

BAHRAIN (2000-2017)¹

FREEDOM OF ASSOCIATION AND THE RIGHT TO COLLECTIVE BARGAINING

REPORTING	Fulfillment of Government's reporting obligations	YES , except for the 2011 Annual Review (AR), but no change reports for the 2004, 2005 and 2009 Annual Reviews (ARs).	
	Involvement of Employers' and Workers' organizations in the reporting process	According to the Government: Implication of the Bahrain Chamber of Commerce and Industry (BCCI), the General Federation of Bahrain Trade Unions (GFBTU) and the Bahrain Free Labour Unions Federation (BFLUF), established in July 2012.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2014 AR: Observations by the BCCI. 2013 AR: Observations by the BCCI. 2012 AR: Observations by the BCCI. 2008 AR: Observations by the BCCI. 2007 AR: Observations by the BCCI.	
	Workers' organizations	2015 AR: Observations by the GFBTU. Observations by the BFLUF. 2014 AR: Observations by the GFBTU. Observations by the BFLUF. 2013 AR: Observations by the GFBTU. 2012 AR: Observations by the GFBTU. 2011 AR: Observations by the GFBTU. 2010 AR: Observations by the GFBTU. 2009 AR: Observations by the GFBTU. Observations by the International Trade Union Confederation (ITUC). 2008 AR: Observations by the GFBTU. Observations by the ITUC. 2007 AR: Observations by the GFBTU. Observations by the International Confederation of Free Trade Unions (ICFTU). 2006 AR: Observations by the ICFTU. 2005 AR: Observations by the GFBTU (and its 65 affiliates) and the ICFTU. 2002 AR: Observations by the ICFTU. 2001 AR: Observations by the ICFTU.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Bahrain has ratified neither the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) (C.87) nor the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) (C.98).
		Ratification intention	YES, since 2012, for both C.87 and C.98. 2017 AR: The Government reiterated that national laws are not fully aligned with the provisions of both conventions. However, these conventions shall pass through full revision process. The Government of Bahrain is always committed for freedom of association as it permits the right to strike and it also allow for multi-unions and federations to be formed. Trade unions are fully independent and have legal status. 2015-2016 ARs: According to the Government: Ratification of C.87 and C.98 will be considered once the ongoing assessment is completed. The GFBTU reiterated its strong support for the

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: governments' reports, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention or possible cases that have been submitted to the ILO Committee on Freedom of Association, please see: <http://webfusion.ilo.org/public/db/standards/normes/libsynd>.

			<p>ratification of C.87 and C.98 and indicated that still no progress had been made in the ratification process and remains concerned about the lack of political will for ratification.</p> <p>The BFLUF expressed its support for the ratification of C.87 and C.98.</p> <p>2014 AR: According to the Government: A special committee has been established to conduct an assessment exploring the way forward in the ratification process of C.87 and C.98. The Government will move ahead with the ratification process once the assessment is made.</p> <p>The BCCI indicated that it had no objections to the ratification of C.87 and C.98.</p> <p>The GFBTU reiterated its strong support for the ratification of C.87 and C.98 and indicated that no progress had been made in the ratification process over 2012. The GFBTU continued to stress that ratification of C.87 and C.98 has become a non-issue for the Government and that tripartite discussions have ended.</p> <p>The BFLUF, established in July 2012, expressed its support for the ratification of C.87 and C.98.</p> <p>2013 AR: The Government expressed its support for the ratification of C.87 and C.98 the process of which should be accelerated under the current Decent Work Country Programme (DWCP).</p> <p>The BCCI indicated that they support the progressive ratification of C.87 and C.98 by Bahrain based on a comparative national survey on compliance of law and practice with the fundamental principles and rights at work (FPRW) to be carried out by the Government.</p> <p>According to the GFBTU: No progress has been made in the ratification processes over 2011. Ratification of C.87 and C.98 has become a non-issue for the Government, and the related tripartite discussions have ended.