



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
19 March 2009

Original: English

**Committee on the Elimination of Discrimination
against Women**
Forty-second session

Summary record of the 860th meeting

Held at the Palais des Nations, Geneva, on Thursday, 30 October 2008, at 10 a.m.

Chairperson: Ms. Šimonović

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined initial and second periodic report of Bahrain (CEDAW/C/BHR/2 and Add.1; CEDAW/C/BHR/Q/2 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Bahrain took places at the Committee table.*

2. **Ms. Al Khalifa** (Bahrain) said that, in conformity with the fundamental principles of the Muslim faith, Bahraini society was open, tolerant and egalitarian and rejected all forms of discrimination. In addition, personal freedoms and equality of opportunity for all citizens were enshrined in the Constitution.

3. Women had long played an important role in the development and preservation of Bahraini society and had figured prominently in its march towards modernity. That was particularly true in the area of education, where women had been responsible for the establishment of the first official school for girls in 1928. Thanks to those efforts, modern Bahraini women had access to all levels of education and occupied prestigious positions in academia and business.

4. Women's rights had been strengthened by the Constitution of 1973, which stipulated that citizens were equal in rights and duties, and by the National Action Charter of 2001, which clearly stated that the word "citizen" applied to both sexes. Those rights had been further enhanced by the accession of Bahrain to the Convention on the Elimination of All Forms of Discrimination against Women, which demonstrated her Government's commitment to empowering Bahraini women politically, economically, socially and culturally.

5. The Government of Bahrain had made great efforts to implement the Convention, particularly with a view to the elimination of discriminatory practices. The Supreme Council for Women, presided over by Her Highness Shaikha Sabeeka bint Ibrahim Al Khalifa, served as the national focal point for those efforts. In cooperation with civil society, the Council had developed a strategy for the advancement of women that all official institutions were obliged to incorporate in their programmes of work. The Council had also developed a national plan to implement that

strategy. Aimed at raising women's awareness of their rights and strengthening their professional qualifications, the plan was founded on the belief that women were capable partners in the building of society. In order to ensure the plan's success, the Council had concluded cooperation protocols with a number of civil society organizations, including the Bahrain Women's Union.

6. Numerous other measures had also been taken to support and empower women, including the creation of an award named after Her Highness that was designed to encourage Government institutions and the private sector to increase the number of women in their ranks. Other noteworthy achievements were the recent appointments of women to fill the posts of Ambassador to the United States of America and Adviser to the Secretary-General of the League of Arab States.

7. In preparing its report, the Government had worked closely with public and private institutions, while taking into consideration the Beijing Declaration and Platform for Action, the Millennium Development Goals and the promotion and protection of human rights. The report also dealt with the problems and challenges faced by Bahrain in its implementation of the Convention, including the lack of a family law and the urgent need to develop legislation in order to address such issues as violence against women and the status of the children of Bahraini women married to foreigners.

8. Pending a final legislative solution, her Government had taken a number of remedial actions in various areas, including measures to prioritize family cases under consideration by the courts and the issuance of regulations designed to ensure that marriage contracts were concluded in full accordance with the law and in a manner that safeguarded women's rights. In that connection, she noted that early marriages remained rare and that the children of a number of Bahraini women married to foreigners had been granted citizenship by royal decree. The Government had also established a committee to consider the question of nationality in all its aspects.

9. Bahrain had acceded to a number of human rights instruments that reinforced women's rights, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the relevant conventions of the International Labour Organization.

Bahrain was also an active member of the Arab Women's Organization and the Organization of the Islamic Conference. Furthermore, it had recently launched a long-term economic strategy based on the principle of equality among all citizens and would host a conference on combating human trafficking in 2009.

10. Her Government looked forward to receiving the Committee's concluding observations, which it would use to complement its efforts to eliminate all forms of discrimination against women.

Articles 1 to 8

11. **Ms. Patten** said that while the State party had ratified the Convention with many reservations, it should be complimented for attempting to bring its domestic laws into line with the Convention. Nonetheless, such reservations remained an obstacle to the full implementation of the Convention. She therefore wished to know whether the reservations were reviewed on a regular basis and whether the State party intended to withdraw them. She also asked whether the Government had studied how other predominantly Muslim countries had reconciled Islamic sharia law with the Convention.

