of the most outstanding features of the programme involves the introduction of gradual improvements and integrated development to 77 different villages, with infrastructure such as water, sewage and electricity as well as housing units as the villages expand and more land can be acquired. Moreover, sites have been allocated for the establishment of schools, health centres and recreational areas.

247. In the same context, the Ministry of Labour and Social Development has taken a number of important steps and rolled out programmes aimed at the economic empowerment of families, individuals and civil society organizations in Bahrain by encouraging and promoting small businesses. One of the most significant of these programmes is the Productive Families project, which has been recognized as a successful way to empower families – and particularly women – and to enable them to live as important, effective and productive elements of society, also in view of the modern-day challenges thrown up by a changing world. The overarching aim is to provide openings to improve the lives of such families and to increase their income. The Productive Families project is being used to stimulate local creativity and to take advantage of the potential of large local and regional markets. The “Step” programme for home-based businesses, which is an extension of the Productive Families project, aims to open the way to economic empowerment for young persons, the unemployed, women and older persons and pensioners by providing them with funding, training, marketing and product development.

248. As part of the same framework, support for small and micro enterprises is provided by the Centre of Excellence for Micro Enterprise Development and by the Family Bank. The intention is to increase the contribution such enterprises make to opening opportunities for productive families, owners of traditional businesses, unemployed youth and families who are reliant on social assistance. This support is provided in the form of training and funding, the supply of raw materials, marketing, management, production equipment, design and the encouragement of innovations to develop new products.

### **Promoting and improving access to housing finance**

249. According to the Constitution of Bahrain, the State is to provide housing for citizens on limited income. A number of national housing plans have been rolled out, which have been notable for their flexibility of implementation and which have taken due account of citizens’ various living, social and economic requirements. The Government has provided support to ensure that each family has a roof over its head in the form of a housing unit, or indirect support to facilitate the building of their own unit, or the funding necessary to that

end. Through such programmes, in the period between 1960 and 2013, the Government invested more than BD 3 billion (in excess of US\$ 8 billion) in the social housing sector, providing more than 106,000 subsidized housing services to ensure that more than 65 per cent of Bahraini citizens have adequate housing. In addition, the Government has written off more than 63 per cent of those investments as a non-repayable grant for the support of Bahraini families. Moreover, the housing services offered to citizens have undergone constant development and diversification to keep pace with developments and to provide innovative and effective housing solutions.

#### **Measures to improve poor neighbourhoods and to prevent the formation of slums**

250. Poor neighbourhoods and slums have completely disappeared in Bahrain as the Government has made, and continues to make great strides in regenerating old areas in the traditional neighbourhoods of the country's main cities, while at the same time preserving their traditional architectural character. Tangible progress has been made in this area with a number of projects and initiatives to regenerate and rebuild traditional quarters of Manama and Muharraq. In fact, projects have been implemented to develop the area of Halat Bu Maher in Muharraq and to regenerate the neighbourhood of Hawra in Manama with the demolition of dilapidated old properties and the building of new homes for local residents. At the same time, the old traditional market in the centre of Muharraq has been refurbished. In addition, the Government has launched a major project to develop and regenerate old villages and neighbourhoods throughout Bahrain.

251. In parallel with the foregoing, the Government is working with municipal councils on a number of important projects that aim to ensure that citizens can live dignified and decent lives in safe housing and a clean environment. These projects include the following.

252. The derelict houses project, which was launched in 2006, aims to rebuild dilapidated houses for families who are unable to renovate their own homes. The aim is to rebuild the structures to acceptable standards, in line with clear and well-thought-out rules and procedures. The Government has completed work on 2,690 houses since the project began and that number is expected to exceed 2,900 by the end of the current year. The beneficiaries of the project, who remain in the same area and maintain the same neighbours, are transferred to temporary housing for a period of six months or more. The project envisages the reconstruction of homes equipped with all modern facilities as well as the payment of all costs arising from the transfer of the family concerned to their temporary dwelling.

#### **Ensuring sustainable access to safe drinking water**

253. The Kingdom of Bahrain lies in a hot, dry desert region with high temperatures and low rainfall as well as high evaporation rates due to the fact that it is under direct sunlight for at least 7.5 hours per day. At the same time, the rain in the country is characterized by its scarcity, with an annual average that does not exceed 74 mm, and it falls only irregularly and in a very short period of time. For those reasons, Bahrain does not have any flowing surface water.

254. The Electricity and Water Authority is an exemplary institution that works to fulfil the water requirements of all citizens and residents of Bahrain. It applies a coherent and effective strategy to ensure the ongoing availability of safe drinking water in sufficient quantities; it does so through careful planning and comprehensive practical policies that aim to ensure sustainable development in the Kingdom of Bahrain and to achieve long-term strategic objectives. In that regard, it is undertaking the following actions:

(a) Increasing the country's tactical water reserves by maintaining a strategic groundwater reserve. The use of boreholes for drinking water has been completely discontinued since 2016 and they are now used only in emergencies and following strict guidelines. In addition, plans are being drawn up to build new desalination plants to keep pace with the ever-increasing demand for drinking water in the country;

(b) Providing a storage capacity that is sufficient to meet multiple water-related requirements for a period of seven days, in cases of maintenance or emergency. Currently,

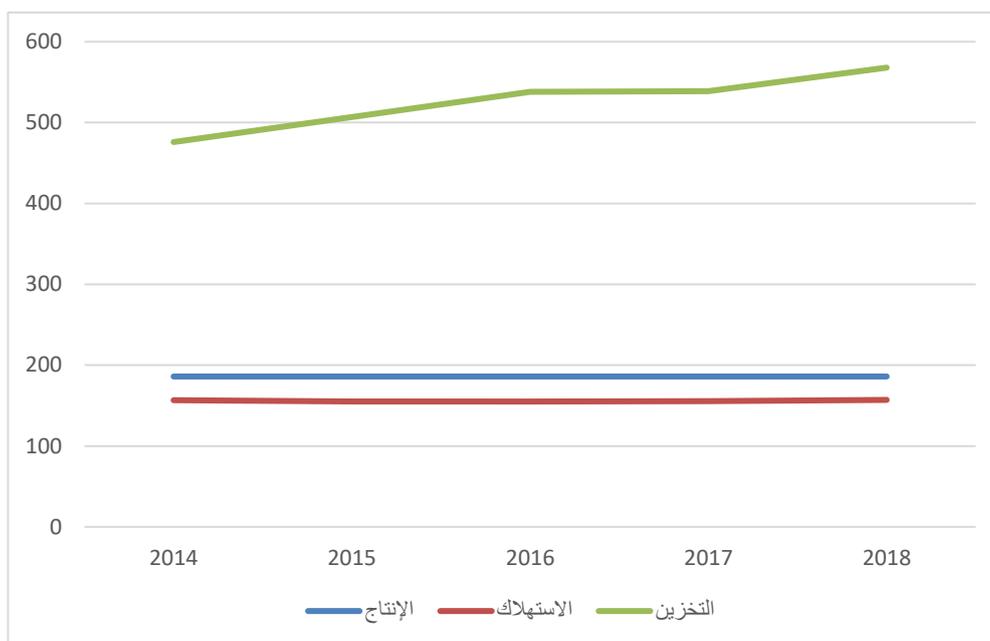
the water system is able to meet the needs of consumers for in excess of three consecutive days, should all the country's water production plants cease to operate;

(c) Ensuring the supply of round-the-clock water in all normal and emergency situations;

(d) Minimizing shutdowns in water supply and distribution systems and providing consumers with possible alternatives during maintenance or emergency operations.

**Table comparing performance indicators of the Electricity and Water Authority 2014–2018**

<i>Indicator</i>	<i>Equation used to calculate indicator</i>	<i>Unit</i>	<i>Kingdom of Bahrain (EWA)</i>				
			<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
<b>1.1 Ensuring water-related requirements</b>							
Accuracy of demand forecasts	Maximum peak consumption as percentage of greatest expected demand	%	103.64	102.98	101.44	101.62	99.39
Sufficiency of water reserves	Storage capacity (production, supply, distribution, consumers)	Day	3.16	3.14	3.48	3.61	3.65
<b>2.1 Continuity of water supply</b>							
Continuity of water supply	Number of pumping hours 24 x 365	%	98.71	97.77	97.77	96.49	98.25
<i>Year</i>	<i>Production</i>	<i>Consumption</i>	<i>Storage</i>				
2014	186.00	156.62	475.93				
2015	186.00	155.17	506.86				
2016	186.00	155.04	538.11				
2017	186.00	155.70	539.02				
2018	186.00	157.04	567.95				



### Drinking-water quality

255. In order to ensure that drinking water remains safe and that quality is maintained, laboratories of the Electricity and Water Authority take daily samples from all water-system plants and facilities. The comprehensive testing process begins with seawater then covers water production plants, supply lines and distribution networks. Daily samples are also taken in consumers' homes. An estimated 15,000 samples are taken each year and the most modern equipment and techniques are used to operate, monitor and maintain the networks.

256. Drinking-water quality has improved significantly over the past five years, thanks to daily analysis and testing. This includes chemical and physical analyses of levels of chlorine and dissolved salts. The latter, which stood at 1,600 ppm in 2005, reached 224 ppm and 215 ppm in 2017 and 2018 respectively. Water is also tested for turbidity (with a maximum level of <1.0 NTU) as well as for pH, smell and taste. In addition, tests are conducted to ensure that water does not contain any harmful microorganisms such as bacteria, as shown in the table below.

### Sustainable access to basic sanitation

257. The disposal of sewage is considered to be a fundamental human need and a way of ensuring a clean and healthy environment. Bahrain began building and developing its sewage infrastructure and facilities in 1971 and the first major sewage treatment plant – the Tubli plant – was established in 1982. The sewage system in Bahrain, which operates on a gravitational system, is served by pumping stations and reaches depths of up to 7 metres underground. The general plan for sewage management and treatment in Bahrain was drawn up in 1984 and, in 2002, Decree-Law No. 41 was issued regarding the privatization of State-run activities in that sector. The process of privatizing wastewater services relies on the new National Master Plan for Sanitary Engineering Services (NMPSES)

### Consolidating food production: agriculture and marine resources

258. The overuse of groundwater, the discovery of oil, the development of the oil industry and the disinclination of large numbers of agricultural workers to work on the land has led to desertification in parts of the country. In fact, arable lands diminished from 6,400 hectares in 2004 to 3,750 in 2014. Nonetheless – and despite the fact that agriculture, livestock and fisheries account for just 1.5 per cent of GDP – the State has sought to preserve the remaining arable land and to encourage the continuation of agricultural activity. To that end it has rolled out various mechanisms to support farmers including support of up to 60 per cent on the cost of farm inputs as a way of encouraging them to preserve the

genetic pool of local Bahraini fruit and vegetables. In the same context, the Tamkeen Foundation<sup>55</sup> provides farmers with direct financial support estimated at BD 10,000 (US\$ 27,000) as a non-refundable grant. Moreover, the Development Bank provides interest-free loans for the development of farms and the introduction of modern technology, particularly in the area of irrigation (drip irrigation and sprinkler irrigation) and greenhouse construction. Similar facilities are also made available to livestock breeders and fishermen.