</p> <p>2012 AR: According to the Government: New labour laws are currently under discussion in the National Assembly. This will be followed by revision and consideration of ratification of C.87 and C.98. The new labour laws have been under discussion since 2004 and this is the third time the National Assembly aims at approving the new labour laws.</p> <p>The BCCI indicated that it had no objections to the ratification of C.87 and C.98.</p> <p>According to the GFBTU: The GFBTU strongly supports the ratification of C.87 and 98, as it believes that this would improve the situation of trade unions and workers and enable their activities. Following disappointment over no change in the status of the ratification process of C.87 and C.98 since last year's AR, the GFBTU does not believe that the Government's commitment to the ratification process is serious.</p>
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	<p>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</p>	<p>Constitution</p> <p>Policy, legislation and/or regulations</p>	<p>YES.</p> <p>The 2002 Constitution (Part III) provides for freedom of association and freedom to form trade unions.</p> <ul style="list-style-type: none"> • Policy: 2002 AR: The Government encouraged the Workers' General Committee to take part in the drafting of policies concerning the principle and right (PR). • Legislation: 2014 AR: According to the Government: The new Bahrain Labour Law (no. 36 of 2012), adopted in August 2012, covers the provisions of C.87 and C.98. According to the GFBTU: The Workers' Trade Union Act, 2002, was revised in 2011, removing essential improvements concerning the PR that were established in 2002. According to the BFLUF: Legal amendments of the Trade Union Act in 2011 have been positive in providing for the right to establish more than one trade union at company level. 2011 AR: According to the GFBTU: An Act on Migrant Workers' Rights was adopted in April 2010, in cooperation with Labour Organizations of Norway (LO Norway). 2005 AR: According to the Government: The amendment of the Labour Law is currently under way in collaboration with the GFBTU. A preliminary draft of the Labour Law in the Private Sector has already been developed. It contains a chapter on collective bargaining. 2003 AR: According to the Government: A new Workers' Trade Union Law was enacted in 2002 that

			introduced the right to join trade unions.	
		Basic legal provisions	(i) The Constitution, 2002, Part III; (ii) the Workers' Trade Union Act (2002, revised 2011); and (iii) the Bahrain Labour Law (No. 36 of 2012).	
		Judicial decisions	NIL.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Exercise of the principle and right	At national level (enterprise, sector/ industry, national)	For Employers	2003 AR: Government authorization/approval is required to establish employers' organizations and to conclude collective bargaining agreements. Employers can exercise freedom of association at the enterprise, sector or industry, national levels.
			For Workers	2003 AR: Government authorization/approval is required to establish workers' organizations and to conclude collective bargaining agreements. Freedom of association can be exercised by medical professionals, teachers, agricultural workers, workers in Export Processing Zones (EPZs) or enterprises/industries with EPZ status, migrant workers, workers of all ages, and all categories of employers. Workers can exercise freedom of association at the enterprise, sector or industry, national and international levels. Freedom of association cannot be exercised by workers in the public service, workers engaged in domestic work and workers in the informal economy.
			Special attention to particular situations	2014 AR: According to the GFBTU: Special attention is given to realize the right to collective bargaining in the private sector and freedom of association in the public sector, and to ensure the reinstatement of workers dismissed in 2011 due to their trade union involvement.
			Information/ Data collection and dissemination	2014 AR: The BFLUF indicated that it had approximately 6000 members. 2003-2005 ARs: According to the Government: There is a lack of information and data relevant to the PR.
		At international level	According to the Government: Employers can exercise freedom of association at international level. The GFBTU is also recognized at international level and participates in international, regional and Arab Conferences.	