12. Noting that, under article 37 of the Constitution of Bahrain, international instruments were automatically incorporated into domestic law upon ratification, she wondered whether the Convention had primacy over domestic laws and whether such primacy was explicitly stated. She also wished to know whether any conflicts had arisen between domestic laws and the Convention.

13. Recalling that both the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on violence against women had criticized the State party's judiciary for its lack of gender sensitivity, she urged the Government to design special training programmes for legal professionals in order to educate them about the Convention.

14. **Mr. Flinterman** said that when the State party had undergone a universal periodic review by the Human Rights Council, its Government had agreed to launch a public campaign to mobilize support for the withdrawal of its reservations to the Convention. He wished to know whether that campaign had in fact been launched; if so, he would welcome further information in that regard.

15. Recalling that Bahrain had made no reservations in respect of the equality clauses contained in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, he wondered whether that was an indication that Bahrain was ready to reconsider its reservations to the Convention.

16. Returning to the question of article 37 of the Constitution and the incorporation of the Convention into domestic law, he noted that the article appeared to make exceptions for instruments relating to the public and private rights of citizens, which needed to be promulgated by law in order to enter into force. He asked whether that interpretation of the article was correct and, if so, whether the Convention had been promulgated.

17. **Ms. Shin** said that she was concerned by the lack of a family law and by the discriminatory provisions of the Nationality Act. While she welcomed corrective actions such as the prioritization of family cases in the courts and the granting of citizenship by royal decree to the children of Bahraini women married to foreigners, the State party should repeal the laws that discriminated against women and should enact laws that protected them. She asked what progress had been made in drafting a family law and in amending the Nationality Act.

18. **Ms. Schöpp-Schilling** said that discrimination on the basis of gender did not appear to be explicitly prohibited under the National Action Charter. However, it appeared that the Constitution prohibited discrimination on the basis of ethnicity, gender and religion. She asked the delegation to explain that apparent contradiction.

19. Recalling that, under article 5 (b) of the Constitution, a woman was required to reconcile her duties to her family with her work responsibilities, she wondered whether men were subject to that same requirement. If not, the Constitution would be supporting gender stereotypes and would not be in keeping with the Convention, which stipulated that men and women should share parental responsibilities.

20. She also wished to know whether the Convention had been ratified by a royal decree or a legislative act and whether the State party had addressed the Committee's general recommendations in its publicity and training efforts related to the Convention.

21. **The Chairperson**, speaking as a member of the Committee, asked whether the State party intended to ratify the Optional Protocol to the Convention.

22. Recalling that the Committee was encouraging States parties to include all stakeholders in the preparation of their periodic reports, she wondered what role, if any, legislators had played in the preparation of the State party's report and whether the report had been discussed in Parliament. She also wished to know whether non-governmental organizations had participated in the preparation of the report.

23. **Ms. Al Awadi** (Bahrain) said that her country's reservations to the Convention, and in particular to article 2, had not had any effect on women's rights. All laws that had a bearing on the provisions of article 2 upheld the principles of equality and non-discrimination against women. The purpose of the reservation in question was to guard against an interpretation of article 2 that had been expanded to include the status of women in the family and the question of their equality in that context. The other reason why her country had entered a reservation to article 2 related to the question of adoption, which was prohibited under Islam. However, in fulfilment of the pledge that it had made during the universal periodic review of the human rights situation in Bahrain by the Human Rights Council, the Government was working to raise awareness of the need to withdraw all reservations to the Convention.

24. In respect of the reservation to article 9 on nationality, she said that the process was under way of amending the Nationality Act so that a Bahraini woman married to a foreigner could confer her nationality on her children. It was therefore expected that the reservation to article 9 would be withdrawn in the near future. However, even under the current Nationality Act, the children of a Bahraini woman were already entitled to Bahraini nationality in cases where the father was stateless.

25. The reservation to article 15, paragraph 4, had no practical effect on women's freedom of movement or choice of residence, whether inside or outside of the country.

26. **Mr. Abul** (Bahrain) said that some members of Parliament intended to urge their fellow legislators to consider withdrawing Bahrain's reservations to the Convention, particularly the reservation to article 2.

They would also support the pledge made by the Government during the universal periodic review to publicize the Convention and to provide training on its provisions.

27. **Ms. Al Awadi** (Bahrain) said that, thus far, no conflicts had arisen between domestic law and the Convention. Moreover, Bahraini courts had already cited the Convention as their justification for some rulings. That stance was unprecedented in the Arab world.