259. In this context, the Government set aside a plot of land in the Al-Hamala area, which has been divided into 1,000-square-metre pens and allocated to 34 livestock breeders. Thanks to this project, the livestock sector is contributing around 2 per cent of the red meat and around 17 per cent of the milk being consumed locally. As part of the State's efforts to protect Bahraini agricultural produce, a market has been set up where Bahraini farmers can distribute their wares without competition from imported products, an initiative that has met with great success. A plan was developed over the period 2014–2018 to establish a number of national development projects in agriculture, livestock and marine resources, with a budget of BD 2.84 million. The aim of the plan is to expand the amount of land used for agriculture by using treated water and to establish nurseries and an international livestock fair.

260. In the area of fisheries, the State has set up an investment project at the National Marine Aquaculture Centre in Ras Hayyan with the aim of boosting fish production as a pillar of the country's food security. At the same time, the Government has established 17 fishing ports in various parts of the country, covering an area of around 130 hectares, for the purpose of developing marine resources. Thanks to cooperation and coordination with international bodies, including the International Centre for Agricultural Research in Dry Areas, a system of soilless agriculture known as hydroponics has been introduced, which produces a vegetable crop 10 times greater than traditional agriculture.

### Legislation

261. At the level of the Cooperation Council for the Arab States of the Gulf (GCC) a number of laws have been passed affecting agricultural and veterinary quarantine, pesticides, seeds and seedlings, fertilizers and soil enhancers, the establishment of veterinary units, etc. The Kingdom of Bahrain is under an obligation to apply those laws in preparation for the introduction of single entry points for imports among GCC States. This process – which requires funds, infrastructure and specialized personnel, all of which are currently being prepared – will have a positive impact by protecting Bahraini products from genetic mixing and by upholding food safety.

262. The Constitution of Bahrain includes a body of rights that together go to uphold the right to a decent standard of living. These are set forth in article 9 (f) which states: "The State shall undertake to provide accommodation for persons on limited incomes." For its part, article 9 (g) reads: "The State shall take the measures necessary to ensure the fruitful exploitation of arable land", while article 9 (h) stipulates: "The State shall take the measures necessary to preserve the environment and protect wildlife."

263. In terms of national legislation, Decree-Law No. 10 of 1976 regarding housing, as amended by Act No. 7 of 2009, regulates all matters related to State-run housing services.

264. All persons have the right to a constant improvement in their living conditions, in which regard the Ministry of Industry, Trade and Tourism has made a number of facilities available. It has removed obstacles to commercial registration, for example by eliminating minimum corporate capital requirements (with the exception of joint-stock companies), and it has lifted the conditions whereby academic qualifications and experience were a requirement for anyone wishing to conduct commercial activities and whereby applicants

<sup>55</sup> Tamkeen was established in August 2006 with the aim of developing the private sector in Bahrain and making it the main engine of the country's economic growth. Tamkeen aims to achieve two main objectives: firstly, it seeks to consolidate the process for establishing and developing enterprises and, secondly, it provides support for the development of individuals and of enterprises (*source*: <http://www.tamkeen.bh/ar/about/?p=Vision#.VuVsoH195Mw>).

for a commercial licence had to show that they were financially solvent. All of these measures are intended to provide opportunities to obtain a trading licence and to begin commercial activities, thereby improving the living conditions of individuals.

265. Bahrain fulfils its obligations to provide shelter to citizens and upgrade homes and neighbourhoods. Furthermore, in order to reduce the incidence of homelessness, Bahrain upholds its responsibility to provide legal safeguards to ensure security of tenure and equitable land ownership rights, including the right of all citizens to inherit and own property.

266. The Ministry of Housing provides citizens on limited incomes with appropriate and high-quality housing services so as to enable them to lead stable and decent lives. In fact, the State has, for many years, been responsible for providing housing for citizens on limited incomes. That goal, which is enshrined in the Constitution, constitutes the overall aim of the housing system.

267. According to article 9 (f) of the Constitution, the State is to undertake to provide accommodation for persons on limited incomes. The Ministry of Housing applies the rules and regulations governing the provision of those services in accordance with Decree-Law No. 10 of 1976 and Ministerial Decree No. 909 of 2015.<sup>56</sup> Article 3 of that Ministerial Decree envisages a “fifth category”, which comprises divorced or abandoned women, childless widows and single orphaned women; the housing committee may, at its discretion, offer temporary accommodation to women in that category.

268. In all the aforementioned legislation, which was issued in accordance with the regulations in force, considerable effort has been made to achieve equitable outcomes by ensuring that access to housing services is based on clear rules and standards applicable to all citizens, without distinction on the basis of ethnicity, nationality, lineage or any other grounds.

269. The Ministry of Housing has multiple internal administrative oversight mechanisms that facilitate the achievement of desired outcomes by ensuring compliance with the aforementioned rules and standards. As is the case with other government departments, oversight and review of Ministry activities is also carried out by external oversight bodies in accordance with the law. As stated in the laws under which they were established, the National Audit Office and the Civil Service Bureau may provide oversight in that regard with a view to ensuring the achievement of equitable outcomes.

270. In order to ensure that the Ministry of Housing abides by the plans formulated within the context of the government plan of action, the Government and the Council of Representatives are continuing to monitor the Ministry’s achievements.

271. The Ministry of Housing has five departments, the most important of which is the department of housing services, which has various subdivisions that provide citizens with different services, each service having its own eligibility criteria. Cases involving applicants in situations of urgency are examined by a specialized housing committee in order to ensure that no Bahraini citizen is deprived of the right to benefit from housing services.

272. In order to meet the demands of various groups in the country, the Ministry of Housing has introduced a social housing programme under which middle-income families are able to possess their own housing unit. Thanks to agreement with the private sector, they can purchase a unit that suits their needs in terms of size, type and neighbourhood. Under the programme, beneficiaries are then required to pay 25 per cent of their income while the Government undertakes to help pay the outstanding amount.

273. The Ministry of Housing has inaugurated 26,546 housing units, which can accommodate 159,294 citizens. These are located in residential towns, suburbs and villages. The Ministry has also contributed to infrastructure projects in the country, in which regard it has spent a total of BD 246,892,532. It has also disbursed BD 1,403,621,165 for the

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<sup>56</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/RHOS90915.pdf>.

construction of housing units and infrastructure of various types. The total sum of direct spending on housing units amounted to BD 1,156,728,633.

274. Acting on instructions from His Majesty King Hamad bin Isa Al Khalifa to complete 40,000 housing units and hand them over to beneficiaries as soon as possible, the Ministry of Housing has accelerated the realization of housing projects in new Bahraini cities, in line with its own strategic plan. Once those pioneering projects have been completed, the Ministry will have provided citizens with the 40,000 units. The Ministry is currently working to complete thousands of housing units while other projects are still in the planning and design phase. The initiatives are being funded by a budget approved by the Government for the housing sector, as well as via budgets allocated under the Arab Gulf Programme for Development.

### **New Bahraini cities**

#### *Salman City*

275. This is one of the most prominent of the strategic projects being rolled out by the Ministry of Housing and the largest in terms of area and number of housing units as well as in terms of facilities and services. It is located on the north-west coast of Bahrain, lying on an area of 740 hectares and containing 15,616 housing units. Once it has been completed, the city will have capacity for around 100,000 people.

276. The project will make a great contribution to resolving the issue of housing in a way that realizes the vision of the country's leaders and fulfils the needs and aspirations of its citizens. The city has been built on 10 islands and includes mosques, schools, health centres, public parks, a university, shops, government offices, social centres, meeting halls and sports facilities. Moreover, the seafront, which extends for 31 km and surrounds the city on all sides, constitutes a recreational outlet for inhabitants.

#### *East Hidd City*

277. East Hidd City, which lies on the island of Muharraq, covers an area of 232 hectares and has 4,036 units and flats as well as 497 housing plots in addition to facilities and services. Once it has been completed and allocated to beneficiaries, the city is expected to accommodate some 28,000 persons. The project envisages mosques, schools, health centres, 58,000 square metres of gardens, more than 35,000 square metres of recreational areas and seafront, 300,000 square metres of green spaces and landscapes and 4,000 metres of cycle tracks.

#### *East Sitra City*

278. The East Sitra City housing project, located near Sitra Island in the Capital governorate, will come to constitute a unique Bahraini community boasting a sustainable environment and 3,157 housing units and 693 housing plots for citizens. In addition, the city will provide opportunities for a decent standard of living and well-being with facilities and services such as mosques, schools, offices, shops and leisure facilities.

#### *Khalifa City*

279. Khalifa City, which lies in the south-east of Bahrain between the villages of Askar and Jau, aims to satisfy housing requirements in Bahrain through appropriate social housing in communities that combine Bahraini traditions with the best in contemporary urban architecture. More than 7,000 housing units, including 4,600 villas, are envisaged on a total area of 734 hectares in a project to be implemented over three stages. The pattern for the housing units is of between 186 and 224 square metres per floor while the size of the flats ranges from 175 to 190 square metres.

#### *Al-Ramli suburb*

280. The Al-Ramli suburb project is one of the main projects being implemented by the Ministry of Housing as part of the new cities initiative. It is an integrated project in the sense that it is a fully self-sufficient and sustainable city that meets the needs of a diverse

and integrated community. The project, which envisages 4,501 housing units and flats, will constitute a unique Bahraini community with a sustainable environment.

281. In addition to the housing units, the Al-Ramli suburb project will also offer various services, social facilities and open green spaces as well as places of worship and schools. In all the project envisages 1,261 housing units and 3,240 flats.

*Deerat Al Oyouun project in partnership with Diyar Al Muharraq*

282. Deerat Al Oyouun is a partnership project between the Ministry of Housing and Diyar Al Muharraq. The name of the initiative owes its origin to the fact that Bahrain has long been famous for the availability of sweet water springs (*oyoun*) across much of its territory and particularly in the area near the site of the project itself. For its part, the word *deera* is the singular of *diyar* or homes, a reference to the housing the project offers.

283. The initiative involves the purchase of housing units in the context of the Ministry's "Mazaya" social housing programme, while the funding, design and administration of the building projects and of the construction of primary and secondary infrastructure is the responsibility of the Diyar Muharraq company. An agreement to this end was signed between the Minister of Housing, Bassim bin Yacoub Al Hamar, and the Chief Executive Officer of Diyar Al Muharraq, Maher al-Shaer, at the official contract signing and launch ceremony, which took place at the site of the project in March 2015.