	Monitoring, enforcement	2003-2005 ARs: According to the Government: Specific measures are envisaged to respect and realize this PR: (i) legal reform (Labour Act and other relevant		

<p>and sanctions mechanisms</p>	<p>legislation); (ii) inspection/monitoring mechanisms; (iii) penal sanctions; (iv) civil or administrative sanctions; (v) special institutional machinery; (vi) capacity building of responsible government officials; (vii) training of other government officials.</p>
<p>Involvement of the social partners</p>	<p>2015-2016 ARs: According to the Government: Social dialogue is ongoing through the tripartite councils. According to the GFBTU: Social dialogue ended after the 2011 events and has not been resumed. The GFBTU has not been consulted or involved in the development of the new labour law. The BFLUF indicated that social dialogue was ongoing on a regular basis; a Special Committee meets every month, composed of Ministry of Labour, General Federations and Chamber. 2014 AR: According to the Government: Social dialogue is ongoing through the tripartite councils. During 2012, social dialogue has been focused on strengthening the protection of workers and reinstating the workers dismissed during 2011. Discussions concerning C.87 and C.98 have not taken place over the last year. According to the GFBTU: Social dialogue ended after the 2011 events and has not been resumed. The GFBTU has not been included or consulted in the development of the new labour law. The BFLUF indicated that social dialogue was ongoing on a regular basis, and that direct discussions between the BFLUF and the Ministry of Labour concerning the ratification of C.87 and C.98 had taken place. 2013 AR: The Government reiterated the statement it made under the 2012 AR. According to the BCCI: The current tripartite process of formulation of the DWCP (including the fundamental principles and rights at work), in cooperation with ILO has been suspended due to the political unrest. Social dialogue should be enhanced by the Government. 2012 AR: According to the Government: A tripartite structure has been established and is operating. There is a good practice of social dialogue in the country, but a need to improve the collective bargaining practices. Moreover, the Decent Work Country Programme, set out to start September 2011, aims to institutionalize social dialogue within the country, but its implementation is pending due to current political situation. 2010 AR: According to the Government: In accordance with the Workers' Trade Union Act, 2002, a negotiation group process has been set up on the basis of social partnership. This negotiation takes place every month between the representatives of employers' and workers' organizations with a view to concluding a collective agreement on working conditions and relations. Furthermore, weekly enterprise meetings are held between a representative of the trade union and a representative of the company to discuss the follow-up to the decisions agreed upon through negotiations and try to settle any disputes or problems that may emerge through daily contact at the workplace. 2000-2002 ARs: According to the Government: The GCBW and the BCCI are involved in tripartite bodies to discuss the PR such as the Higher Council for Vocational Training, tripartite councils and committees in which the Government and employers are represented.</p>
<p>Promotional activities</p>	<p>2015 AR: According to the GFBTU: The GFBTU is still working in collaboration with the ITUC on the reinstatement of the workers who were dismissed during the 2011 events. Under the agreement signed on 10 March 2014 with the Government, some progress has been made in this regard. However, the reinstatement of 165 workers and the special situation of 390 affected by non-voluntary or agreed resignation are yet to be resolved. Moreover, various activities have been undertaken to promote and realize the right to collective bargaining. BFLUF indicated that it run a special campaign for migrant workers and advocated for a new office to be established for them as for the time being, they have no union representing the interests of migrant workers. BFLUF further indicated that new unions have been organized, for example in the education sector with 7000 members (approx. 14,000 altogether in this industry) where public sector members are included. There is also progress regarding the passports of migrant workers as now they can change employer after 1 year. Hot lines have been established so support expatriot workers and lawyers are made</p>

		<p>available.</p> <p>2014 AR: According to the GFBTU: The GFBTU is working in collaboration with the ITUC on the reinstatement of the workers who were dismissed during the 2011 events. Activities have also been undertaken to promote and realize the right to collective bargaining.</p> <p>2013 AR: The GFBTU indicated that it had been able to fend itself from getting a tarnished reputation as a threat to the society, at least among workers and trade union members, through international support from the ITUC and by mobilization and information campaigns.</p> <p>2012 AR: According to the GFBTU: In 2011, the GFBTU has been advocating towards the government for the ratification of both C.87 and 98. Additionally, workshops have been conducted for trade union members, raising their awareness about their rights to freedom of association and collective bargaining.