



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: BAHRAIN

ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION (DISC)

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| REPORTING | Fulfillment of Government's reporting obligations | YES, but no change reports for the 2004 and 2005 Annual Reviews (ARs). | |
| | Involvement of Employers' and Workers' organizations in the reporting process | YES, according to the Government: Involvement of the Bahrain Chamber of Commerce and Industry (BCCI) and the General Federation of Bahrain Trade Unions (GFBTU) through written consultations. | |
| OBSERVATIONS BY THE SOCIAL PARTNERS | Employers' organizations | 2008 AR: Observations by the BCCI. 2007 AR: Observations by the BCCI. | |
| | Workers' organizations | 2008 AR: Observations by the GFBTU. 2007 AR: Observations by the GFBTU. 2006 AR: Observations by the GFBTU. 2003 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 ratified in 2000 the <u>Discrimination (Employment and Occupation) Convention, 1958 (No. 111)</u> (C.111). |
| | | Ratification intention | YES, in 2002 for the Equal Remuneration Convention, 1951 (No. 100) (C.100). 2008 AR: According to the Government: It is planning to establish a Tripartite Committee that would deal with the ratification of the remaining ILO fundamental conventions. The BCCI hopes that the Tripartite Committee is set up very shortly. The GFBTU supported the ratification of C.100. 2007 AR: According to the Government: A tripartite committee should be set up to study and make recommendations on further ratification of ILO fundamental Conventions, including C.100. According to the BCCI and the GFBTU: A tripartite committee should be set up to study and make recommendations on further ratification of ILO fundamental Conventions, including C.100. This |

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, 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, please see: www.ilo.org/ilolex

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| | | | <p>Convention should be ratified by Bahrain to eliminate discrimination at work.</p> <p>2006 AR: According to the GFBTU: The Government should ratify C.100, as well as other ILO fundamental Conventions so that Bahrain can fit with social globalization.</p> <p>2001 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (Nov. 2001): The Government was examining C.100 with a view to ratifying it.</p> |
| Recognition of the principle and right (prospect(s), means of action, main legal provisions) | Constitution | YES The 2002 Constitution (articles 4, 8, 14, 16 and 18) provides that equality and equal opportunity between all citizens are guaranteed. | |
| | Policy/Legislation and/or Regulations | <ul style="list-style-type: none"> Policy <p>2001 AR: According to the Government: The Government's policy is set out in the Bahrain Labour Law, 1976, and the Employment Law that adopt the same principles as those set out in the Constitution.</p> | |
| | Basic legal provisions | (i) The Constitution (articles 4, 8, 14, 16 and 18); (ii) the Bahrain Labour Law, 1976 (employment of women, disabled persons and young persons); and (iii) the Employment Law. | |
| | Grounds of discrimination | 2002 AR: According to the Government: Discrimination in respect of employment and occupation is prohibited on grounds of language, origin, and religion. | |
| | Judicial decisions | NIL | |
| EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT | Exercise of the principle and right | Special attention to particular situations | <p>2003 AR: According to the Government: Specific measures have been implemented to respect, promote, and realize the principle and right (PR), for the following categories of workers: (i) workers in the public service; (ii) workers in establishments of a certain size; (iii) workers in particular types of employment; (iv) agricultural workers; (v) workers engaged in domestic work; (vi) workers in EPZs and (vii) migrant workers.</p> <p>2000 AR: According to the Government: Women and the disabled.</p> |
| | | Information/Data collection and dissemination | 2008 AR: According to the Government: Statistics on Bahraini Women were published in 2007. |
| | Monitoring, enforcement and sanctions mechanisms | <p>2000-2005 ARs: According to the Government: The Constitution and the national legal system contain principles and rules that guarantee the realization of the PR.</p> <p>2000 AR: According to the Government: Under section 155 of the Labour Law amended by Decree No. 14 of 1993, domestic servants have the right to lodge complaints with the Minister for Labour and Social Affairs, and can take the dispute to the courts if it is not resolved at the Ministry level.</p> | |
| Involvement of the social partners | NIL | | |
| Promotional activities | 2008 AR: The Government indicated that it had promoted Bahraini books on women in Bahrain. It added that along with the BCCI and the GFBTU, it had participated in the 5 th ILO/Gulf Cooperation Council (GCC) Regional Seminar on the ILO Declaration and International Labour Standards in Oman. On this occasion, FOA and collective bargaining had been discussed. It added that two workshops were organized in March and May 2007 in collaboration with the International Trade Union Confederation (ITUC), one | | |