284. The Deerat Al Oyouun complex lies at the heart of Diyar Al Muharraq city on an area of 1.2 million square metres. It is a residential community with integrated community facilities, mosques and green spaces and it boasts a strategic location close to schools, shopping centres, public beaches, leisure facilities, mosques, medical structures and a modern transport network. The project will offer 3,043 appropriately priced housing units of 220 square metres each, having a total value of BD 276 million, some of which will be used as social housing while the rest will be part of the "Mazaya" programme. Construction is to take place over six phases with the designs incorporating traditional and modern facades and taking account of international standards. The first stage of the project – all of which has already been sold to beneficiaries of the "Mazaya" programme – is expected to be completed by the second half of 2018.

285. Diyar Al Muharraq is a major planned city that provides an exceptional and outstanding environment and a range of residential options for Bahraini people. It offers a cohesive assortment of residential and commercial buildings accompanied by a wide range of other projects all of which aim to establish a modern and advanced city.

*Mazaya*

286. A total of 4,000 persons have benefited from the "Mazaya" programme, which is a housing service that consists in support from the Ministry to enable beneficiaries to obtain financing from a partner bank in order to purchase a home. Beneficiaries are required to pay 25 per cent of their income as a monthly instalment while the Ministry undertakes to provide State-backed financial support to cover the remaining monthly instalments with the funding bank.

287. "Mazaya" is open to anyone who has an existing application for any type of housing service and to persons who fulfil the conditions required to benefit from the programme.

288. "Mazaya" has contributed directly to the expansion of housing-service options and to the issue of housing overall. Moreover, being rooted in the principle of partnership between the public and private sectors, it has had a positive impact on the availability of housing services and the number of beneficiaries. It has also helped to achieve the following objectives:

(a) Involving the private sector by directing its potential and expertise into the issue of housing;

(b) Stimulating economic activity in Bahrain and reviving the banking and property sectors by attracting real-estate developers and promoting the role of local banks in the funding of housing projects;

- (c) Reducing the cost of housing units by increasing supply and facilitating land zoning procedures;
- (d) Encouraging development and creativity in planning, design and implementation;
- (e) Helping to find solutions to obstacles related to overlapping, unused and unclassified land plots;
- (f) Increasing the contribution of the private sector to work on infrastructure.

*Partners in Mazaya*

*Beneficiaries*

289. Persons with an existing housing application and who wish to benefit from the programme as well as persons who fulfil the conditions required to benefit from the programme according to the regulations of the Ministry of Housing.

*Developers*

290. Private sector companies endorsed by the Ministry that operate in the field of real-estate development and carry out building projects.

*Financiers*

291. Eskan Bank is the body responsible for managing State support and coordinating administratively between the Government and financiers. This is in addition to six other commercial banks that operate in Bahrain.

292. The Ministry of Housing has recently amended certain eligibility criteria for housing services, following a thorough examination of the previous criteria. The Ministry's desire is to ensure that services reach genuine beneficiaries and that housing services yield optimum benefits.

293. The Ministry of Housing is implementing the following policies and procedures:

- Providing citizens with housing services as promptly as possible and of as high a quality as possible;
- Developing housing policies;
- Reviewing and amending eligibility criteria and conditions for housing services as well as the mechanisms and rules that regulate housing subsidies;
- Determining the number and type of housing units to be provided each year;
- Identifying financing options for the purchase or construction of housing units;
- Reducing waiting times by accelerating the availability of housing units.

In accordance with the Royal Order to deliver 40,000 housing units to citizens via a series of housing projects in various governorates of Bahrain, no fewer than 25,000 new units have been made available over a period of four years.

**Promoting the role of the private sector in social housing projects**

294. A number of housing units are built thanks to partnership with the private sector.

295. There is a programme to buy prefabricated units from the private sector.

296. There is cooperation with the private sector to ensure that the most recent technologies and the most effective methods are used to provide social housing.

**Facilitating citizens' access to home-owner financing**

297. The social-housing funding programme continues to be implemented in order to help citizens who are on the Ministry of Housing's waiting list to obtain funding from a bank to purchase a housing unit in a private-sector project.

298. The social-housing funding programme has been improved and developed, and now includes the most important basic principles underpinning housing loans, the purpose being to create an integrated programme that provides citizens with maximum financial support.

299. The alternative housing subsidy continues to be available.

## **Article 12**

### **Right to the highest attainable standard of physical and mental health**

300. Article 8 in chapter I of the Constitution states: “All citizens have the right to health care. The State is responsible for public health and for providing preventive care and treatment by establishing hospitals and health-care institutions of various kinds.”

301. All children are registered on a central register, either at birth or when they enter Bahrain, they are assigned to a health centre depending upon their address of residence. This facilitates their access to care in one of 27 primary health-care centres. Moreover, medicines and vaccines are provided to all free of charge.

302. The health of children is particularly important because they are an investment for the future. For that reason, the National School Health Programme was launched in 2002 with the aim of promoting health in the school community and the school environment and helping to improve students’ academic outcomes via a comprehensive health plan. On the basis of that, a programme for school nurses in State-run schools was launched as a way of providing health care and first aid in cases of minor complaints, following up on health-care programmes and conducting tests for genetic diseases as well as of eyesight and oral and dental health.

303. The programme for school nurses in State-run schools was launched in 2003 as a way of helping students with chronic diseases, providing health care and first aid in cases of minor complaints and organizing health-related awareness-raising activities. The remit of school nurses has since broadened and now comprehends an annual action plan of activities and services. They monitor primary health-care programmes such as eyesight tests and the testing of secondary level students for hereditary blood diseases, and they coordinate with oral- and dental-health services.

304. Two homes have been set up that offer permanent care to older persons who have no one to look after them or whose circumstances are such that their families are unable to care for them. In addition, there are 10 homes across the country offering day care to help integrate older persons into the community. These homes, which also offer certain medical services, seek to employ occupants in simple manual hobbies and handicrafts. Specialized units with a social worker, a nurse and assistants of both sexes offer home care to older persons who live in their own homes. An average of three visits are made per week to provide them with services they might need such as personal cleanliness, medical testing, physiotherapy, family counselling, organizing medical appointments, etc.<sup>57</sup>

#### **Developing and intensifying preventive health-care programmes**

(a) National awareness-raising programmes are used to promote healthy lifestyles across society;

(b) A national plan for the prevention of non-communicable diseases is being implemented and early detection services are being provided;

(c) An increasing number of nutritional clinics are being opened in health centres;

(d) A vaccination rate of 99 per cent in children over 5 is being maintained;

(e) Integrated care continues to be provided to persons suffering from sickle cell anaemia, beginning with neonatal testing followed by regular screening services. At the

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<sup>57</sup> [http://www.social.gov.bh/elderly/home\\_services](http://www.social.gov.bh/elderly/home_services).

same time, training plans are being developed for professionals who work in that field and there are awareness-raising initiatives on prevention and care methods;

- (f) Public health laboratories are being developed.

#### **Integrating health-care services across the country**

(a) A number of projects have been rolled out that aim to facilitate the process of accessing treatment;

(b) There is a comprehensive health information system that serves both the private and public sectors by making medical information available to all service providers through a single online medical file for each citizen or resident. This serves to unify the course of medical treatment for each individual;

(c) A system for integrating services between the Ministry of Health, the private health sector and other institutions has been rolled out. It serves to identify areas where cooperation and partnership with the private sector are necessary.

#### **Ensuring high-quality health services**

(a) Policies and procedures governing the safety of patients have been developed and reviewed on the basis of the safety initiatives of the World Health Organization (WHO), the purpose being to promote a culture of patient safety in health-care structures;

(b) Medical inspections have been intensified, mechanisms for recording medical errors have been strengthened and correctional procedures have been reviewed;

(c) Regulations and procedures continue to be drawn up so as to ensure service quality, in line with accreditation requirements at the local and international levels;

(d) A centralized system for patients' complaints has been set up in the Ministry of Health;

(e) Efforts have been made to improve governance and leadership in State-run medical institutions;

(f) Health services have been upgraded with a view to making Bahrain a pole of attraction for medical tourism.

#### **305. Improving the efficiency of emergency departments in State-run hospitals**

(a) Training programmes have been made available for emergency-department personnel including one for doctors specializing in emergency treatment, within the framework of the Arab Board of Health Specializations;

(b) Policies and plans are drawn up and implemented to ensure optimal operational efficiency in the service of patients;

(c) A coordination plan among emergency departments in State-run hospitals aims to regulate patient screening processes in line with quantitative and qualitative capacity;

(d) A specially equipped area has been set up to take in and treat cases of sickness arising from epidemics such as Ebola, influenza, respiratory diseases caused by bacteria or viruses, or any other emergency situations.

#### **306. Strengthening the regulation and supervision of the health-care sector**

(a) Laws regulating the licensing of healthcare professionals and the stimulation of private sector investment have been reviewed and updated;

(b) The process for licensing health-care institutions and pharmacies has been regulated;

(c) The institutional profile of the National Health Regulatory Authority has been boosted to enable it to better carry out its supervisory role.

307. For information regarding efforts to reduce neonatal and infant mortality rates, please refer to the common core document HRI/CORE/BHR/2019.

- There are more than 25 health centres across the country where family doctors and community nurses provide maternity and child-care services;
- Thanks to the early detection of chronic diseases during pregnancy maternal and under-five mortality rates have been reduced;
- Pregnant women are tested and treated for all conditions that can affect their health or that of their unborn child; they receive the necessary vaccinations and, if there are signs of a disease that might affect the health of either mother or child, they are referred for secondary care, follow-up and testing;
- Breastfeeding services seek to encourage mothers to breastfeed immediately after giving birth, to make them aware of the benefits of breastfeeding in general and to discourage the use of artificial milk in health-care centres;
- Family planning services seek to make existing contraceptive methods safe and available, particularly for women who show signs of high-risk pregnancies;
- Postnatal and post-miscarriage testing exists to meet the needs of mothers and children up to six weeks after birth. By revealing that a number of pregnant women were afflicted with chronic diseases or hereditary blood diseases, this programme has contributed to improving reproductive health;
- A premarital screening programme aims to reduce the incidence of genetic diseases in children;
- The purpose of the child health programme is to guarantee the right to health and to reduce mortality rates in children under 5. It has helped to reduce infant mortality from 7.9 per 1,000 live births in 2011 to 7.6 in 2013, and it has led to a fall in the possibility of death in the fifth year from 9.8 per 1,000 births in 2011 to 9.1 in 2013.

308. The Consultative Council has approved a bill regarding the use of assisted reproductive technology. The bill includes the following:

(a) It sets down rules for the issuance of licences for artificial insemination and fertility centres in Bahrain; these rules are based on legal and legislative standards to ensure there is no confusion in the sector, to avoid the mixing of genealogies and to prevent commercial surrogacy or the exploitation of persons who wish to have children;

(b) It aims to fill a legislative void by reflecting the reality of the modern age and scientific advances in the field of artificial insemination and fertility;

(c) It envisages a health policy for the provision of reproductive health services;

(d) It ensures supervision and oversight for artificial insemination and fertility centres in Bahrain;

(e) It ensures that the law is applied to all artificial insemination and fertility centres in Bahrain;

(f) It guarantees respect for the rights of patients while they are undergoing treatment;

(g) It aims to establish an accurate database of miscarriages and infant deaths with a view to reducing them.

