



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

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**Committee on the Elimination of Discrimination
against Women
Eighty-fourth session**

Summary record of the 1951st meeting*

Held at the Palais des Nations, Geneva, on Tuesday, 14 February 2023, at 10 a.m.

Chair: Ms. Peláez Narváez

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* No summary records were issued for the 1949th to 1950th meetings.

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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)*

Fourth periodic report of Bahrain (CEDAW/C/BHR/4; CEDAW/C/BHR/Q/4; CEDAW/C/BHR/RQ/4)

1. *At the invitation of the Chair, the delegation of Bahrain joined the meeting.*
2. **The Chair**, welcoming the delegation of Bahrain to the meeting, explained that additional members of the delegation would be participating via video link.
3. **The Permanent Representative of Bahrain to the United Nations and other international organizations in Geneva** said that the discussion coincided with the twenty-second anniversary of the adoption, by consensus, of the National Action Charter, which had granted Bahraini women full citizenship and the right to participate in all areas of society. Over the previous year, Bahrain had submitted reports to several treaty bodies, including the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination, which had provided an opportunity to highlight human rights developments in the country.
4. **Ms. Al-Ansari** (Bahrain), introducing the fourth periodic report of Bahrain (CEDAW/C/BHR/4), said that, since its adoption in 2007, the National Plan for the Advancement of Bahraini Women had served as a reference document for all State institutions and had been progressively implemented. Since 2015, the Government had also incorporated the Plan into its programmes of action. The Supreme Council for Women had designed and implemented a comprehensive system to monitor the Plan's implementation. Dedicated committees, which were overseen by the National Audit Office, had been established in the public and private sectors and in civil society to oversee the implementation of equal opportunities policies and ensure that women's needs were met in the workplace. The Council had developed a responsive budget methodology to ensure that women's needs were taken into account in the national budget, and it published a regular report on key national gender indicators, which included recommendations for improvement. Statistical reports, benchmarked against regional and international standards, were also produced by the National Observatory for Gender Balance Indicators.
5. Legislation and policies had been adopted to help meet women's needs across various fields. The Social Insurance Law had been amended to grant all women the same level of paid and unpaid maternity leave to which women working in the private sector were entitled and to allow an employer's family members who were employed by the family business to receive social insurance benefits. The Labour Law for the Private Sector had been amended to prohibit sexual harassment and gender discrimination, including wage discrimination, in the workplace. Government decisions had been issued to encourage publicly listed companies to increase the level of female representation on their boards of directors. Measures had been adopted to regulate home-based and online businesses, which had helped increase the number of female owners of registered online businesses and the proportion of female-owned businesses that exported goods abroad. The Retirement Pension Law had been amended to ensure gender equality, including by permitting women to continue working until the age of 65. In addition, self-employed workers could now opt in to the social security system. Thus far, three quarters of the initiatives to support women's economic competitiveness contained in the National Plan for the Advancement of Bahraini Women had been implemented.
6. Legislative measures had also been taken to promote family stability. The Family Act had been adopted to facilitate judicial processes and ensure consistency in judgments, and the Court of Cassation Act had been amended to allow appeals to be lodged against rulings handed down by the family courts. To enhance privacy and facilitate the speedy resolution of cases, the family courts and related services had been moved to a single building. Family disputes were first processed by family reconciliation offices to encourage non-judicial resolutions, and mediation facilitated by civil institutions was available. Public-private partnerships were being established to provide affordable housing solutions, and owners of

State-provided housing units were prohibited from disposing of their properties except under specific circumstances.

7. In addition, the Government had adopted the Domestic Violence Act, which made explicit reference to the Convention in its preamble and which contained clear definitions of all forms of family violence. A national domestic violence strategy had been adopted, and family and child protection offices had been established in police directorates to handle domestic violence cases and provide preventive and victim support services within an appropriate environment. In addition, the Criminal Code had been amended to protect parents' right to contact with their children and to increase the penalty for failure by a medical or health professional to report domestic violence. The Act on Restorative Justice for Children and Their Protection from Ill-treatment had been adopted, and a specialized office had been established within the Family and Child Prosecution Department to follow up on sentences issued by the Restorative Justice Court and the Judicial Committee for Childhood. A national database had been created to gather statistics on domestic violence cases and inform policymaking. To date, 70 per cent of initiatives to support family stability and cohesion contained in the National Plan for the Advancement of Bahraini Women had been implemented.