</p> <p>2011 AR: According to the GFBTU: A tripartite signature of a Decent Work Country Programme was made in March 2010 in Bahrain. In particular, the GFBTU participated in the Kuwait Regional Workshop on Migrant Workers organized in July 2010 in cooperation with AFL-CIO and the ILO. Issues pertaining to the PR were discussed during this event. It also organized a demonstration to call for the ratification of C.87 and C.98 as well as the realization of the freedom of association in the public sector. It further carried out training activities on the PR in cooperation with the ILO, and with ITUC in November 2010.</p> <p>2010 AR: According to the GFBTU: In 2009, the Labour Day has been organized with intensive participation of all the trade unions and civil societies, and during the afternoon demonstration slogans urged the Government to ratify C.87 and C.98.</p> <p>2009 AR: According to the GFBTU: Indeed, The 5th ILO/Gulf Cooperation Council (GCC) Regional Seminar has a positive impact. Moreover, a joint GFBTU–ITUC Conference on C.87 and C.98 was organized to raise awareness on trade union activities and the need for all to support them.</p> <p>2008 AR: The GFBTU participated in the 5th ILO/Gulf Cooperation Council (GCC) Regional Seminar on the ILO Declaration and International Labour Standards in Oman. On this occasion, the right to freedom of association and collective bargaining were discussed.</p> <p>As of June 2007, training on the Declaration Follow-up, namely on the right to collective bargaining will be undergone in cooperation with the ILO.</p> <p>2007 AR: The Government, the BCCI and the GFBTU referred to their participation in the Fourth ILO/Gulf Cooperation Council (GCC) Regional Workshop on the ILO Declaration and International Labour Standards held in Kuwait City in April 2006.</p> <p>2003-2005 ARs: According to the Government: Capacity building for employers’ and workers’ organizations and awareness raising/advocacy activities have been implemented to promote and realize the PR.</p>	
	<p>Special initiatives/Progress</p>	<p>2010 AR: The GFBTU issued an official letter to the Parliament in April 2008 highlighting the importance of ratification of these two fundamental Conventions and urging the Members of Parliament to act on the Government accordingly.</p> <p>2008 AR: The GFBTU filed a complaint against the Government of Bahrain regarding the non-observance of the right of Bahraini workers in the public sector to organize.</p> <p>According to the ITUC: Since October 2006, a Decree on employment in the private sector prohibits dismissal for trade union activities. Employers are also obliged to reinstate the sacked employees and to provide compensation if it is proved that workers were discriminated against because of their union activities.</p> <p>2003-2005 ARs: According to the Government: A new law amending the Constitution and allowing the establishment of free trade unions will be adopted shortly.</p>	
<p>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</p>	<p>According to the social partners</p>	<p>Employers’ organizations</p>	<p>2014 AR: According to the BCCI: Workers’ and employers’ organizations need to be sensitized to allow for mutual recognition of each other as legitimate actors.</p> <p>2007 AR: According to the BCCI: In Bahrain, domestic workers do not enjoy the right to organize and bargain collectively.</p>

		<p>Workers' organizations</p>	<p>2015 AR: GFBTU expressed concern over the lack of political will and specifically about the increasing number of sectors (now 12) that are not allowed to strike. According to BFLUF: Challenges remain the same as in 2014. Law is unclear. It is very difficult for migrant workers to establish small and medium enterprises. Strike is still forbidden in certain sectors that are viewed to be critical for public interest, such as medical or transportation services. Another biggest challenge is to help the estimated 80,000 home support workers as there is little official information on them and their situation.</p> <p>2014 AR: According to the GFBTU: Challenges related to the legal amendments of the Trade Union Act remain. Moreover, the multiple practical obstacles to the realization of the PR in Bahrain public and private sectors are pending before the ILO Committee on Freedom of Association.</p> <p>According to the BFLUF: Challenges in realizing the PR are related to: (i) legal obstacles in the Trade Union Law restricting the number of federations to one only in the country; (ii) lack of legislation to support collective bargaining practices; (iii) lack of monitoring and law enforcement; and (iv) employers' reluctance to ratification of C.87 and C.98. Further issues concerning the PR in Bahrain are pending before the ILO Committee of Freedom of Association.</p> <p>2013 AR: According to the GFBTU: (i) Legal amendments to the Workers' Trade Union Act; (ii) Lack of freedom of association, right to collective bargaining and social dialogue. These issues are pending before the ILO Committee on Freedom of Association.</p> <p>2012 AR: According to the GFBTU: The main obstacle in the ratification process of C.87 is a legal restriction only allowing trade unions to organize workers within the private sector as the Workers' Trade Union Act, section 10, does not provide the right to establish trade unions in the public sector.</p> <p>2011 AR: According to the GFBTU: One of the main challenges in the realization of the PR in Bahrain is that public officials are not yet allowed to for trade unions but only join them in accordance with the Trade Union Act, 2002, section 10.</p> <p>2010 AR: According to the GFBTU: The Government fears that ratification of C.87 and C.98 would encourage the creation of multiple trade unions in any enterprise or organization in a context where the union movement is not mature enough to play a positive role and have a positive impact on the economic and social process.</p>