28. **Ms. Al Zayani** (Bahrain) said that while article 5 (b) of the Constitution called on women to reconcile their responsibilities to their families with their roles in public life, that did not mean that the responsibility of child-rearing fell to them alone. Men were also required to reconcile their responsibilities to their families with their roles in public life.

29. **Ms. Al Khalifa** (Bahrain) said that the Bahraini Parliament was not yet in existence at the time when Bahrain had acceded to the Convention in 2002 by means of a royal decree. After the establishment of Parliament, that decree had acquired the status of formal legislation and, consequently, any reservation to the Convention could now only be withdrawn by an act of Parliament.

30. The stipulation in article 5 (b) of the Constitution that women should reconcile their responsibilities to their families with their roles in public life could be viewed as positive discrimination because it required all official bodies to take the unique situation of women into account.

31. **Ms. Al Awadi** (Bahrain) said that article 5 (b) of the Constitution served to promote the aims of article 11, paragraph 2 (c), of the Convention and helped to ease the burden on women as they strove to balance their responsibilities towards their families with their roles in public life.

32. **Ms. Al Khalifa** (Bahrain) said that, under sharia law, both parents had the right and the obligation to raise their children; in fact, there were legal texts that required a father to take substantial responsibility for raising his children. However, sharia law was only applied when couples were unable to settle their differences privately. In cases that were referred to the courts, the interests of the child were considered to be paramount.

33. When awarding custody of children, the Bahraini judicial system gave preference to the mother or her female relatives in order to ensure that children were raised in the best possible environment.

34. **Ms. Al Awadi** (Bahrain) said that the lack of a family law did not mean that there was a complete absence of a relevant legal framework. The sharia courts applied appropriate religious laws to settle various family affairs, including questions of marriage, divorce, custody and inheritance.

35. Efforts to codify the law in respect of the family had been initiated in the 1980s by civil society organizations and had subsequently been taken up by the Supreme Council for Women. Concerted national efforts should lead to the enactment of a family law in the near future.

36. With regard to the preparation of her country's report, she said that the Supreme Council for Women had desired all relevant official bodies and civil society organizations to participate in the preparation of the report and had intended to present a joint report to the Committee. However, once the first draft had been completed, civil society and women's rights activists had decided to present a separate report. Their shadow report was a mirror of the official report in respect of the progress made in achieving equality and the challenges that remained. The Government had also asked civil society organizations and women's rights activists for feedback on the final official report.

37. **Mr. Abdulla** (Bahrain) said that his Government took the recommendations that had arisen from the universal periodic review by the Human Rights Council very seriously and would continue to cooperate closely with the Council, the Office of the United Nations High Commissioner for Human Rights, treaty bodies, international human rights bodies and civil society in order to promote and implement those recommendations.

38. **Mr. Ajaji** (Bahrain) said that, in addition to holding symposiums and workshops, the Ministry of Justice and Islamic Affairs had started an e-learning programme for judges designed to increase their knowledge of international human rights instruments and mechanisms and also gender equality. Furthermore, the Ministry offered background classes on the international protection of human rights and on the concept of gender as set forth in the Convention.

39. The Supreme Judicial Council had established a committee to develop a manual that would provide judges with more detailed guidance on gender issues than that contained in the Code of Judicial Conduct.

40. **Mr. Mohammed** (Bahrain) said that the relevant authorities would give serious consideration to the question of Bahrain's accession to the Optional Protocol and to the harmonization of domestic laws with that Protocol. Moreover, the awareness-raising campaign that had been launched in response to the universal periodic review was promoting Bahrain's accession to the Optional Protocol.

41. **Ms. Al Khalifa** (Bahrain), responding to the question on whether Parliament had been consulted in the preparation of the report, said that there were no provisions in the Convention that required Governments to consult the legislative bodies in their countries regarding the contents of their reports. Recalling that her Government had been advised by other States parties that there was no such requirement, she requested clarification from the Committee in that regard.

42. **The Chairperson** said that, under the Convention, Governments had primary responsibility for reporting to the Committee. It was therefore the Committee's practice to encourage Governments to produce their reports independently and to encourage non-governmental organizations to produce a shadow report.