8. According to key indicators monitored by the Supreme Council for Women, the country's gender parity score had increased to 69 per cent over the period 2016–2020. Most beneficiaries of educational scholarships and vocational training programmes were women, and women represented the majority of higher education graduates and of recipients of professional qualifications. The proportion of women in the workforce had risen to 43 per cent, and to even higher levels in executive and government positions. More than one fifth of government ministers were women, and female entrepreneurship had increased. The average salary for women in the private sector had increased by more than a quarter, and the level of dependence on government-provided financial support had decreased.

9. Women had been involved in decision-making on measures to combat the coronavirus disease (COVID-19) pandemic. Free testing, treatment and vaccination had been provided to all residents of Bahrain, remote working measures had been introduced in all sectors, and a stimulus package of US\$ 11.4 billion had been launched to cover the salaries of private sector workers, provide interest-free debt deferral and offer financial support to affected companies. The Supreme Council for Women had also implemented an emergency plan to support women during the crisis, including by providing online consultation services, distributing medical supplies and distance-learning technologies, and submitting recommendations to the national crisis management team. The National Plan for the Advancement of Bahraini Women had recently undergone a periodic review and had been updated in light of the circumstances.

The meeting was suspended at 10.35 a.m. and resumed at 10.45 a.m.

Articles 1–6

10. **Ms. Haidar** said that the Committee wished to know what was the status of the draft legislation that contained a definition of discrimination and whether that definition aligned with the Convention. It would also be useful to hear whether the Act on Social and Cultural Associations and Clubs, Private Organizations Working in the Field of Youth and Sports and Private Institutions would be reviewed to ensure gender diversity on the boards of associations. She wished to know whether the State party would repeal the law that allowed rapists to evade punishment if they married their victims, and whether it would consider adopting an overarching plan on women and peace and security. There were concerns surrounding the independence of the National Human Rights Institution, which, it had been reported, received complaints via the Ministry of the Interior; clarification was therefore required as to how it received and responded to complaints, as well as what measures were planned to strengthen its independence and encourage women to submit complaints to it. The Government should follow the example of other States parties that enforced Islamic sharia and withdraw its reservations to the Convention. It was important that the authorities continued to draw on the lessons learned during the COVID-19 pandemic to strengthen the role of women during crises.

11. **A representative of Bahrain** said that the Constitution contained a definition of discrimination against women that aligned with international instruments. Discrimination was also prohibited in other legislative texts, including in relation to trafficking in persons and domestic violence, and women could challenge discriminatory legal provisions in the Constitutional Court. Parliament considered all proposed amendments to legislation, including the Act on Social and Cultural Associations and Clubs, Private Organizations Working in the Field of Youth and Sports and Private Institutions.

12. Drawing the Committee's attention to paragraph 101 of the periodic report (CEDAW/C/BHR/4), she said that legal amendments were under consideration that would abrogate article 353 of Decree-Law No. 15 of 1976 promulgating the Criminal Code, which exempted rapists from punishment if they married their victims; however, it was not possible to provide a time frame for their adoption. Rape was criminalized in Bahrain, and commission of the crime by a group constituted an aggravating factor.

13. **A representative of Bahrain** said that women participated in peace and security events, such as meetings of the Organisation for the Prohibition of Chemical Weapons and the International Atomic Energy Agency, as well as in initiatives organized by the League of Arab States and the United Nations to promote the role of women in that field. Women diplomats and women staff of the Ministry of Foreign Affairs had received ad hoc training on international law, disarmament and human rights. The Government had also led a joint statement to the Human Rights Council on the inclusion of women in peacekeeping missions, and it respected the provisions of the Convention on increasing women's role in peace and security.