### **Prevention, treatment and control of epidemic, endemic, occupational and other diseases**

#### *Achievements in the prevention of non-communicable diseases*

309. The fight against chronic non-communicable diseases has been made part of the Bahrain Economic Vision 2030.

310. The Council of Ministers has adopted a national plan for combating non-infectious diseases.
311. The national plan has been integrated into the Government's programme of work.
312. A national capacity assessment was carried out in 2011 and again in 2013.
313. A national committee with representatives from the government and the private sector has been formed to combat non-communicable diseases.
314. There is an action plan to combat non-communicable diseases, which covers the diseases themselves and their associated risk factors. The plan includes time-related objectives and indicators that are consistent with WHO mechanisms.
315. Bahrain has adopted the WHO anti-smoking policy known as MPOWER.
316. At least three of the six requirements of the WHO Framework Convention on Tobacco Control have been implemented.
317. A law has been passed to prevent the marketing of breastmilk substitutes.
318. Bahrain is currently studying legislation aimed at reducing salt and replacing saturated with unsaturated fats. It is also seeking to set standards for the reduction of salt in commonly consumed foods, for example by studying the amount of salt in local bread.
319. Bahrain is committed to promoting breastfeeding and has joined the baby-friendly hospital initiative.
320. Bahrain is conducting media campaigns regarding diet and physical activity.
321. Hepatitis has been included in the mandatory vaccination schedule.
322. The possibility of introducing a vaccination against cervical cancer is being studied.
323. As part of its national plan to combat non-communicable diseases, Bahrain has adopted the monitoring and surveillance framework proposed by WHO.
324. National targets and indicators have been developed on the basis of WHO guidelines.
325. The non-communicable disease monitoring system in Bahrain is partially integrated every five years.
326. The foundations have been laid for an effective national surveillance system that systematically includes causes of death.
327. There is a standing register of cancer cases in Bahrain.
328. A national survey of risk factors for non-communicable diseases is conducted every five years.
329. There is currently a framework for evaluating diabetes and hypertension treatment with primary health care.
330. Interventions to combat chronic non-communicable diseases have been integrated into basic primary health care packages, and clinics for chronic diseases have been opened in all health centres.
331. All health centres are supplied with basic medicines, laboratory testing services and the necessary medical equipment.
332. Medical personnel have modern evidence-based guides for the primary level treatment of non-communicable diseases.
333. At all levels of the national health system, medication is available for treating persons at risk of cardiovascular disease, including sugar-control medication, with a view to preventing heart attacks and strokes.
334. The essential medication and basic technology for treating non-communicable diseases is available at all levels of the national health system.

335. Act No. 1 of 2017 aims to protect society from HIV/AIDS and to safeguard the human rights of people living with the disease.<sup>58</sup>

336. The national committee for the prevention of HIV/AIDS was re-established under Prime Ministerial Decree No. 49 of 2013.<sup>59</sup>

### **Creating conditions to ensure that all persons receive medical services and care in the event of sickness**

337. The fourth strategic goal of the Health Improvement Strategy 2015–2018 is universal access to health-care services.<sup>60</sup>

338. Bahrain has had to overcome numerous challenges in order to improve access to primary and secondary health-care services and thereby meet the needs of residents in all parts of the country. It has done this by establishing a health-care infrastructure that includes the creation and operation of 28 health-care centres across the country's four governorates. Of those centres, four remain open until midnight while three others are open round the clock. For its part, the Ministry of Health intends to implement further initiative to improve access to primary and secondary health-care services for both citizens and residents.

### **Goal-attainment indicators**

339. The number of medical facilities brought into operation by the Ministry of Health as part of its ministerial plan in the period 2015–2018.

340. The number of referrals from primary health care to secondary health care.

341. Ministry of Health projects that figure in the Government's programme of work and that relate to the attainment of this goal include the establishment of four health centres in areas with growing populations and in new towns, as well as the establishment of six specialized centres and hospitals.

342. The Ministry of Health plays a leading role in the delivery of health-care services to persons with disabilities through various Ministry-run programmes and centres.

343. The following primary health-care programmes for persons with disabilities are delivered via 23 centres distributed throughout the country:

- Preventive services such as vaccinations and periodic testing for mothers and children;
- Treatment services including diagnoses, medication, dental care and treatment for diabetes and other chronic diseases. Primary health-care programmes may help in the early detection of disabilities and thereby make it possible to provide treatment and assistance more promptly.

### **The environment**

344. The Supreme Environmental Council helps to safeguard human rights in Bahrain with policies and programmes that aim to provide a sound and healthy environment by preserving the quality of the elements (air, water, earth) and protecting natural resources. The Council cooperates and coordinates with other organizations, locally, regionally and internationally, to protect environment-related human rights. Bahrain has taken a number of steps to achieve that goal, the most important of which are illustrated below.

<sup>58</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=144784#.WM-uC9J96po>.

<sup>59</sup> <http://www.legalaffairs.gov.bh/LegislationSearchDetails.aspx?id=30363#.WM-uF9J96po>.

<sup>60</sup> [https://www.moh.gov.bh/Content/Files/Health\\_Improvement\\_Strategy\\_2015-2018\\_Arabic.pdf](https://www.moh.gov.bh/Content/Files/Health_Improvement_Strategy_2015-2018_Arabic.pdf).

## **I. The legislative and legal framework governing the relationship between human rights and the environment in the Kingdom of Bahrain**

### **(A) Decree-Law No. 47 of 2012 for the establishment and regulation of the Supreme Environmental Council<sup>61</sup>**

345. According to the Decree-Law, the Supreme Environmental Council is a steering body made up of a chosen group of ministers and deputy ministers whose task is to draft the country's environmental policies, in coordination with Council of Ministers. Article 1 of the Decree-Law states: "In particular, the Council is to develop future strategies for the environment and for sustainable development in the Kingdom of Bahrain and to follow up on the implementation of those strategies with the relevant ministries, agencies and institutions". Article 4 reads: "The decisions taken by the Council are effective and binding on all ministries, agencies, institutions, etc. in the country and it is incumbent upon those bodies to take the measures necessary to put the decisions into effect." This text clearly outlines the obligation of all national institutions to cooperate with the Supreme Environmental Council on issues regarding the protection of the environment and the preservation of natural resources.

### **(B) Decree-Law No. 21 of 1996 concerning the environment**

346. This Decree-Law laid the foundations for environmental action in Bahrain. Under article 1, the body responsible for environmental issues – currently the Supreme Environmental Council – is to protect the environment from sources of pollution and polluting elements, and to work to prevent environmental degradation. To this end, it is to develop the plans and policies necessary to preserve the environment from any damage arising from human activity or that might cause harm to human health, ... in the interest of present and future generations, by achieving sustainable development goals.

### **(C) Ministerial decrees concerning the environment**

347. These various decrees, which post-date and are intended to implement the Decree-Laws, reflect not only a concern for protecting the environment but also a sensitivity to preserving the right to live in a clean and sustainable environment that ensures the well-being of citizens. The following decrees all serve to underpin that right.

- Ministerial Decree No. 1 of 1998 regarding the environmental evaluation of building projects;
- Ministerial Decree No. 10 of 1999, as amended, regarding environmental measurements (air and water);
- Ministerial Decree No. 3 of 2005 regarding environmental standards in the workplace;
- Ministerial Decree No. 5 of 2005 regarding environmental conditions in the locations where service activities are conducted.<sup>62</sup>

### **Study and assessment of the environmental impact of development projects, service activities and monitoring**

348. Development, industrial and service projects are assessed for their environmental impact and licensed in accordance with Decree-Law No. 21 of 1996, ministerial decrees and implementing legislation. The role of the Council is to monitor various forms of environmental impact. This includes air quality, industrial discharge into the marine environment, the importation and handling of chemical and radioactive substances, noise in the working environment and the management of industrial waste. Environmental impact assessment procedures are carried out in consultation and coordination with the competent authorities in Bahrain. According to statistics from 2017, a total of 258 applications – ranging from industrial projects to infrastructure projects, etc. – were submitted for study

<sup>61</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L4712.pdf>.

<sup>62</sup> <http://www.sce.gov.bh/%D9%86%D8%A8%D8%B0%D8%A9?cms=iQRpheuphYtJ6pyXUGiNqkPOz%2b%2fb75LZ>.

and impact assessment. The working environment of service activities is also studied (usually, this means workshops, garages, panel beaters and dyers) to ensure that they fulfil the technical conditions. During 2017, a total of 1,154 service and industrial activities were licensed while more than 4,816 visits were conducted.

349. Monitoring is seen as one of the most important bulwarks of environmental protection and the Supreme Environmental Council conducts a rolling programme to monitor the quality of air and of the surrounding marine environment. The air quality monitoring programme, which has been ongoing since 1986, measures the levels of certain globally recognized air-quality indicators. The data thus obtained is used as a basis for formulating policies and plans. The monitoring programmes have helped to preserve the quality of the air and thereby to protect the health of citizens and residents. For its part, the programme to monitor the quality of the surrounding marine environment, which has been ongoing since 1993, aims to assess the condition of the country's territorial waters by studying their physical and chemical properties and the proportions of major pollutants in the water and the sediment. The programme helps to ensure the early detection of the environmental impacts of factories and other human activities that can have an adverse impact on marine environment. This represents another step towards conserving the quality and safety of the environment.

350. Environmental monitoring is the latest in a series of technical measures aimed at ensuring healthy surroundings. All existing industrial projects that emit pollutants into the marine environment, the air or the soil are also subject to an ongoing monitoring programme in order to verify their compliance with environmental standards.

**(a) Monitoring pollution from the source (air and marine environment)**

In 2015, a total of 589 inspections were carried out in industrial facilities that discharge wastewater into the marine environment.

**(b) Monitoring gas emissions from fixed sources**

Existing industrial projects that emit pollutants into the air are subject to an ongoing monitoring programme in order to verify their compliance with environmental standards. In 2017, the pollution emanating from the chimneys of 78 industrial facilities was measured and action was taken against any violations discovered.

**II. Human rights and the environment in the Kingdom of Bahrain, at the regional and international levels**

351. There are international treaties and agreements that uphold the human right to an environment that is clean, safe and free of harmful agents and that underscore the need to preserve environmental quality. Bahrain, which was an early proponent of this right, has acceded to various regional and international treaties and remains committed to implementing them as part of its national shift towards protecting the human right to a clean environment (the annex contains a list of the regional and international treaties to which the Kingdom of Bahrain has acceded). Bahrain also contributes globally, on an equal footing with other countries, to the protection of the environment from pollution. Some of the most important environmental treaties include the following.