			<p>2009 AR: According to the GFBTU: The GFBTU expressed reservations about the genuine intention of Government to ratify C.87 and C.98 given that the power of using strike action as a means for drawing the attention of Government to the plight of workers is not encouraged in the amended labour laws. These laws were revised without consultations with the organized labour unions as concerns the right to strike actions. In addition, the rights of workers in the public sector need to be protected.</p> <p>The ITUC reiterated the observations it made under the previous AR (2008), in particular as regards: (i) restrictions to freedom of association as only one trade union can be formed at each establishment and all trade unions have to belong to the GFBTU; (ii) though in theory they are allowed to join unions, migrant workers that make up roughly 60 per cent of the workforce prefer</p>

			<p>not to, as they have no protection against dismissal; (iii) a law that was supposed to be adopted in 2007 enshrining the principle of collective bargaining has not yet been adopted; (iv) restrictions exist on the right to strike as on the one hand workers and employers must first seek an amicable settlement of the dispute through conciliation, and, on the other, the Government has considerably lengthened the list of essential services; and (v) employers are becoming impatient with trade union activity.</p> <p>2008 AR: According to the GFBTU: The Government does not yet respect the right to strike and the right to freedom of association. Several provisions of the Trade Union Act on the right to strike have been amended in July 2006, restricting the right for workers to go on strike. This decision was confirmed by Decree No. 62 of 20th November 2006 in the security, defence, airport, hospital, pharmacy, transportation, communication sectors etc. However, the GFBTU indicated that no consultations with the other social partners were held prior to the amendments, like undertaken in 2002. Moreover, a tripartite committee has been set up on labour law review in the private sector. Consultations were also held with social partners in 2006 but further amendments were not carried out accordingly. Decree No. 3 of March 2007 provides for disciplinary sanctions when a worker from the public sector is affiliated in a trade union. In this respect, there have been continued negative responses from the Government to the repeated requests concerning the registration of six unions of the public sector – which contravenes the Bahraini Constitution and National Charter.</p> <p>According to the ITUC: (i) there is a lack of adequate protection for migrant workers. They make up approximately 60 per cent of the workforce. Though in theory they are allowed to join unions and run for union office, they prefer not to as they have no protection against dismissal. Furthermore, the new proposed law does not provide for any labour rights to domestic workers, but contains measures that would protect them against abuse from employers.; (ii) public workers are denied the right to organize; (iii) in November 2006, the government considerably lengthened the list of essential services in which strikes are banned, which already went beyond the ILO definition. Hydrocarbons, health, education, pharmacies and bakers must now be added to the security, civil defense, airport, port and transport sectors.</p> <p>2007 AR: The GFBTU shared the view that domestic workers in Bahrain did not enjoy the right to organize and bargain collectively. It also mentioned that union leaders were not harassed in Bahrain.</p> <p>According to the ICFTU: there are restrictions on the right to form unions and only one federation can exist in Bahrain.</p>
		<p>2006 AR: The GFBTU raised the following challenges: (i) the PR is realized only in the private sector; (ii) the Government does not recognize trade unions in the public sector; (iii) the social partners need to be more involved in the reporting process under the Declaration’s Annual Review.</p> <p>According to the ICFTU: (i) the law still contains restrictions on the right to strike and on freedom of association and does not specifically provide for collective bargaining.</p> <p>2000-2005 ARs: According to the ICFTU: (i) trade unions are banned in Bahrain (only government-controlled organizations are authorized); (ii) there are</p>	

		<p>restrictions on the right to strike; (iii) labour laws do not apply to domestic servants; (iv) the Joint Consultative Councils (JCC) can only act as advisers and have no real power to negotiate or bargain; (v) the Ministry of Labour must approve the internal rules of the General Committee of Bahraini Workers (GCBW); (vi) political climate makes it difficult to bring grievance to court; (vii) the law does not specifically provide for collective bargaining.</p>