14. **Ms. Al-Ansari** (Bahrain) said that, as part of the National Plan for the Advancement of Bahraini Women, the Supreme Council for Women was considering the steps necessary to give effect to Security Council resolution 1325 (2000) on women and peace and security.

15. **A representative of Bahrain** said that the National Human Rights Institution was financially independent, with its own budget that it managed without interference from the Government, and administratively independent, being separate from the civil service. Its staff members were appointed following consultation with stakeholders and without intervention on the part of the public authorities, and they enjoyed immunity from prosecution in the exercise of their duties. By law, no entity had the right to interfere with the Institution's work, which included receiving and examining complaints related to human rights and referring them to the relevant bodies for follow-up; it did not receive complaints via the Ministry of the Interior. It also assisted in mediation and settlement processes.

16. **A representative of Bahrain** said that the Government was committed to implementing articles 2, 15 (4) and 16 of the Convention while respecting the provisions of Islamic sharia. There was no time frame for the withdrawal of its reservations to article 9 (2), which would require the legislative authorities to amend the Bahraini Nationality Act. Similarly, it maintained its reservation to article 29 (1).

17. **Ms. Haidar** said that she looked forward to receiving an answer to her question concerning the State party's intention to draw up a national plan on women and peace and security. She wished to know whether the State party would examine the experience of other States parties that enforced sharia but had nonetheless withdrawn reservations to the Convention, and whether it was committed to making the necessary legislative amendments to that end.

18. **Ms. Akizuki** said that, in accordance with the rules of customary international law, sovereign States could not invoke domestic legislation to justify non-compliance with their obligations under international treaties and conventions. The Committee had clearly stated that the reservations of Bahrain to articles 2 and 16 were incompatible with the object and purpose of the Convention and she therefore urged the State party to consider withdrawing them.

19. **Ms. Al-Ansari** (Bahrain) said that several indicators that were relevant to the implementation of Security Council resolution 1325 (2000) had been included in the National Plan for the Advancement of Bahraini Women. The indicators were soon to be reviewed and updated by the Supreme Council for Women, which was responsible for coordinating

national efforts to implement the resolution. Those efforts had included measures taken to train more women to participate in the negotiation teams sent on conflict resolution missions, while the Ministry of Foreign Affairs had encouraged Bahraini women to take part in an international training programme for women in security and peacekeeping.

20. The position of Bahrain regarding its reservations to the Convention was clear. Appropriate measures had been taken to seek a range of opinions on the subject, including consultations with civil society. That process had run its course and there were currently no new plans to review the reservations.

21. **Ms. Morsy** said that the Committee would welcome further information on how the Supreme Council for Women performed its role as a reference point for all official women's organizations and how it expressed opinions on matters affecting women's lives in Bahrain. She also wished to know what institutional mechanisms had been put in place to decentralize the planning, implementation and monitoring of policies on women's affairs and to strengthen the participation of non-governmental organizations (NGOs) and young people.

22. She would appreciate further information about the core policies of the National Plan for the Advancement of Bahraini Women and how their outcomes were monitored. She would also like to know whether the Government intended to conduct a midterm review of the Plan and whether its future national plans for women would be based on an assessment of the impact of the current Plan. In general, it would be helpful to understand the extent to which the Convention and the Committee's general recommendations were taken into account during the drafting of such plans. The Committee would also welcome further details about any specific processes that had been adopted to ensure gender mainstreaming within the implementation of national plans and strategies. She wished to know which sectors were implementing gender-responsive budgeting and what results had been achieved in that regard.

23. The Committee would welcome further information on the methods by which the national machinery for the advancement of women notified the Government of the impact that its policies were having on women. She would be interested to hear how the Supreme Council for Women monitored the situation of women in practice and what role it played in managing the gender balance centre and women's support centre. Further information on the role played by those mechanisms in formulating new policies and implementing strategies would also be of interest.