43. Responding to the question on the role of Parliament in the reporting process, she said that, while it was true that the Convention did not provide guidance in that regard, the Committee's working methods were evolving and it had begun to include a paragraph in its concluding observations on the role of legislative bodies in the implementation of the Convention. In doing so, the Committee was merely encouraging States parties to include their legislative bodies in the reporting process and was not imposing a requirement that reports should be formally adopted by those bodies. Furthermore, it was for each State party to decide how best to involve its legislature in order to raise the visibility of the reporting process and to implement the concluding observations.

44. **Ms. Gabr** requested further information on the cooperation protocol that had been concluded by the Supreme Council for Women with the Bahrain Women's Union and how that instrument would help

the Union fulfil its role. Were there plans for similar protocols with other civil society organizations? She also asked the delegation to provide information about the National Centre for the Support of Civil Associations and the nature of its relationship with the Supreme Council for Women, including cooperation between the latter and other civil society organizations for the promotion of women's rights.

45. While she welcomed the State party's support for the amendment of article 20, paragraph 1, of the Convention regarding the Committee's meetings, she wished to know what progress had been made towards the adoption of legal measures in that regard.

46. **Ms. Tavares da Silva** said that some groups of women in Bahrain, including migrant domestic workers, had been excluded from the gender equality measures referred to in article 3 of the Convention. In addition, female employees of childcare centres did not receive social security benefits and had no labour rights.

47. Recalling that the Committee had been informed that certain restrictions were imposed on non-governmental organizations that focused on women's rights, she urged the State party to pursue further measures aimed at implementing article 3 in a comprehensive manner.

48. **Ms. Zou Xiaojiao** requested clarification as to whether the Supreme Council for Women was an official Government agency or merely a coordinating body. She also wished to know how the Council carried out its work, how it influenced Government policy and what steps had been taken to monitor the status of women in various fields.

49. Details on the organizational structure of the Council, particularly its human and financial resources, would be welcome, as would information on the timeline for the implementation of the national strategy for the advancement of women. She also wished to know whether indicators had been established for the achievement of certain objectives, particularly regarding the participation of women in political life.

50. **Ms. Gaspard** recalled that temporary special measures, as set out in paragraph 25 of the Convention, were supposed to help women close the gender gap. As she saw it, the laws of Bahrain called for equality, but in practice equality did not exist. The State party therefore needed to adopt more temporary special

measures and should also pay special attention to article 4, paragraph 1, of the Convention, in order to avoid any confusion between general policies aimed at encouraging equality and temporary special measures intended to bring such equality about.

51. **Ms. Shehab** (Bahrain) said that, in accordance with ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation, the draft labour act that was before Parliament would provide migrant workers with the same labour rights as Bahraini nationals. The proposed legislation included provisions specifically designed to protect domestic servants, such as the right to annual leave, severance pay, exemption from income tax and access to arbitration.

52. **Ms. Al Jeeb** (Bahrain) said that childcare facilities were supervised by the relevant ministry and were required by law to maintain personnel records, including information on employees' qualifications, education, training, salary and responsibilities. The Supreme Council for Women had gathered information from childcare workers regarding their working conditions and was working with the owners of childcare facilities and the relevant authorities to provide job security, social benefits and fair wages for such workers.

53. **Ms. Al Khalifa** (Bahrain), responding to the question on the cooperation protocol between the Supreme Council for Women and the Bahrain Women's Union, said that, in order to implement their plans aimed at achieving equality, official organizations such as the Council needed to cooperate with civil society organizations, whose extensive reach allowed them to respond more quickly to needs. Recalling that the cooperation protocol had been concluded on the basis of equality between the Council and the Union with respect to rights and responsibilities, she said that the Union was the civil component of national efforts to achieve equality for women. Indeed, the Council cooperated with all women's organizations.

54. **Mr. Mohammed** (Bahrain) said that the Government was finalizing legislation to approve the proposed amendment to article 20, paragraph 1, of the Convention. A law would therefore be submitted to the Cabinet for approval in the near future, and subsequently to Parliament for ratification.

55. **Ms. Al Awadi** (Bahrain), responding to the question on the measures taken to monitor the status of

women, said that the Supreme Council for Women had adopted a scientific approach to assessing the status of women and had performed a number of surveys in that regard. Its results had shown that efforts should be focused on empowering women in family affairs and on giving them access to housing.