	<p>According to the Government</p>	<p>2017 AR: According to the Government: the main challenges are: a) lack of alignment of national laws with the provisions of the Conventions: Despite the Trade Unions Law allows for freedom of association and right to strike, there are a number of fundamentals which are not covered by this law; and b) lack of capacity and resources of responsible government institutions.</p> <p>2014 AR: According to the Government: No challenges in the ratification of C.87 or C.98 have been identified. If challenges exist, they will be noted in the assessment currently being undertaken.</p> <p>2007 AR: The Government acknowledged that domestic workers did not enjoy the right to organize and bargain collectively in Bahrain.</p> <p>In response to the ICFTU’s observations, the Government made the following comments: (i) several amendments were issued in 2006, namely regarding the recognition of several trade unions at the federal level (Act No. 49/2006), the reinstatement of the dismissed workers for their trade union activities (Act No. 73/2006) and the amendment of the criteria governing the workers’ exercise of the right to strike (Act 49/2006), which represent a real qualitative shift in freedom of association in the country; (ii) concerning section 10 of the Trade Union Act, Bahrain has not ratified Convention No. 87 but the provision gives nonetheless the right to join trade unions to workers of the public sector. Moreover, the amendment of section 10 has been submitted to the Parliament and is expected to be approved during the next session; (iii) regarding restrictions of the right to strike, section 21 of the Trade Union Act was amended in keeping with international labour standards, allowing strikes when majority to declare a strike is obtained. In addition the definition was provided as regards to “essential enterprises” and identification of these enterprises is made by decision of the Prime Minister (for example, Decision No. 62/2006) who can easily modify it whenever it is necessary; and (iv) concerning collective bargaining, the amendment draft of Decree Law No. 23/1976 including a chapter on collective bargaining was submitted to the Parliament for approval at the next session.</p> <p>2003-2004 ARs: The Government indicated that the main difficulties encountered in Bahrain were the following: (i) lack of information and data; (ii) social and economic circumstances; (iii) legal provisions; and (iv) prevailing employment practices.</p>
<p>TECHNICAL COOPERATION</p>	<p>Request</p>	<p>2017 AR: ILO technical assistance required in strengthening tripartite social dialogue.</p> <p>2015 AR: The Government reiterated the request for ILO technical cooperation as made under the 2012-2014 ARs concerning training and capacity building activities through the DWCP.</p> <p>The GFBTU expressed its strong wish for ILO technical cooperation to continue to support the ratification of C.87 and C.98, despite the Government’s refusal of entry of ILO experts into the country in 2012.</p> <p>The BFLUF indicated that ILO technical cooperation should support the Government’s efforts to realize the PR and involve all stakeholders, including migrant workers. However, it expressed disappointment that such assistance has been denied from BFLUF in the past years and they have not been invited to various workshops and other activities.</p> <p>2014 AR: The Government reiterated the request for ILO technical cooperation as made under the 2012-2013ARs concerning training and capacity building activities through the DWCP. The Government underlined that ILO should restart the implementation of the DWCP as soon as possible, as it is critical for building the capacity of the tripartite partners, improving the situation in the country in respect of FPRW, and enabling the Government to move ahead with the ratification of C.87 and C.98.</p> <p>According to the BCCI: There is a need for an assessment to outline the implications of ratifying C.87 and C.98.</p> <p>The GFBTU expressed its strong wish for ILO technical cooperation to continue to support the ratification of C.87 and C.98, despite the Government’s refusal of entry of ILO experts into the country in 2012. In terms of technical cooperation</p>

		<p>through the DWCP, the GFBTU indicated that it would not be meaningful to restart the programme until the current situation in the country, as regards to workers' rights and employment practices, has improved.</p> <p>The BFLUF indicated that ILO technical cooperation should support the Government's efforts to realize the PR.</p> <p>2013 AR: The Government reiterated the request it made under the 2012 AR, in particular as regards to continuation of the training programme and capacity building activities through the DWCP.</p> <p>According to the BCCI: The implementation of the DCWP adopted in 2010 is yet to start due to the political crisis which hit the country in early 2011. ILO support is also important to the organization of awareness-raising campaigns and training activities for tripartite stakeholders.</p> <p>The GFBTU requested support from the ILO to increase the international exposure in the context of national crisis, as it is crucial for the GFBTU in its struggle for the FPRW, particularly freedom of association.</p> <p>2012 AR: The Government requested ILO to support the ratification process of C.87 and C.98 by conducting training workshops through the DWCP, as well as providing the Government with legal expertise on creation of new labour laws.</p> <p>The BCCI requested ILO technical assistance for capacity building on negotiation practices and collective bargaining, enterprise development, safe work and social dialogue.</p> <p>The GFBTU particularly requested the ILO to help create social dialogue and facilitate their participation in the ratification process, as well as raise awareness by organizing sensitization workshops for workers.</p> <p>2011 AR: According to the GFBTU: There is a need for more ILO technical support on workers' education.</p> <p>2010 AR: According to the GFBTU: All members of the relevant tripartite Committees should participate in workshops on the 1998 ILO Declaration and its follow-up, with a focus on freedom of association and the right to collective bargaining. This training activity is necessary as Bahrain was selected by the ILO as a model country within the Decent Work Agenda.</p> <p>2009 AR: The GFBTU indicated that the ILO's cooperation was needed to support trade unions' actions on cross-cutting issues that relate to creating an adequate environment for all workers.</p> <p>2008 AR: The GFBTU requested ILO technical assistance for a country assessment on freedom of association. It reiterated its request stated in the 2007 AR on training courses for workers' organizations in Bahrain. Tripartite workshops should also be organized in order to improve the conditions of trade union and social dialogue between the social partners.</p>