24. **Ms. Ameline** said that she wished to know why the State party did not make more use of temporary special measures to consolidate progress and accelerate equality between men and women, including in areas such as employment and artificial intelligence.

25. **Ms. Al-Ansari** (Bahrain) said that temporary special measures were indeed an important tool for reducing the gap between men and women. The Supreme Council for Women had developed various strategies aimed at accelerating equality in targeted areas, including the participation of women in developing the sciences of the future. It worked to identify the employment sectors where women lacked the skills and qualifications required to access job opportunities, and it formulated strategies aimed at providing women with the necessary training to ensure that they could compete for employment on an equal basis with men.

26. **A representative of Bahrain** said that, in 2022, the secretariat of the Supreme Council for Women had carried out an assessment of the implementation of the National Plan for the Advancement of Bahraini Women in collaboration with various stakeholders, including public institutions and NGOs. The secretariat had concluded that only 65 per cent of the Plan's goals had been achieved. The decision had therefore been taken to extend the Plan by four years, until 2026, in order to attain the remaining goals in a sustainable fashion and to benefit from the lessons learned. The time frame had been selected because it was aligned with other national plans and the general budget of the State.

27. The activities and tasks of the three centres that had been set up under the Supreme Council – the gender balance centre, the women's support centre and the women's information and strategy centre – closely complemented one another. The main function of the women's support centre was to provide Bahraini families and women with legal advice.

Since the COVID-19 pandemic, many of its consultations had been held online. The women's information and strategy centre received and collated data provided by the women's support centre, so that they could be used in the preparation of reports and studies. The data were also used by the gender balance centre, whose main mission was to ensure that the needs of women were fully incorporated into government policies and action plans.

28. **Ms. Rana** said that she would like to know how many marriages in the State party were contracted by girls aged 16–18 years. Furthermore, it would be helpful to understand how often courts granted exceptions to allow girls under the age of 16 to marry, and which criteria were used by judges to decide whether such marriages were in the best interests of the children in question. Information on the ages of the men who had legally married girls under the age of 16 would also be of interest. She wished to know whether the State party was considering taking the necessary steps to prohibit child marriage, including marriages of girls under the age of 18, and to make child marriage a crime.

29. The Committee would welcome updated information on any measures taken to discourage polygamous marriages. It would also be useful to know whether the State party had carried out any research into the prevalence of forced marriage and whether it intended to make that practice an explicit criminal offence.

30. Under article 353 of the Criminal Code, perpetrators of rape were exempted from prosecution and punishment if they married their victims. She would therefore be interested to know how many cases there had been where rape charges had been dropped as a result of a marriage between the alleged rapist and the victim. She would also welcome further information on the number of times the penalties of persons found guilty of murder and assault had been reduced because their crimes were deemed to have been committed in the name of so-called honour, and on the average prison sentences handed down for such cases. It would be helpful to receive an update on the proposed repeal of article 334 of the Criminal Code and to understand whether the State party intended to make marital rape a crime and to decriminalize adultery. The Committee would welcome further data on the prevalence of violence against women, including marital rape. Lastly, she would like to know whether statistical information on violence against non-Bahraini nationals was also recorded in the national database on domestic violence.

31. **Ms. Dettmeijer-Vermeulen** said that the Committee would welcome an explanation as to why the recent rise in the number of investigations into sex trafficking and labour trafficking had reportedly not resulted in an increased number of prosecutions. Furthermore, she wished to know whether there was a particular reason why the complaints of female migrant domestic workers regarding unpaid wages, the withholding of passports and excessive working hours had not been treated as trafficking offences. It would also be useful to know why only one of the nearly 4,000 reported cases of passport retention had been referred for criminal prosecution.

32. She would like to understand what specific measures had been taken by the State party to ensure that victims of trafficking felt comfortable reporting their cases to the authorities. The Committee would welcome further information on the number of calls that had been made to the hotlines set up to report possible trafficking offences, as well as the number of reported incidents that had been investigated and referred for prosecution as trafficking cases. She wondered whether the Government had carried out any activities to raise awareness of the hotlines and whether they had been made available in multiple languages.