56. Turning to the status of the Council, she said that it was not a Government institution but rather an official body that reported directly to the King. The Council influenced national policy through its recommendations, which were submitted to the King in his capacity as chief executive of the land. Once adopted by him, those recommendations were binding on all Government officials. Regarding the participation of women in political life, she said that Decree-Law No. 14 of 2002 on the Exercise of Political Rights ensured equality between men and women, whether as voters or as candidates for elected office.

57. **Ms. Al Jeeb** (Bahrain) said that the Ministry of Social Development provided civil society organizations with material and technical assistance. Material assistance came in the form of grants to fund projects and in kind assistance, such as providing those organizations with headquarters facilities at a nominal cost. In that connection, project funding needs were reviewed by third parties and the Ministry had no say in determining the amounts requested. In addition, the National Centre for the Support of Civil Associations delivered capacity-building programmes to civil society organizations and provided them with services in support of their operations.

58. **Ms. Al Khalifa** (Bahrain) said that no restrictions were imposed on contacts between civil society organizations and United Nations organizations or on the provision of the latter's expertise and assistance.

59. Turning to women's participation in political life, she said that while the Supreme Council for Women was concerned with helping women obtain their political rights, it could not engage with political organizations or associations because it was an official body, and any attempt could be perceived as a threat to their independence.

60. **Mr. Flinterman** said that it was his understanding that the Convention had the status of domestic law and, as such, did not necessarily enjoy primacy over conflicting domestic laws. While it was reassuring to know that all citizens could petition the

Constitutional Court when a domestic law violated the constitutional guarantee of equality, it would also be useful to know whether that Court could interpret the Constitution in line with the State party's obligations under the Convention.

61. **The Chairperson**, speaking as a member of the Committee, said that she wished to know more about special measures, such as quotas, that had been taken to accelerate the advancement of women. She also wondered whether article 4, paragraph 1, of the Convention could be used as a justification for temporary special measures or whether additional legislation needed to be enacted in order for that to be possible.

62. **Ms. Al Khalifa** (Bahrain) said that, in accordance with the Constitution, the Convention had acquired the status of domestic law. However, the crucial distinction between the Convention and domestically developed legislation was that the latter could be challenged, in whole or in part, in the Constitutional Court. Therefore, even though it was not explicitly stated in the Constitution, the Convention had de facto primacy over domestic legislation.

63. Another difference between domestic legislation and the Convention was that the former tended to be prescriptive whereas the latter was a statement of general principles and rights. It was therefore necessary to promulgate laws that would actually give effect to the rights called for under the Convention. For example, the Convention's status as domestic law did not mean that violence against women was ipso facto criminalized: a law that specifically criminalized such violence would have to be enacted. However, the need for enabling laws notwithstanding, the Convention had primacy over domestic laws.

64. **Ms. Al Awadi** (Bahrain) said that neither the Constitution nor the act establishing the Constitutional Court authorized the Court to interpret laws or to determine whether international instruments had primacy over domestic legislation. The sole function of the Court was to issue rulings on the constitutionality of a given law.

65. **Ms. Al Khalifa** (Bahrain), responding to the question on temporary special measures, said that the national plan for the advancement of women set forth by the Supreme Council for Women called for temporary special measures to address discrimination

against women in respect of nationality, labour and civil service.

66. Recalling that under the Constitution the establishment of quotas was the prerogative of Parliament, she said that imposing certain choices on voters could only be done by constitutionally sanctioned means. The Constitution would therefore need to be amended to include articles that sanctioned discrimination in favour of women, which would contradict the existing guarantee of equality among all citizens. However, it might be possible to amend the laws that regulated political associations to require them to establish specific quotas for women, as had been done in France.

67. **Ms. Simms** said that while the success of women in obtaining higher education was welcome, it was distressing to note that the primary school curriculum reinforced the idea that men were superior to women. That was reflected in the report, which indicated that children aged 1 to 6 years took classes in subject matters that were stereotypically associated with their genders. Since studies had revealed that children in that age group were most receptive to socialization and given that the State party's own study had shown that men became violent when their social roles were challenged, it stood to reason that more efforts should be made to address the question of violence against women in early childhood. Otherwise, all special temporary measures aimed at addressing that problem might ultimately prove ineffective.

68. **Ms. Hayashi** said that, according to the statistics contained in the report, the incidence of rape had declined. However, she wished to know whether that was in fact the case or whether it had merely become more difficult for women to report incidents of sexual assault to the police. She also wished to know whether women who reported such crimes were given witness protection.