**Regional agreements**

352. Bahrain has acceded to the Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution and its attached protocol, and it has ratified the Convention on the Conservation of Wildlife and Natural Habitats in GCC States. Its intention in so doing is to participate actively in preserving and protecting the environment and to implement regional cooperation programmes regarding the protection of the marine and land environment. In fact, Bahrain is convinced that the preservation of its own environment cannot be limited to national territory but extends also to that of neighbouring States.

## **International agreements**

353. The position of the Kingdom of Bahrain vis-à-vis the question of acceding to international treaties is informed by its deep-rooted convictions regarding the relationship between human rights and the environment and its determination to preserve the natural world, not merely in its own region but throughout the world. Compelled by its responsibility to protect human rights and the environment, which is one of its foremost priorities, Bahrain has signed legally binding instruments that comprehensively protect the human right to a safe and healthy environment. The truth is that such agreements clearly define States' obligations to promote and protect human rights and, in the light of the concerns Bahrain has in that regard, it has signed the United Nations Framework Convention on Climate Change in December 1994, under Decree No. 7 of 1994, and the Vienna Convention for the Protection of the Ozone Layer on 27 April 1990, under Royal Decree No. 10 of 1990. Moreover, Bahrain acceded to the Montreal Protocol on Substances that Deplete the Ozone Layer on 27 April 1990, under Royal Decree No. 10 of 1990; the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal in 1992, under Royal Decree No. 11 of 1992; the Convention on Biological Diversity, under Decree No. 18 of 1996; and, lastly, the Paris Agreement of 2015, which aims to oblige countries to reduce emissions and which was signed by Bahrain in April 2016 and ratified in December 2016.

## **Article 13 Right to education**

### **Exercising human rights and citizenship**

#### **Constitutional and legislative framework**

354. The Ministry of Education is dedicating ever greater attention to human rights and to the values of coexistence and tolerance, especially in the light of the changes taking place in Bahraini society and of global developments in that regard. In doing so, it is acting consistently with the provisions enshrined in the Constitution of Bahrain that guarantee such rights. Article 7 (b) of the Constitution reads: "The law shall regulate religious and national education, at all stages and of all kinds, which shall serve to strengthen the character of citizens and their pride in their Arab identity." For its part, article 18 states: "People have equal human dignity and the same public rights and duties before the law. There shall be no discrimination on grounds of gender, origin, language, religion, or belief." Education Act No. 27 of 2005<sup>63</sup> reaffirms citizens' right to education without discrimination on the basis of gender, race or group. Article 2 of the Act stipulates: "Education is a right that the State guarantees for all its citizens. Educational philosophy is rooted in the principles and values of Islam, in human and cultural interaction, in the Arab identity of the Kingdom of Bahrain and in the cultural and social milieu of the Bahraini people, which is an extension of their heritage and of the provisions of the Constitution. It strives to help citizens find happiness and strengthen their character and their pride in their religion, values, country and Arab identity, thereby furthering the development, prosperity and advancement of society." Article 3 of the Act states: "Education aims to achieve national, academic, professional and cultural formation while also embracing emotional, moral, mental and social matters, health-related questions, behavioural issues and sports, all within the framework of Islamic principles, Arab heritage and modern culture, and of the nature, customs and traditions of Bahraini society. It also seeks to instil a spirit of citizenship as well as loyalty to the nation and to the King in particular." Article 3 (4) envisages "developing an awareness of the principles of human rights and integrating them into school curricula", article 3 (5) focuses on developing the concept of education for peace, a better human future and international cooperation and solidarity on the basis of justice and equality as well as interaction and mutual respect between all nations and peoples. Article 5 of the Act reads: "The Ministry's human potential and material resources are to be focused

<sup>63</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K2705.pdf>.

on achieving the goals of education policy and the future directives for the advancement of education. The Ministry is to assume its responsibilities as follows:

355. “Making educational opportunities available to all individuals so that they can prepare themselves and develop their abilities and skills with a view to self-realization and the advancement of their own lives and that of society.”

356. Acting on that foundation, the Ministry of Education makes its educational services available on an equal basis for all citizens, and it prohibits any kind of discrimination on grounds of gender, origin, language, religion or belief. In addition, it provides special care for students with special needs and, whatever their category of need, it seeks to integrate them into regular classes in State-run schools. The Ministry guarantees the provision of all facilities and equipment to ensure that persons in such categories are able to access learning and knowledge, among their peers and without discrimination. In its determination to provide equal education to all, in line with its possibilities, the Ministry also encourages private education to provide the necessary care for students with special needs.

357. The Ministry of Education is continually reviewing and developing curricula at all levels in order to produce students who have an adequate national, academic, professional and cultural formation, within a framework of Islamic principles, Arab heritage and modern culture, and of the nature, customs and traditions of Bahraini society. It also seeks to instil a spirit of citizenship in all students, especially in the light of the changes taking place in Bahraini society and of global developments in human values. On that basis, the Ministry has dedicated efforts to ensuring that values of citizenship and human rights education are included in curricula of various levels (basic, secondary and higher education) and it is constantly reviewing and developing those curricula. The Ministry, with the support of global education consultancy firms and international organizations, works to develop the content of curricula and to disseminate values of human rights and citizenship. In that context, the Ministry has signed an agreement with the International Bureau of Education of the United Nations Educational, Scientific and Cultural Organization (UNESCO), under which a team is to be formed to evaluate and review the content of curricula with a view to promoting principles of tolerance, developing critical thinking and encouraging dialogue and respect for others. At the same time, these steps aim to reaffirm values and principles that reflect students’ needs and circumstances and the way that human rights and citizenship have developed in Bahrain, while observing relevant international standards.

358. The Ministry of Education has initiated a school project to promote citizenship and human rights, which has been rolled out in two boys’ schools and two girls’ schools. The project involves classroom and non-classroom activities, teaching and learning, and it aims to promote values of tolerance and coexistence. The experience of the four schools will serve as a model that can then be extended to all schools of all levels throughout Bahrain.

359. Sporting, scouting and cultural activities are organized for students and teachers alike with the aim of encouraging students to work together to promote national unity and the values of citizenship. With experts from the UNESCO International Bureau of Education in Geneva, universities and other important educational institutions, seminars and workshops have been organized for teachers specializing in social and civic education with the aim of disseminating values of tolerance, coexistence and non-violence among school students, promoting a spirit of national unity, tolerance, love and national solidarity and combating all forms of religious, sectarian or ethnic discrimination at all levels of education. Human rights and humanitarian action have been selected as themes in both artistic and writing competitions, and workshops have been held on the importance of mutual acceptance and respect. In addition, activities on these same subjects have been conducted in schools by celebrating national occasions, creating citizenship and human rights committees and holding seminars and lectures.

360. The Ministry of Education plays a central role in caring for persons with disabilities and in attempting to integrate them into educational institutions. It seeks to guarantee their right to education by providing educational opportunities for all citizens in accordance with their diverse individual needs, as per the Constitution of Bahrain and the Education Act.

361. Available statistics show that a certain proportion of persons with disabilities of school age have effectively been integrated into State education. In fact, a total of 792

students have been matriculated into State-run schools.<sup>64</sup> Also according to the statistics, there are no more than 17 students with motor and visual disabilities enrolled in higher education (at the University of Bahrain).

362. In an effort to improve its capacity to accommodate such cases, the Ministry is working to train special educational staff. It is also seeking to adapt the school environment, particularly in terms of infrastructure, equipment and furniture, to further improve its capacity to accommodate such groups and to remove any obstacles that might exist.

### **Free and compulsory basic education**

363. The approach the Ministry of Education takes regarding the services it provides is informed by the country's educational policy as well as by the provisions regarding universal education enshrined in the Constitution. Article 7 (a) of the Constitution reads: "The State shall guarantee its citizens education and cultural services. Preliminary education shall be compulsory and free of charge." Education Act No. 27 of 2005 defines the concept of compulsory and sets limits on what is meant by compulsory and free of charge. Article 1 of the Act defines basic education and the compulsory school age as follows: "Basic education: The stage of education that begins with the age of compulsory education and extends for a minimum of nine academic years; ... Compulsory school age: Begins when a child reaches the age of 6, according to the solar calendar, and ends when the child reaches the age of 15." Article 6 of the Act states: "Basic education is the right of children who have reached the age of 6 at the start of the academic year. The Kingdom of Bahrain undertakes to provide them with that education, which parents and guardians are obliged to implement. This shall last a minimum of nine academic years." According to article 7 of the Act: "Basic and secondary education is free of charge in State-run schools."

364. Thus, according to the Act, the compulsory school age for basic education begins when a child reaches the age of 6, according to the solar calendar, and ends when the child reaches the age of 15. Bahrain undertakes to provide children with basic education, which parents and guardians are obliged to implement, for a minimum of nine academic years.

365. As regards education being free of charge, the Ministry reaffirms that basic and secondary education is provided free of charge for citizens in the country's State-run schools. Moreover, the Ministry undertakes to build State schools of different levels in all governorates, and all those schools are equal in terms of quality of life within the school environment, quality of education and the efficiency of teachers. All citizens are able to enjoy educational services on an equal footing, discrimination of any kind is prohibited and all students have access to free education and free textbooks. Moreover, whenever possible, the Ministry makes educational opportunities available to migrant children of compulsory school age whose parents have public-sector contracts with the Government of Bahrain; this, despite the fact that the Constitution and the law envisage free education for citizens only. In addition, the Ministry provides free education to the children of Bahraini women married to non-Bahraini men, and they are treated on an equal footing with citizens in all matters relating to fees on government services, including education, provided that they have permanent residency in Bahrain in accordance with Act No. 35 of 2009 (which concerns the treatment of foreign wives of Bahraini nationals and the children of Bahraini women married to non-Bahraini men on equal terms with Bahraini nationals in respect of fees for government services).

366. The Ministry provides free transportation to and from school for all students who are studying outside their area of residence. This service is provided in accordance with unified rules and standards regarding the distance between school and place of residence. Transport is also made available to students with special needs.

<sup>64</sup> There is a slight disparity in numbers according to different sources: while the National Strategy for the Rights of Persons with Special Needs points to 792 students in State-run schools during the academic year 2010/11, a report for the same year on the situation of persons with disabilities speaks of 831 students.

**Generalization of secondary education of all kinds, including technical and vocational education**

367. Although secondary education is not compulsory under the Constitution or the law, Bahrain provides free State education at various levels, and it issues regulations and decisions the purpose of which is to ensure that students remain in the classroom for various levels of schooling, including secondary education for those who wish to pursue it.