33. The Committee would welcome updated information about the creation of a national action plan to combat trafficking in persons. Confirmation as to whether that plan would include specific measures to provide protection for foreign domestic workers would be of particular interest. Moreover, she wished to know whether it was a crime to buy sexual services and, if so, how many people had been prosecuted for such an offence. Considering the vulnerability of those who sold sexual services, she asked whether the State party had made any plans to decriminalize the sale of sexual services. Lastly, she would welcome statistical data on the number of victims of trafficking accommodated in shelters, if possible disaggregated by form of exploitation, nationality and country of origin.

34. **A representative of Bahrain**, drawing the Committee's attention to paragraphs 201 and 202 of the periodic report (CEDAW/C/BHR/4), said that the adoption of Act No. 19 of

2017 on the Family Code had represented a major step forward with respect to the regulation of family relations. Under that legislation, the minimum age of marriage was 16 years for both spouses. Persons under 16 years of age were not legally permitted to marry unless they had obtained their family's approval. In practice, the average age of marriage in Bahrain was 24 years for women and 27 years for men. The sharia rules governing polygamy had also been addressed in the Family Code. Husbands were required to declare their marital status in the marriage contract and, if a man was already married, he must state the number of wives that he had. The delegation also wished to reiterate that the practices of forced marriage and female genital mutilation did not exist in Bahrain.

35. **A representative of Bahrain** said that the country had made progress in combating human trafficking and was proud to have received a "Tier 1" ranking in the Trafficking in Persons Report produced by the Department of State of the United States of America, attesting to the full compliance of the Government with minimum anti-trafficking standards. Between 2019 and 2022, 131 trafficking investigations had been conducted, 50 legal proceedings had been initiated and 49 convictions had been handed down. Progress had also been made in matters such as the confiscation of passports, migrant travel bans and the unjustified non-payment of salaries, all of which were prohibited under the law. While prostitution was illegal, the exploitation and trafficking of women did occur, and commercial or sexual exploitation were also crimes. Women were penalized for engaging in prostitution.

36. **A representative of Bahrain** said that efforts to combat forced labour including the opening of the Migrant Worker Shelter and Services Centre in 2015, which had the capacity to support around 200 cases and allocated places to victims of human trafficking and forced labour. Between 2018 and 2022, the Centre had helped over 7,000 migrant workers to retrieve their confiscated passports. Moreover, a salary protection system had been adopted in 2019, under which representatives were appointed to act on behalf of workers to ensure payment of their salaries.

37. Bahrain had decided that prevention, rather than protection, was the best approach to address challenges faced by migrant workers. Upon arrival in the country, migrant workers were given handbooks in their own language, and workplace inspections were carried out to ensure that they were not victims of trafficking or forced labour. Potential victims were offered monthly support payments and larger sums could be awarded once the instance of trafficking or forced labour had been confirmed by a court ruling.

38. **A representative of Bahrain** said that rape was recognized as a crime in Bahrain where there was no legal relationship between the parties, meaning that marital rape was not criminalized. While a bill pertaining to the matter was currently under consideration, a time frame for its adoption could not be provided. Under laws protecting women against marital violence, women who had been raped or sexually abused by their husband had the right to lodge a complaint, initiate court proceedings against him and receive indemnities. Such violence was considered sufficient grounds for ending the marriage. So-called honour crimes were not recognized under the Bahraini Criminal Code and punishments in cases of violence against a spouse who had committed adultery were the same, regardless of whether the man or woman was adulterous.

39. **A representative of Bahrain** said that the Ministry of the Interior attached particular importance to the matter of marital violence, and offices tasked with addressing the issue and protecting families had been established across the country. The offices worked with female police officers and provided them with training to become specialist family protection officers. Most cases were handled with a mediation- and family reconciliation-based approach, and all persons working with families were bound by strict confidentiality rules. Bahrain had also sought to tackle the issue through legislative measures and had subsequently seen a reduction in the proportion of Bahraini women who were victims of domestic violence.