69. Turning to the role of the judiciary in stemming domestic violence, she wondered whether judges were trained to handle domestic violence cases and whether they were familiarized with the Convention as part of their training. While it was encouraging to note that half of all practising attorneys in Bahrain were women, she nonetheless wondered whether the total number of lawyers in the country was sufficient to serve the needs of women who were victims of sexual violence. More information on how the State party guaranteed

women's access to justice and on the civil remedies available to them would therefore be welcome. She would particularly appreciate more information on the course of action that the Government was contemplating to change men's attitudes towards women.

70. **Ms. Shin** requested more information on how the State party collected data on violence against women. She specifically wished to know whether all reports of sexual violence received by the police were forwarded to the Ministry of the Interior and the Prosecutor's Office, and how the courts had ruled in those cases. Emphasizing that the collection of such data should be routine and systematic, she said that the Secretary-General's in-depth study on all forms of violence against women (A/61/122 and Add.1 and Corr.1) included an excellent method for data collection. She also wished to know whether the proposed amendments to the Penal Code in relation to domestic violence would provide for the punishment of those who perpetrated violence against women.

71. The Committee would also be grateful for information on the number of women in the police force, the percentage of the force that they constituted and the training that was provided to policemen on sexual violence.

72. **Ms. Tavares da Silva** said that while the report contained much information on efforts to combat sexual stereotypes, it was apparent that such stereotypes were tolerated and even encouraged, particularly in education. That was true even in higher education. For example, according to the report, less than half of the programmes offered by the Bahrain Training Institute were open to both sexes. The programmes denied to women were in stereotypically male occupations, such as chemistry, electronics and mechanics. It was difficult to understand why that was the case when women had clearly demonstrated their capabilities in all disciplines.

73. Stereotypes were also reflected in the State party's laws and in the decisions of its courts. For example, under Bahraini law, a rapist could escape punishment by marrying his victim. It was therefore incumbent on the State party to redouble its efforts to combat stereotyping.

74. **Ms. Chutikul** wondered whether contemporary Bahraini mothers and fathers had the freedom to defy stereotypes when raising their children, since the

breaking down of stereotypes was a crucial part of putting an end to violence against women.

75. While commending the study on domestic violence and its recommendation on the enactment of family law, she said that the Government should not focus its efforts solely on that aspect; it should also look at the question of violence against women as a whole, including violence in the workplace and violence against the girl child. Furthermore, while the proposed family law was a welcome step, it would have no effect on violence against women in other contexts. She therefore urged the Government to broaden the scope of its legislative efforts on violence against women.

76. **Ms. Al Khalifa** (Bahrain) said that no distinction was made between boys and girls in education, irrespective of the subject matter or the curriculum.

77. **Ms. Khalifa al Khalifa** (Bahrain) said that the Ministry of Education was revising primary education curricula and textbooks to reflect women's role in society more accurately. Information on the Convention had already been incorporated into some textbooks and those being used in Arabic-language and Islamic education classes now included positive images of women. Furthermore, a family education class had been introduced for sixth-grade students of both sexes in which students were taught that men and women were partners in raising their children.

78. **Ms. Al Zayed** (Bahrain) said that her country was a party to the Convention on the Rights of the Child and that children were afforded legal protection by the Juvenile Act and by the Penal Code of 1976.

79. Domestic violence was a new phenomenon in Bahrain and a study prepared by the Supreme Council for Women and the Bahrain Centre for Studies and Research had concluded that it should be addressed through legal measures. The necessary legislation, which was already under consideration, called for deterrent penalties and contained provisions on protection, legal assistance, shelter and treatment for victims of domestic violence. The Supreme Council for Women, local government and civil society operated a number of facilities for such victims.

80. **Mr. Ajaji** (Bahrain) said that members of the judiciary received human rights instruction and were also educated about the Convention as part of their overall training. A workshop on domestic violence

planned for December 2009 would also cover cases of domestic violence that had actually occurred. The Ministry of Justice website was another source of information on domestic violence for legal professionals.

81. In respect of witness protection, he said that a female victim could now testify from a remote location, where she would remain unseen by her attacker.

82. **Ms. Hassan** (Bahrain) said that Bahrain had a sufficient number of lawyers to meet the overall needs of its population and to address the specific legal needs of women. Moreover, if they wished, women could easily have access to the services of a female attorney. They could also turn to the Ministry of Justice for assistance in obtaining free legal counsel.