368. As regards technical education, the Ministry of Education has expended considerable efforts over recent years to develop industrial and vocational education, in cooperation with bodies operating in that field, in order to ensure that educational outcomes are as compatible as possible with the Bahraini labour market's growing need for highly trained technical workers. Moreover, the Ministry has been quick to implement directives from international organizations active in the field of technical and vocational education, most significantly by introducing curricula and textbooks responsive to evolving needs; modernizing methods of teaching and evaluation; and monitoring the cultural, professional and educational level of teachers. In addition, a quality control system, which is applied in secondary schools, has been expanded to cover all aspects of the educational system. Thanks to this, the Ministry has obtained accreditation from the Scottish Qualifications Authority and industrial secondary schools have begun issuing professional qualifications.

369. A practical analysis of technical, industrial and vocational education over recent years has produced important results that point to the need to restructure methods of secondary education so as to better serve new economic trends, while pointing away from more general education. This has led to an apprenticeship initiative in a new and evolving context within the new secondary education structure. The initiative has been introduced into boys' and girls' schools on a gradual basis and in cooperation with parents, guardians and the private sector. The staged roll-out of the initiative began in the year 2007/08.

**Provision of higher education**

370. The Ministry of Education seeks to guarantee students' best interests and to enable them to pursue their academic studies, in accordance with Education Act No. 27 of 2005, article 5 of which states: "The Ministry's human potential and material resources are to be focused on achieving the goals of education policy and the future directives for the advancement of education. The Ministry is to assume its responsibilities as follows: ... (11) Developing public policies regarding study missions and educational grants and following up on those matters both at home and abroad while taking account of the needs of society and the specializations available at institutions of higher education inside the country; (12) Caring for students abroad and students on scholarships, both at home and abroad, and supervising students who are studying abroad at their own expense."

371. Article 2 of Higher Education Act No. 3 of 2005 reads: "Higher education, as provided by institutions of higher education, serves to: (1) Provide an opportunity to study, specialize and scrutinize fields of knowledge in order to respond to the needs of society and of comprehensive development." Therefore, the Ministry strives to make higher education available through both State-run and private institutions.

372. In line with the resources it has available, the Ministry of Higher Education provides scholarships and grants to outstanding students who achieve averages of 90 per cent or above. It also provides scholarships for students with special needs of various categories as well as to gifted and talented students, those able to memorize the Holy Qur'an and students with special abilities. The Ministry has a special budget allocated to covering the cost of scholarships and grants for such persons.

373. On the basis of a royal order, tuition fees for students at the University of Bahrain, Bahrain Technical College (Bahrain Polytechnic) and Bahrain Training Institute have been significantly reduced. In fact, students are responsible for meeting just 6 per cent of their tuition fees. Furthermore, thanks to the Student Fund, more than 7,000 students in need have benefited from a full exemption from tuition fees at the University of Bahrain.

374. The Ministry of Education also provides services to all students, including those studying at their own expense. These services include: certifying their university

qualifications, providing them with academic information, responding to queries related to their studies and helping them overcome any difficulties or problems they might face in their universities, either inside Bahrain or abroad.

### **Improving teachers' economic conditions**

375. Domestic legislation makes a distinction between persons who hold teaching positions and other public servants, and the two categories have separate and distinct salary and promotion scales.

376. In addition, since 2004, teachers have constituted a professional order and this has placed persons who hold teaching positions on a unified financial level.

377. The Ministry of Education also strives to improve the material conditions of teachers by providing them with optimal means to improve their professional standing. In fact, teachers are constantly able to develop their career prospects, through regular promotions, through on-the-job training or by moving from one job to another.

### **Authorizing the establishment of private educational institutions**

378. Through educational and administrative support, the Ministry encourages the private sector to open schools and disseminate private education, while also ensuring that it abides by the provisions of Decree-Law No. 25 of 1998 concerning private educational and training institutions, and the decrees issued to implement it.<sup>65</sup> In order to ensure educational and academic considerations prevail over profit, ministerial bodies that deal with private educational establishments undertake inspections to ensure that licensing requirements are being duly fulfilled. These include:

- (a) Health, educational and occupational safety standards;
- (b) Academic qualifications and other conditions that need to be fulfilled by the principal and the teaching staff;
- (c) System of work and study, and the school curriculum;
- (d) Brochures, publications, programmes and library acquisitions;
- (e) Non-modification of the ministry approved fees except with the approval of the fee modification committee.

379. The Government pays particular care to the process of developing education and instilling educational values. It does this via plans deliberately studied to achieve improvements in the quality and outcomes of the educational process, with a view to achieving excellence. The following initiatives are currently being rolled out.

### **Providing a motivating educational infrastructure**

380. Efforts are made to meet educational needs and to provide a place in school to students at all three levels of education and across all the country's governorates. In addition, 10 new schools have been built.

381. Efforts are also made to refurbish and repair existing structures so as to ensure the sustainability of educational services of the required quality.

382. Facilities and systems to promote the acquisition of technical skills are being made available.

383. Online systems such as eduNET are being developed to facilitate access to educational services.

<sup>65</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/L2598.pdf>.

**Improving the quality of teaching and school administration**

384. Training programmes have been prepared and presented with a view to improving teacher performance and enhancing leadership in schools.

385. Organizational structures have been reviewed to enable them to accommodate increased numbers and the qualitative development of plans and programmes, the aim being to improve educational outcomes.

386. Programmes to improve the performance and meet the needs of schools continue to be implemented.

387. Educational activities of all levels are evaluated on the basis of educational quality standards.

**Developing school curricula and teaching methods**

388. Curricula are being fleshed out with the knowledge and skills necessary to develop the ability of students to think, evaluate and solve problems.

389. National curricula are being developed to ensure that they promote the principles of citizenship and human rights.

390. New approaches to the teaching of mathematics are being adopted with a view to improving students' numerical and intellectual abilities.

391. Strategies are being rolled out to enhance reading skills in Arabic and English, the preparation and conduct of research and the safe use of technology.

392. Information technology is being fully integrated into education with the development of online educational content, simulation software and virtual online workshops.

**Upgrading educational services for people with special needs**

393. School infrastructure is being adapted as necessary and support services are being made available for persons with special needs.

394. A supportive school environment is provided for persons with special needs by equipping classrooms with assistive devices.

395. Programmes are available that aim to support students psychologically and socially and to help them integrate into the life of school and of society.

396. Projects are being implemented that cater for the requirements of persons with special needs.

397. Support mechanisms are provided for gifted students and the activities and programmes available to them are being expanded.

**Schools promoting citizenship and human rights**

398. The Ministry of Education is actively engaged in spreading the culture of citizenship and human rights in schools by including in the curriculum values, concepts and skills that focus on liberty, respect for plurality, coexistence, acceptance of the other, mutual tolerance and citizens' rights and obligations. Trainers are instructed how to incorporate human rights in school curricula and textbooks.

399. The main topics covered are the history of human rights, universal entitlement to human rights, gender equality in domestic law and international instruments, freedom and responsibility, democracy as a way of life and form of governance, communications technology in the service of human rights and education for peace.

400. Furthermore, the Ministry has implemented a media plan designed to introduce the culture of citizenship, human rights and coexistence in schools and a large number of related school programmes and activities have been organized. Since 2007, the Ministry of Education has been involved with implementing the UNESCO Associated Schools Network project, which seeks to spread the culture of peace and human rights and develop

students' capacity for coexistence, mutual tolerance and acceptance of the other. Since 2005, the ministry has included citizenship and human rights as compulsory subjects at all grades.

401. In line with royal guidelines, the first school project to promote citizenship and human rights was rolled out in 4 preparatory schools in May 2017. Pursuant to Ministerial Decree No. 5/*mim 'ayn nun*/2016, of 19 January 2016, the Ministry launched that initiative on an experimental basis in 14 preparatory schools for boys and girls. The pilot phase of the project proved highly successful in terms of entrenching the values of tolerance, coexistence, dialogue and the rejection of violence and extremism, and the Ministry therefore decided to run the project in all elementary and preparatory schools during the academic year 2017/18.

## **Article 14**

### **Guaranteeing free and compulsory basic education**

402. Please refer to the response under article 13.

403. Article 7 in chapter I of the Constitution of Bahrain reads: "The State shall sponsor the sciences, humanities and the arts and encourage scientific research, and it shall guarantee its citizens education and cultural services. Preliminary education shall be compulsory and free of charge as defined and set forth in the law. The law shall also include a plan to combat illiteracy."

404. In 2005, a special unit was established inside the Ministry of Education to oversee the effective implementation of compulsory education. The unit monitors and registers cases of non-enrolment in school of children of compulsory school age (6 to 16 years) and it takes the measures necessary, such as returning the student in question to school or transferring him or her to a continuing education unit or a child protection centre.

405. The illiteracy rate among persons aged between 10 and 44 fell from 7.5 per cent in 2001 to 3.5 per cent in 2010. Among persons aged between 15 and 24, it fell from 3 per cent in 2001 to 1.8 per cent in 2010.

406. Students with special needs are integrated into special educational institutions, schools that are equipped to receive them or schools offering special education, where care and the necessary educational monitoring is provided by qualified teachers and specialists.

407. The Government pays particular care to the process of developing education and instilling educational values. It does this via plans deliberately studied to achieve improvements in the quality and outcomes of the educational process, with a view to achieving excellence. The following initiatives are currently being rolled out.

#### **Providing a motivating educational infrastructure**

408. Efforts are made to meet educational needs and to provide a place in school to students at all three levels of education and across all the country's governorates. In addition, 10 new schools have been built.

409. Efforts are also made to refurbish and repair existing structures so as to ensure the sustainability of educational services of the required quality.

410. Facilities and systems to promote the acquisition of technical skills are being made available.

411. Online systems such as eduNET are being developed to facilitate access to educational services.

#### **Improving the quality of teaching and school administration**

412. Training programmes have been prepared and presented with a view to improving teacher performance and enhancing leadership in schools.

413. Organizational structures have been reviewed to enable them to accommodate increased numbers and the qualitative development of plans and programmes, the aim being to improve educational outcomes.

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415. Educational activities of all levels are evaluated on the basis of educational quality standards.

#### **Developing school curricula and teaching methods**

416. Curricula are being fleshed out with the knowledge and skills necessary to develop the ability of students to think, evaluate and solve problems.

417. National curricula are being developed to ensure that they promote the principles of citizenship and human rights.

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420. Information technology is being fully integrated into education with the development of online educational content, simulation software and virtual online workshops.

#### **Upgrading educational services for people with special needs**

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422. A supportive school environment is provided for persons with special needs by equipping classrooms with assistive devices.

423. Programmes are available that aim to support students psychologically and socially and to help them integrate into the life of school and of society.

424. Projects are being implemented that cater for the requirements of persons with special needs.

425. Support mechanisms are provided for gifted students and the activities and programmes available to them are being expanded.