		<p>2007 AR: The GFBTU requested ILO technical cooperation to strengthen the capacity of workers' organizations in Bahrain.</p> <p>2006 AR: According to the GFBTU: (i) A national workshop for trade unions on the PR should be organized with ILO technical assistance; (ii) a national tripartite workshop on fundamental Conventions and the Declaration should also be organized so as to identify challenges and solutions and pave the way to ratification.</p> <p>2003-2004 ARs: According to the Government: (i) assessment of the different challenges should be undertaken in collaboration with the ILO as well as their implications for realizing the PR; (ii) strengthening tripartite social dialogue; and (iii) awareness-raising, legal literacy and advocacy.</p>
<p>EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS</p>	<p>Offer</p>	<p>ILO (DWCP), GCC, Labour Organizations of Norway (LO Norway).</p> <p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) observed that the Annual Review had made it possible to highlight and follow up country situations that required greater attention, and that some countries, such as the Gulf States (as well as China and new member States, in particular in the South Pacific), had made important efforts during this process. However, according to them, more needed to be done. The IDEAs welcomed the legal reforms undertaken by certain Gulf countries such as Bahrain, but noted that the workers' right to freedom of association and collective bargaining needed to be respected, especially as regards migrant workers. They drew the attention to the practice in some countries, including Bahrain, where only one official trade union were allowed in practice, and recalled in this regard the following: "the right to official recognition is an essential aspect of the right to organize as it allows employers' and workers' organizations to be in a position to play their roles efficiently. Furthermore, any government intervention in employers' and</p>

	<p>workers' organizations' internal affairs (right to establish and join organizations of their own choosing, without distinction whatsoever and without previous authorization, right to draw up internal constitutions and rules, right to elect their representatives in full freedom, etc.) constitutes interference in the functioning of these organizations, which is a denial of the principle and right". The IDEAs also acknowledged the high number of promotional activities concerning the PR in the Gulf States (and some other countries), and encouraged the Office to maintain its efforts to support these activities. Finally, the IDEAs noted that restrictions the right to organize of certain categories of workers in Bahrain (and some other countries), such as domestic workers, workers in the public service and workers in the informal economy, were not compatible with the realization of this principle and right" (cf. paragraphs 12, 33, 36 and 38 of the 2008 AR Introduction – ILO: GB.301/3).</p> <p>2007 AR: The IDEAs noted with interest that some progress had been achieved in the Gulf States regarding the right of workers and employers to organize freely and voluntarily, without being subjected to control by their governments. Furthermore, the IDEAs observed that with a view to giving full effect to this principle and right, the Government should be able to offer to all workers the opportunity to exercise their rights, and not have restrictions on the right to organize for domestic workers (cf. paragraphs 36 and 37 of the 2007 AR Introduction – ILO: GB.298/3).</p> <p>2006 AR: The IDEAs observed that the Government of Bahrain should indicate whether the new Decree relating to trade unions is an implementing Decree relating to existing labour law. They observed the following: "It is important to note that the majority of workers in some Gulf States are migrant workers. Therefore, while we note that certain measures have been reported relating to this principle [...] we stress that the principle should be given full effect as regards all the workers present in these countries, including migrant workers, if these countries are to progress meaningfully in this area" (cf. paragraphs 37 and 45 of the 2006 Annual Review Introduction – ILO GB.295/5).</p> <p>2005 AR: The IDEAs listed Bahrain among the countries where progress had been made under the Annual Review in the promotion of freedom of association and the effective recognition of the right to collective bargaining (paragraph 12 of the 2005 Annual Review Introduction). Furthermore, they noted with interest the continuing efforts made by the countries of the Gulf Cooperation Council (cf. paragraph 148 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p> <p>2004 AR: The IDEAs were encouraged by the continuing steps taken by countries of the Gulf Cooperation Council (GCC) in relation to this PR, but noted that there was a long way to go and much to do. They further indicated that the Gulf Cooperation Council States were providing more information on the PR, but not enough on the other three PRs. This would help to illustrate the link between all four PRs. The IDEAs also wished that the positive measures taken by countries in the Gulf Cooperation Council (GCC) be expanded upon (cf. paragraphs 29 and 84 of the 2004 Annual Review Introduction – ILO: GB.289/4).