83. **Mr. Al Aradi** (Bahrain) said the Ministry of Information pursued a policy aimed at combating the stereotyping of women in its programmes. The Ministry also sought to break down stereotypes by hiring women to produce and present programmes. In that connection, he noted that the head of the State television service was a woman.

84. **Ms. Al Awadi** (Bahrain) said that the Government's Central Information Agency was responsible for the collection of all data, which had been disaggregated by gender for the past two years. The Supreme Council for Women had also created its own statistical database. All statistics contained in her country's report could be attributed to either the Central Information Agency or to other ministries.

85. **Mr. Humood** (Bahrain) said that, at present, there were approximately 600 women in the police force and that more women would be recruited as part of a national plan to increase their representation. In addition to basic training and practical training in routine police work, policewomen received instruction in both the Penal Code and the Code of Criminal Procedure.

86. **Ms. Al Awadi** (Bahrain) said that the Government was considering amending the provision of the Penal Code that gave immunity to a rapist who subsequently married his victim. A law was also being drafted that would consider any sexual activity with a woman under 21 years of age to be non-consensual. Furthermore, the Government was aware of the need to

expand the scope of the law to cover victims of domestic violence.

87. **The Chairperson**, speaking as a member of the Committee, said that general recommendation No. 19 reflected the Committee's view of domestic violence and violence against women. She urged the State party to make use of that recommendation when framing its relevant legislation. In respect of training judges on domestic violence, she suggested that the State party should review the provisions of the Optional Protocol to the Convention.

88. Turning to the question of statistics, she stressed that it was extremely important for States parties to disaggregate data on violence by gender. Doing so would enable them not only to perform detailed analysis of the various forms of violence against women, but also to devise measures and enact legislation specifically designed to combat such violence.

89. **Ms. Chutikul** said that she wished to know more about the legislation enacted by Bahrain to combat human trafficking and whether victims of human trafficking, both documented and undocumented, were offered protection. Additional information would also be welcome on efforts to identify victims, especially those trafficked into prostitution, and on the role of the police and labour inspectors in curbing human trafficking. In that connection, she requested further details about the responsibilities of the National Committee to Combat Human Trafficking. She also wondered whether the State party had a national strategy on human trafficking and whether the Government cooperated with non-governmental organizations.

90. She wished to know whether the Government reviewed the work of recruitment agencies for domestic workers, both in Bahrain and in the country of origin, in order to ensure that no deception occurred and that contracts were fair. Apart from the ability to testify from a remote location, she wondered whether there were other types of witness protection programmes for migrant workers.

91. Referring to the balanced performance card that had been given to Committee members by the delegation prior to the start of the meeting, she said that the Committee would be grateful if the State party could circulate a similar card on violence against

women and trafficking when it presented its next periodic report.

92. **Ms. Begum** said that she wished to know whether the State party had a policy for reducing the demand for prostitution and whether any measures had been taken to punish those who exploited women and forced them into prostitution.

93. In addition, she wished to know when the amended Labour Code would enter into force and whether it would contain any provisions to protect women migrant workers. It would also be useful to know whether the State party planned to establish a complaint mechanism and a witness protection programme for women migrant workers. Referring to the hotline services mentioned in the report, she wished to know how many complaints had been received from domestic workers, whether those complaints had reached the courts and whether the Government had helped migrant workers take legal action. She also requested information on the methods used by labour inspectors to monitor the working conditions of migrant workers.

94. **Ms. Gabr** asked whether any of the Government bodies concerned with women's affairs were represented on the National Committee to Combat Human Trafficking. With regard to Law No. 1 of 2008 on combating human trafficking, she wondered whether penalties for the solicitation of prostitution had been increased in order to deter demand.

95. While women's participation in political life was still limited, she was encouraged by the level of their participation in the latest elections and by their enthusiasm for the political process. She therefore wished to know how the Supreme Council for Women intended to maintain that enthusiasm with a view to ensuring that more women were elected to office in the future.

96. **Ms. Gaspard** said that the State party's unwillingness to adopt temporary special measures in order to increase the participation of women in political life, on the grounds that quotas were prohibited under its Constitution, was contrary to article 4, paragraph 1, of the Convention. The example of France, which had been cited earlier by the State party's delegation, was no longer valid because France, after ratifying the Convention, had amended its constitution in order to legalize quotas. She therefore wished to know whether the Supreme Council for

Women would support the amendment of the Bahraini Constitution to allow for legal measures aimed at increasing the representation of women in Parliament.