### **Article 15**

#### **The right to take part in cultural life and to enjoy the benefits of scientific progress**

##### **Bahrain Authority for Culture and Antiquities**

426. In the Kingdom of Bahrain, freedom is a right that is guaranteed under the Constitution and the law. Article 23 in chapter III of the 2002 Constitution envisages freedom of opinion and of academic research. Moreover, everyone shall have the right to express and propagate their opinion, orally, in writing or by any other means, in accordance with the legally specified conditions and procedures. Thus, the right of individuals and of groups to operate in the fields of art, culture or literature is not only guaranteed but receives encouragement and support. In fact, article 7 (a) of the Constitution reads: "The State shall sponsor the sciences, humanities and the arts and encourage scientific research, and it shall guarantee its citizens education and cultural services, etc."

427. The Bahrain Authority for Culture and Antiquities<sup>66</sup> was set up as the body responsible for protecting and promoting a cultural heritage that is both an integral part of the country's past and a bulwark for its present and future. Antiquities, heritage and culture are a golden triangle that, at once, express local identity and disseminate that identity regionally and globally. Article 6 of the Constitution reads: "The State shall safeguard Arab and Islamic heritage, contribute to the advancement of human civilization, strive to strengthen bonds between the Islamic countries and seek to achieve the aspirations of the Arab nation for unity and progress."

428. Within the Bahrain Culture and Antiquities Authority, the culture and national heritage sector is the body responsible for implementing plans and programmes related to culture, arts and heritage in Bahrain. The sector pursues cultural programmes and strategies in accordance with the overarching vision of the Authority's senior management, which seeks the modernization and development of cultural infrastructure and the activation of the role of culture in comprehensive social and economic development.

429. The Bahrain Authority for Culture and Antiquities provides support for Bahraini cultural expressions at various levels. This includes events and programmes that aim to raise cultural awareness in society and to underscore Bahraini identity, sponsoring cultural initiatives by individuals and groups, and drawing attention to the role played by cultural institutions such as museums, historical heritage sites and other cultural manifestations.

430. The culture sector of the Bahrain Culture and Antiquities Authority is working to expand the audience base for culture in Bahrain, to open the door to different worlds and spaces and to shed light on other cultures around the world. To this end, it extends virtual bridges across which culture and arts can move thereby hoping to attract various international cultural events, to draw attention to Bahrain and to create intellectual and cultural convergence among peoples.

431. Current activities of the Bahrain Authority for Culture and Antiquities include a knowledge transfer project, which was launched with a view to exchanging experience and to enriching the Arabic canon with knowledge and humanities from around the globe. The aim of the project is to translate into Arabic a range of books from all over the world that date from the twentieth and the twenty-first centuries and that deal with different areas of culture.

432. The Authority organizes many annual events and festivals, such as the Heritage Festival, the Bahrain Summer Festival, the Spring of Culture Festival, the International Book Fair, the Ta'a Al Shabab Festival, the Annual Fine Arts Exhibition and the International Music Festival. The purpose of all these events is to give the public an opportunity to learn about the heritage of Bahrain and its unique cultural and historical features.

433. The Authority provides material and technical support to cultural associations as well as to national theatres and popular groups that come under its aegis.

434. The Authority encourages local and international cultural institutions, as well as embassies, to take advantage of the country's cultural sites such as the Culture Hall, the Art Centre, the National Museum, the National Theatre, Bahrain Citadel, Arad Fort, etc., and to attend cultural events, exhibitions and workshops.

435. In coordination with official institutions, the Bahrain National Museum, which is administered by the Authority, offers numerous educational programmes for school students at different ages as a way of introducing them to the country's traditions and history. The Museum also houses temporary exhibitions that reflect its spirit of openness and its recognition of other civilizations and cultures.

436. Since its first issue in April 1993, the Cultural Journal, which is a quarterly magazine published by the Bahrain Authority for Culture and Antiquities, has come to occupy an important cultural position both locally and across the Arab world. The Journal

<sup>66</sup> <http://www.culture.gov.bh/ar>.

focuses on the knowledge-related aspects of cultural issues and its horizon is not only national but extends to the whole Arab world. It is open to all forms of innovative expression, which has earned it a high standing in cultural circles, and it has attracted well-known Arab writers who have helped to promote new, rich and diverse cultural material.

437. Investment in culture is a project that aims to create a partnership between the private and public sectors with a view to launching the Authority's cultural and developmental initiatives. The Authority, in fact, sees culture as a human endeavour capable of revitalizing peoples and making them more aware and knowledgeable, and it therefore seeks to attract support from private companies to fund cultural initiatives and build the necessary infrastructure.

438. Acting on Decree-Law No. 11 of 1995 regarding the protection of antiquities,<sup>67</sup> the Bahrain Authority for Culture and Antiquities has assumed the responsibility of investigating all historically significant remains on Bahraini territory and of undertaking excavations in that connection. This is in addition to its basic function, which is to care for and renovate existing antiquities and to make them once again available to the public by organizing important cultural events around them. The Authority also works to have the sites recorded on the list of world heritage sites.

439. The Arab Regional Centre for World Heritage<sup>68</sup> in Manama, which works under the auspices of UNESCO, is an independent, self-sustaining institution established in 2010 under Royal Decree 53 of 2010.<sup>69</sup> The main purpose of the Centre is to act as a link between the World Heritage Centre and its partners in the Arab region, channelling regional energies in order to preserve, enhance and showcase the region's cultural and natural heritage.

440. A joint publishing venture has been launched as a culture- and knowledge-based project the purpose of which is to support Bahraini literary works of science, literature, philosophy, criticism, etc. The initiative – which was launched in 2000 in cooperation with the Arab Foundation for Research and Publishing, a publishing house in Lebanon – has thus far enriched the Arabic canon with more than 150 innovative works from numerous Bahraini authors and writers. They have been given the chance to export their literary endeavours to countries in the Arab world and beyond at international book fairs attended by the Bahrain Authority for Culture and Antiquities or the publishing house. The project has also led to the exportation of visual arts as the books have covers with works by Bahraini artists, creating a visual appeal that harmonizes with the written text.

441. The Bahrain Authority for Culture and Antiquities has enhanced awareness among residents and citizens about archaeological monuments and sites by strengthening community partnerships and integrating people into cultural restoration and preservation projects. This human and social dimension is the guarantee underpinning the whole process as the real guardians of cultural riches are the people who live in the local area. Working with grass-roots associations, the Authority has successfully completed a number of projects including the restoration of the ancient Buri Mosque, one of the oldest in Bahrain, the Mu'awada Mosque in the old city of Muharraq, the al-Adhar Mosque in the village of Karrana and a project to excavate the mosque in the cemetery of Samaheej. The remains of the latter were discovered by the local people who, in cooperation with the Bahrain Authority for Culture and Antiquities, began to realize its architectural and archaeological importance.

442. In a move to nurture individual talents and to develop the creative and artistic sensibilities of different generations, the Bahrain Authority for Culture and Antiquities has sought to use the mechanisms at its disposal to support creative works and the artists who make them. This has included organizing and hosting exhibitions for single artists or groups of artists; workshops to attract persons interested in the arts and creativity; encouraging participation by individuals and groups in cultural gatherings at home and abroad dedicated

<sup>67</sup> <http://bahrain-history.net/132.html>.

<sup>68</sup> <http://www.arcwh.org/ar>.

<sup>69</sup>

to the visual arts, music, literature and theatre, holding seminars and lectures and setting up art and cultural markets for the presentation of Bahraini products such as the Bab Bahrain Market and the Little India Market.

443. As regards any advantages deriving from scientific progress and its applications, the cultural arena in Bahrain is open to all and everyone has the right to communicate with others and to use from modern technology to access social media, without monitoring of any kind. People also have the right to access all kinds of cultural information available on the Internet. There are a number of civil society organizations registered with the Bahrain Authority for Culture and Antiquities, which undertake cultural exchanges between Bahrain and many other countries.

444. With regard to protecting an author's right to benefit from the moral and material interests resulting from his or her scientific, literary or artistic productions, article 2 of Act No. 22 of 2006, regarding the protection of copyright and related rights,<sup>70</sup> envisages protection for literary, artistic and scientific works from the moment they are created, without need for any formal action and irrespective of the kind of work, the manner in which it is presented or the form of expression used. Article 5 of the Act also specifies the financial and literary rights of the creator or author of the work, while article 65 sets forth the penalties to which persons who violate the intellectual property rights of others are liable.

#### **Academic research (education)**

445. On the subject of scientific research, under article 5 (1) and (9) of Higher Education Act No. 3 of 2005, the task of developing and monitoring public policy on education and scientific research in Bahrain.

446. The Council of Higher Education requires universities to allocate at least 3 per cent of their net annual income to scientific research and at least 2 per cent to the professional development of teaching staff. The Council has also drafted rules and regulations governing scientific research for institutions of higher education, and it has come up with a mechanism to fund research and to support research projects by faculty members, in accordance with national priorities. Furthermore, the Council has organized a series of capacity-building workshops on the subject of scientific research for members of higher education institutions and it is working on a self-evaluation mechanism for universities.

447. The National Scientific Research Strategy adopted by the Council of Higher Education covers a number of areas. The most important of these include creating a national infrastructure to govern research, strengthening research capacities in universities, raising public awareness about research and innovation, promoting integration between academic institutions and the industrial and economic sector while focusing on economic and social priorities, and addressing national research priorities. In fact, the Strategy identifies the most important areas and trends for research in Bahrain; i.e., those that will help to meet the needs of industry, the economy, the environment, health-care and education, encourage innovation and entrepreneurship and support industry and business by finding solutions to the problems they face in Bahrain.

#### **Ministry of Industry, Trade and Tourism**

448. The Government of Bahrain – via the Department of E-Commerce and Information Technology in the Ministry of Industry, Trade and Tourism – strives to publicize scientific advances and encourage their application with awareness-raising campaigns on e-commerce and information technology, which the Department runs year-round in schools and companies. It also runs workshops on the same subject for business people and private individuals.

<sup>70</sup> <http://www.legalaffairs.gov.bh/Media/LegalPDF/K2206.pdf>.

## Measures taken to encourage broad participation in cultural activities and institutions

### Ensuring reasonably priced access to concerts, theatres, cinemas, sporting events and other cultural activities for all categories of the population

449. The Bahrain Authority for Culture and Antiquities is the body responsible for implementing plans and programmes related to culture, arts and heritage in Bahrain. The Authority pursues cultural programmes and strategies in accordance with the overarching vision of the sector, which seeks the modernization and development of cultural infrastructure and the activation of the role of culture in comprehensive social and economic development.

450. The Authority aims to strike a balance with regard to cultural projects, so that all residents of Bahrain can have access to the country's heritage sites. Bahrain is divided into four governorates (Capital, Muharraq, Northern and Southern) and the strategy of the Authority is to create cultural facilities and service structures for heritage sites throughout the country. The purpose of this is, on the one hand, to make all groups in society aware of the historical and cultural importance of those sites and, on the other, to create greater awareness about the role society can play in conserving national treasures. Another thing the Authority seeks to achieve is to promote a sense of local identity among members of Bahraini society.