40. **Ms. Dettmeijer-Vermeulen** said that her questions on hotlines for trafficking victims, the nationality of persons in shelters and the form of exploitation to which they had been subject had not been answered in full. Noting the existence of data on passport confiscation, she wished to know why just one such case had been prosecuted when almost 4,000 had been reported.

41. **Ms. Manalo** said that the delegation might clarify whether a set of specific laws were in place to protect women against domestic violence. Should the answer be no, she would like to know whether the State party intended to draft clear legal texts to that effect and how perpetrators of such violence were held accountable for their actions.

Articles 10–14

42. **Ms. Xia**, noting that the National Plan for the Advancement of Bahraini Women 2013–2022 had come to end, said that she would like to know whether the implementation of the Plan had been evaluated, whether a new national plan was envisaged and what goals had been set regarding the promotion of gender equality in the education sphere. Information on the impact of the COVID-19 pandemic on women’s education would also be welcome.

43. The Committee was pleased to note data provided by the State party for the academic year 2016/17 showing that women’s enrolment rates were higher than those of men in certain science, technology, engineering and mathematics (STEM) disciplines. To ascertain whether that trend had been reflected in the labour market, she wished to know what proportion of students with STEM degrees were employed in roles matching their level of education and what proportion of those working in STEM were women.

44. Furthermore, the delegation might comment on whether Bahraini universities, particularly the University of Bahrain and the Applied Science University, had adopted policies to promote gender equality in admissions. How effective were those policies, where they existed? While women were enrolled in universities in greater numbers than men and tended to outperform them, it was her understanding that universities continued to insist on a 50:50 ratio when selecting scholarship candidates; she would appreciate clarification of that point.

45. **Ms. de Silva de Alwis** said that, while she commended the increase in the female retirement age from 55 to 60 years under an amendment to the Social Insurance Act in 2022, she wished to hear about the State party’s commitment to ensuring that migrant workers were covered under the social insurance system. Such workers accounted for around half of the country’s population and the lack of social insurance coverage available to them had a disproportionate impact on women workers, who also shouldered an unequal burden of care. Furthermore, the Committee would appreciate clarification of the reasoning behind a provision of the Social Insurance Act under which a man’s widow or widows were entitled to three eighths of his pension, apportioned equally between them, until they remarried. She would like to know what systems were in place to ensure payment of those pensions to widows.

46. Noting that Bahrain had committed to ensuring that at least 2 per cent of workers employed by businesses with over 50 staff were persons with disabilities, she would like to know what steps were being taken to ensure that women with disabilities were included under that quota. Bahrain was a leader among the Gulf States in financial technologies, and it would be useful to know how the women most in need of innovations in that area were involved in the design of such technologies. Information would also be appreciated on any financial inclusion and mobile banking programmes set up for women with disabilities.

47. Lastly, the State party should provide written information on access to sport for Bahraini women; on the resources allocated by the Government to women’s sport, including for coaching and participation in and travel to international competitions; and on how sports, art, music and drama had been incorporated into the national curriculum.

Articles 7–9

48. **Ms. Akia** said that the Committee remained concerned that, under the Bahraini Nationality Act, Bahraini women were denied the right to transmit nationality to their children on an equal footing with men. An amendment permitting children of a Bahraini woman married to a foreigner to obtain Bahraini citizenship had been proposed in 2014 but remained under discussion. She wished to know the status of the proposed amendment; when it would be adopted; whether it would offer automatic citizenship for children of Bahraini women and grant those women equal rights to transmit citizenship; and whether women,

women's groups and civil society had been given the opportunity to express their views on the amendment.

49. It would be useful to know how the State party ensured that birth certificates and residence permits were issued for children born to undocumented migrant workers or those with expired or cancelled residence permits. The delegation might also provide data on the number of non-citizen and stateless children born to Bahraini women and on how many foreign men had left or divorced Bahraini women, leaving them alone with non-citizen children.

50. Lastly, she would like to know whether the State party planned to accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

The meeting rose at 12.20 p.m.