97. In respect of the participation of Bahraini women in their country's diplomatic service, she said that the appointment of women to senior diplomatic posts was merely a symbolic act; the State party should do more to increase the number of women in its diplomatic corps.

98. **Ms. Neubauer** wondered what actions the State party had taken or was considering in order to identify additional obstacles that blocked the path of women to elected office. Since the electoral system of Bahrain was unfavourable to women candidates, she wished to know whether it would be reformed. She also wished to know what actions the Government could take to create a more favourable environment for non-governmental organizations and to facilitate their efforts in support of women candidates.

99. With regard to the question of policewomen, she would be interested to learn whether women held high-level positions in the police force. She also wished to know whether they were able to join the armed forces.

100. Turning to the role of women in conflict prevention and resolution and in the post-conflict reconstruction of society, she wished to know what the State party had done to implement Security Council resolution 1325 (2000) on women and peace and security.

101. **Mr. Mohammed** (Bahrain) said that his Government had long been aware of the problem of transnational human trafficking, since Bahrain was host to a large number of migrant workers. Bahrain had therefore been one of the first countries in the Arab Gulf region to become a party to the United Nations Convention against Transnational Organized Crime and its two Optional Protocols. His Government had also approved a number of other legal measures to combat human trafficking, the most recent of which was the enactment of Law No. 1 of 2008.

102. In addition to the National Committee to Combat Human Trafficking, his Government had established a committee responsible for identifying the victims of human trafficking. Both committees, in cooperation with civil society and other Government agencies, had launched a number of programmes and initiatives

designed to provide various assistance to migrant workers and to make them aware of their legal rights.

103. His Government was also cooperating closely with countries of origin and had recently concluded an agreement with the International Organization for Migration to launch a nine-month awareness-raising programme targeting various Government sectors, including law enforcement.

104. **Ms. Al Awadi** (Bahrain), responding to the questions on human trafficking, reiterated that Bahrain would host a conference on the question of human trafficking in 2009. The Ministry of the Interior had also established a hotline to report incidents of human trafficking.

105. **Mr. Mohammed** (Bahrain), responding to the question on whether the Supreme Council for Women was a member of the National Committee to Combat Human Trafficking, clarified that the Council had become a member of the National Committee shortly after its establishment.

106. **Mr. Humood** (Bahrain) said that victims of human trafficking were identified by means of reports made at police stations or direct reports to the Ministry of the Interior. All incidents were investigated and followed up by the Ministry's human trafficking unit. In addition to cooperating with the Ministry of Labour to ensure that private sector employers respected workers' legal rights, the unit was responsible for identifying and prosecuting persons involved in human trafficking and also for placing victims in official shelters. Furthermore, when a victim was identified, every effort was made to contact the embassy of his or her country.

107. **Mr. Mohammed** (Bahrain) said that his country's diplomatic service did not make any distinction between men and women when assigning posts. Women held more than one third of the leadership positions in the Ministry of Foreign Affairs and in the diplomatic service, and that proportion was expected to increase steadily. In that connection, he recalled that a Bahraini woman, Sheikha Haya Rashed Al Khalifa, had served as President of the United Nations General Assembly at its sixty-first session.

108. **Ms. Al Awadi** (Bahrain) said that the Supreme Council for Women addressed the question of women's participation in political life through the national strategy for the advancement of women and the national plan for the implementation of that strategy.

The Council had also developed its own programme for the political empowerment of women in recent years, in cooperation with the United Nations Development Programme. One of the outcomes of that programme had been a proposal to grant technical and financial support to women candidates in the latest parliamentary elections. The Supreme Council for Women was also undertaking studies of the parliamentary and municipal elections held in 2007 and 2008 with a view to ensuring that women candidates did not fail in future elections.

109. In respect of the Government's efforts to create a more favourable environment for non-governmental organizations and to support women candidates, she said that there were specific laws that governed the activities of civil and political societies. Nevertheless, the Government gave such organizations financial support with a view to increasing their level of activity. Although the actions of the Bahrain Women's Union were subject to the provisions of the law on civil societies, that did not preclude it from providing support and training to women seeking elected office.

The meeting rose at 1 p.m.