</p> <p>2003 AR: The IDEAs commended Bahrain for its continuing dialogue with the Office. They appreciated the adoption of a new legislation relating to freedom of association. They recommended that the Governing Body request that high-level contacts be organized between the Office and two or three countries (including Bahrain) that are not benefiting from ILO technical cooperation on the PR. In light of requests by Bahrain for ILO cooperation in assessing the difficulties and implications for realizing the principle and right, they called upon the Governing Body to request that high-level contacts be made straight away between the Office and two or three countries not yet served by ILO technical projects in this field (cf. paragraphs 4 and 74 of the 2003 Annual Review Introduction – ILO: GB.286/4).</p>
	<p>2002 AR: The IDEAs recommended that, with a view to a more in depth discussion of certain aspects of the Introduction, the Governing Body request clarifications from Bahrain in relation to the continuation of steps undertaken in the country, in cooperation with the Office, concerning the PR Furthermore, they acknowledged the high-level dialogue and agreement on a plan of activities between the Office and the Government (cf. paragraph 41 (b) of the 2002 Annual Review Introduction – ILO: GB.283/3/1).</p> <p>2001 AR: The IDEAs hoped that the Government of Bahrain would continue a dialogue with the Office regarding the ways in which respect to fundamental principles and rights could be achieved (paragraph 77 of the 2002 Annual Review Introduction). They also recommended to the Governing Body that further information be requested from the Government of Bahrain in relation to efforts made to promote the principle and right (cf. paragraph 30 (b) (ii) of the 2001 Annual Review Introduction – ILO GB.280/3/1).</p>
<p>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</p>	<p>2015 AR: At its March 2014 Session, the Governing Body invited the Director-General to: (a) take into account its guidance on key issues and priorities with regard to assisting member States in their efforts to respect, promote and realize fundamental principles and rights at work; and (b) take account of this goal in the Office's resource mobilization initiatives.</p> <p>2013 AR: At its November 2012 Session, the Governing Body requested the Director-General to take full account of the ILO Plan of Action on Fundamental Principles and Rights at Work (2012-2016) and allocate the necessary resources for its implementation. This plan of action is anchored in the universal nature of the fundamental principles and rights at work (FPRW), their inseparable, interrelated and mutually reinforcing qualities and the reaffirmation of their particular importance, both as human rights and enabling conditions. It reflects an integrated approach, which addresses both the linkages among the categories of FPRW and between them, and the other ILO strategic objectives in order to enhance their synergy, efficiency and impact.</p>

	<p>In this regard, freedom of association and the effective recognition of the right to collective bargaining are particularly emphasized as enabling rights for the achievement of all these strategic objectives.</p> <p>2011 AR: At its March 2010 Session, the Governing Body decided that the recurrent item on the agenda of the 101st Session (2012) of the International Labour Conference should address the ILO strategic objective of promoting and realizing fundamental principles and rights.</p> <p>2009 AR: During its March 2009 Session, the Governing Body included the review of the follow-up to the 1998 ILO Declaration on Fundamental Principles and Rights at Work on the agenda of the 99th Session (2010) of the International Labour Conference.</p>
<p>INTERNATIONAL LABOUR CONFERENCE RESOLUTION</p>	<p>2013 AR: In June 2012, following the recurrent item discussion on fundamental principles and rights at work, under the ILO declaration on Social Justice for a Fair Globalization, 2008 and the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, 1998, the International Labour Conference adopted the Resolution concerning the recurrent discussion on fundamental principles and rights at work. This resolution includes a framework for action for the effective and universal respect, promotion and realization of the FPRW for the period 2012-16. It calls for the Director-General to prepare a plan of action incorporating the priorities laid out in this framework for action for the consideration of the Governing Body at its 316th Session in November 2012.</p> <p>2011 AR: Following a tripartite debate at the Committee on the 1998 Declaration, the 99th Session (2010) of the International Labour Conference adopted a Resolution on the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work on 15 June 2010. The text appended to this Resolution supersedes the Annex to the ILO Declaration on Fundamental Principles and Rights at Work, and is entitled “Annex to the 1998 Declaration (Revised)”. In particular, the Resolution “[notes] the progress achieved by Members in respecting, promoting and realizing fundamental principles and rights at work and the need to support this progress by maintaining a follow-up procedure. For further information, see pages 3-5 of the following link: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_143164.pdf.</p>