451. Examples of certain cultural and heritage sites in Bahrain are listed below, by governorate:

(a) Capital governorate: Bahrain National Museum, Bahrain National Theatre, Art Centre and Culture Hall;

(b) Muharraq governorate: Pearling Path project, Al-Khalefeyah Library, Bu Maher Fort, Heritage Houses, Arad Fort, Dar Jana and Dar al-Muharraq;

(c) Northern governorate: Khamis Mosque, Bahrain Citadel, Diraz Temple, Sar Settlement and Barbar Temples.

(d) Southern governorate: Tree of Life site, Fortress of Sheikh Salman bin Ahmad Al Fateh, Dar al-Riffa al-Oda and the Military Museum.

452. All cultural and heritage sites receive visitors year-round. More than 90 per cent of them are free of charge to all comers while the museums charge a symbolic entrance fee. All sites have service structures for visitors, which are designed in accordance with international engineering standards and which have access points suitable for persons with special needs.

453. In addition the foregoing, a raft of other free annual events held on national territory attract people from all segments of society: the Spring of Culture Festival, the Ta'a Al Shabab Festival, the Food is Culture event, the annual Heritage Festival, the Bahrain Summer Festival, the International Music Festival and the National Day celebrations. In addition, the Annual Bahrain Fine Arts Exhibition attracts work from artists, both citizens and residents, while the International Book Fair is held every two years.

### Ensuring access to the cultural heritage of humankind, also via new information technologies such as the Internet

454. Technology is being used in the service of cultural heritage in Bahrain. For example, portable audio guides are available at the Bahrain Citadel enabling visitors from different countries to learn about the history of the site, details about how it was built and its internal divisions, while visual displays at the Fortress of Sheikh Salman bin Ahmad Al Fateh provide a unique way to tell the castle's history.

455. The Bahrain Authority for Culture and Antiquities has launched its own website to provide some basic information about the Kingdom of Bahrain, with maps showing the country's cultural, heritage and leisure sites, its wildlife and nature reserves as well as shopping and leisure centres. The website also provides a guide to the various cultural and artistic activities held over the course of the year, as well as events and workshops which can be booked through the website itself.

456. In addition to the website, entries on various social media platforms promote cultural events and programmes in both Arabic and English. These platforms can be used to provide direct and immediate responses to any questions the public might wish to raise.

457. The website includes an e-library, which is a special section where the Authority's occasional publications such as booklets and periodicals can be consulted. Educational resources aimed at children are also available. This material, which is published in conjunction with major cultural events or periodic festivals, may be used by teachers and parents who can download activity manuals via the website.

**Encouraging children, including children from families on limited income and migrant and refugee children, to participate in cultural life**

458. Cultural sites across Bahrain receive daily visits from thousands of children from different educational institutions. Such visits are entirely free of charge. Regular workshops tailored for children under the age of 18 take place regularly and cover various areas of culture such as arts, music and theatre. These too are also free and there is no requirement for participants to be Bahraini nationals.

459. The Ta'a Al Shabab Festival helps to involve adolescents and young persons under the age of 30 in cultural events. It is a youth gathering in the form of an annual festival – the eighth edition of which was held in 2017 – that is a real and effective part of Bahraini cultural life. It includes initiatives and programmes designed to attract young people with an interest in culture. It also seeks to enrich Bahraini cultural life in general with year-round events held under the auspices of the Bahrain Authority for Culture and Antiquities.

460. Children are allocated a special area at annual festivals and cultural events where parallel events and programmes are organized for them. This takes place at the Bahrain Summer Festival, the annual Heritage Festival and the Spring of Culture Festival.

**Eliminating physical, social and communication barriers that prevent older persons and persons with disabilities from fully participating in cultural life**

461. Cultural life in the Kingdom of Bahrain is open to everyone. No account is taken of the demographic characteristics of participants in cultural events and programmes, and facilities are provided to ensure that all visitors can enjoy a fruitful cultural experience.

462. Action is taken to protect the cultural diversity and to promote awareness of the cultural heritage of ethnic, religious and linguistic minorities.

463. Bahrain is characterized by a great diversity and richness of culture, which arises from the harmonious interaction of the different demographic components of society. For this reason, the Authority tailors its annual cultural programme to ensure that diversity is reflected in its events and activities, which are intended for all members of society on an equal footing.

464. Steps are also taken to ensure that everyone, including persons from disadvantaged and marginalized groups, is able to benefit from advances in science and technology, at a reasonable cost.

465. Not only is access to cultural facilities free of charge but educational booklets with a simplified style and distinctive designs are also distributed without cost. Moreover, guides are on hand at museum and cultural sites to provide information to all who request it.

466. Measures are adopted to prevent advances in science and technology from being used for purposes that are at odds with human dignity and rights.

467. Domestic law criminalizes any and all violations of human rights. The Constitution itself provides guarantees for human dignity and human rights. In fact, article 18 in chapter II of the Constitution reads: "People have equal human dignity and the same public rights and duties before the law. There shall be no discrimination on grounds of gender, origin, language, religion, or belief."

468. Measures are also taken to protect the moral and material interests of creatives.

469. In particular, creative persons are recognized as such and afforded protection while the integrity of their work – be it scientific, literary or artistic – is safeguarded.

470. Freedom of opinion and of academic research is guaranteed by law, and everyone has the right to express and propagate their opinion, orally, in writing or by any other means. The Copyright and Related Rights Protection Act recognizes the rights of authors and creatives, and it envisages protection for the moral and material rights that derive from their works from the moment they are created, without need for any formal action and irrespective of the kind of work, the manner in which it is presented or the form of expression used (books, paintings, translations, spoken lectures, etc.).

471. The fundamental material interests of authors vis-à-vis the works they produce are protected, such as to enable them to enjoy a decent standard of living.

472. Authors in Bahrain enjoy perpetual literary rights, which do not lapse and may not be rescinded. The Bahrain Authority for Culture and Antiquities takes upon itself the responsibility of supporting and caring from authors by providing a healthy cultural environment in which to produce and disseminate their works, or to transform them into another cultural form. In addition, a number of award initiatives have been launched as a way of honouring and paying tribute to – in both material and moral terms – the contributions made by creative persons. These include the Mohammed Banki Cultural Personality of the Year Award; the Bahrain International Book Fair Award and the Dana Prize, which is awarded for the best work submitted during the Annual Bahrain Fine Arts Exhibition. In addition to the main prize, there are also prizes for second and third place, which consist in two all-expenses-paid exhibitions, one abroad and one at home.

#### **Protecting the moral and material interests of indigenous peoples in regard of their cultural heritage and traditional knowledge**

473. Domestic law in Bahrain safeguards the right of authors to reproduce their works; translate them into other languages; arrange them musically or adapt them into another form; distribute the original or copies of the work to the public, via sale or any other form of transfer of ownership (for works that have not already been distributed with the author's permission); rent, for commercial purposes, the original or copies of a work in the form of a phonogram, a cinematic work or a computer program; perform the work in public; display the original or copies of the work to the public, by any means; broadcast the work; or convey the work to the public

474. This issue is addressed in chapter II of the Constitution, which concerns the fundamental elements of society. According to article 7 (a): “The State shall sponsor the sciences, humanities and the arts and encourage scientific research”, while article 7 (d) reads: “Everyone shall have the right to express and propagate their opinion, orally, in writing or by any other means, in accordance with the legally specified conditions and procedures, without infringing the fundamental tenets of Islam or the unity of the people or causing discord or sectarianism.”

#### **Steps taken to preserve, develop and disseminate science and culture, and to encourage and develop international contacts and cooperation in the scientific and cultural fields**

475. Working directly with UNESCO, the Bahrain Authority for Culture and Antiquities seeks to implement international treaties relating to culture with a view to improving the local cultural environment. Moreover, Bahrain remains firmly wedded to its partnership with the Arab League Educational, Cultural and Scientific Organization, as well as to joint cultural cooperation with the GCC secretariat.

### **Conclusion**

476. The achievements Bahrain has made in ensuring economic, social and cultural rights are global in scale. This is evinced, not only in the country's domestic legislation, but also in the development ranking Bahrain occupies in reports of the United Nations Development

Programme; in the fact that 50 countries around the world have applied the Bahraini industrial-development model; and in the awards earned by the country's leaders and the awards granted by Bahrain itself to encourage charitable and developmental activity. It should be noted that Bahrain achieved the Millennium Development Goals and it welcomed the resolution of the General Assembly of the United Nations to approve the 2030 Sustainable Development Goals, submitting its first voluntary report on sustainable development in July 2018.

477. Despite limited resources, Bahrain is continuing to pursue development through coherent planning, notably the Bahrain Economic Vision 2030, strategic plans, government programmes and policies and the action of civil society.

478. The efforts made are not limited to the national sphere and, in fact, Bahrain also gives great weight to regional and international cooperation. Examples of this are a free trade agreement between Bahrain and the United States of America and an economic cooperation agreement with the Sudan. Bahrain also operates at the level of GCC States; for example, with the Unified Economic Agreement, and it promotes cooperation and joint activities with the United Nations and with regional organizations. Despite the challenges facing the country, Bahrain continues to work to consolidate sustainable development and protect and promote human rights. This includes combating extremism, violence and terrorism with laws that are both effective and safeguard the rights enshrined in the National Action Charter, the Constitution and the international treaties to which Bahrain has acceded. All of this has been accompanied by increasing awareness, greater education and the use of enlightened media. Bahrain has made tangible progress towards comprehensive development, particularly with the adoption of the National Action Charter and the amended Constitution in 2002, and the declaration of Bahrain as a constitutional monarchy in which the people are able to participate in decision-making and the drafting of legislation, and to monitor government performance via the two chambers of the National Assembly: the Council of Representatives and the Consultative Council. Further constitutional amendments were issued in 2012 following a comprehensive national dialogue. Certain policies and programmes have been adopted, among them the Bahrain Economic Vision 2030,<sup>71</sup> which was launched in 2008 and that aims to build a prosperous society based upon principles of sustainability, competition and justice. Other relevant policies include the government plan of action for 2019–2022.

479. The Kingdom of Bahrain is striving to build on the achievements it has made in the field of economic, social and cultural rights with a view to achieve the aspirations of the country's people and leadership within a framework of comprehensive community involvement and with the active participation of the legislature, the executive, the judiciary and civil society. Bahrain will continue to cooperate with the Committee on Economic, Social and Cultural Rights and to benefit from its constructive dialogue with the Committee in order to achieve the shared goal of promoting respect for human rights.

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<sup>71</sup> <https://www.bahrain.bh/wps/wcm/connect/8e38c624-4afb-4088-bbc2-f98169aee1f9/%D8%A7%D9%84%D8%B1%D8%A4%D9%8A%D8%A9+%D8%A7%D9%84%D8%A5%D9%82%D8%AA%D8%B5%D8%A7%D8%AF%D9%8A%D8%A9+2030.pdf?MOD=AJPERES>.