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| | | <p>supporting the involvement of women in trade unions and the second on the right to employment and occupation of women.</p> <p>2007 AR: The Government, the BCCI and the GBFTU referred to their participation in the Fourth ILO/GCC Regional Workshop on the ILO Declaration and International Labour Standards held in Kuwait City in April 2006.</p> | |
| | Special initiatives | NIL | |
| CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT | According to the social partners | Employers' organizations | 2007 AR: The BCCI shared the GBFTU's view that equal representation between men and women should be promoted in training seminars. |
| | | Workers' organizations | <p>2008 AR: The GBFTU indicated that a specific chapter of the Labour Law dealing with women was amended during the review without consultation with employers' and workers' organizations.</p> <p>2007 AR: The GBFTU observed that equal representation between men and women should be promoted in training seminars.</p> <p>2006 AR: According to the GBFTU: Forms of wage discrimination persist in Bahrain.</p> <p>2001 AR: According to the ICFTU: (i) there is no recognition of the concept of «equal pay for work of equal value»; (ii) there is increasing discrimination at the workplace, including lower age and denial of promotion and (iii) illiteracy rate is higher among women.</p> |
| | According to the Government | <p>2007 AR: The Government shares the GBFTU's view that equal representation between men and women should be promoted in training seminars.</p> <p>2003 AR: In response to the ICFTU's observations, the Government stated that the Bahraini 1976 Labour Law prohibits: (i) discrimination on grounds of sex and nationality in respect of employment and occupation, and education; and (iii) provides for equal pay for work of equal value.</p> | |
| TECHNICAL COOPERATION | Request | <p>2007 AR: The BCCI requested ILO technical cooperation for capacity building, enterprise development, organizational management and productivity in relation with the PR. The GBFTU requested ILO technical cooperation to sensitize its members on discrimination issues.</p> <p>2006 AR: According to the GBFTU: ILO technical cooperation would be necessary in organizing a national tripartite workshop on ILO Fundamental Conventions in Bahrain, so as to identify challenges and solutions and pave the way to ratification.</p> <p>2003 AR: According to the Government: A need for ILO technical cooperation to facilitate the realization of the PR in Bahrain exists in the following priority areas: (i) establishing or strengthening specialized institutional machinery; (ii) data collection and information analysis.</p> | |
| | Offer | ILO | |
| EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS | <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 noted the intentions expressed by most governments, including the Government of Bahrain, to ratify or consider ratification of Conventions Nos.100 and/or 111. They encouraged the governments to accelerate this process so as to make an important step forward towards universal ratification (Cf. Paragraphs 12 and 66 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2005 AR: The IDEAs noted with interest the continuing efforts made by the countries of the Gulf Cooperation Council (Cf. Paragraph 148 of the 2005 Annual</p> | | |

Review Introduction – ILO: GB.292/4).

2004 AR: The IDEAs noted that the GCC States had been providing more information on freedom of association and the right to collective bargaining, but not enough on the other three PRs. This would help to illustrate the link between all four PRs (Cf. Paragraph 85 of the 2004 Annual Review Introduction – ILO: GB.289/4).

2003 AR: The IDEAs commended Bahrain and other GCC States for their continuing dialogue with the Office through the annual review process (Cf. Paragraph 4 of the 2003 Annual Review Introduction – ILO: GB.286/4).

2002 AR: The IDEAs acknowledged the high-level dialogue and agreement on a plan of activities between the Office and the GCC Governments, including Qatar (Cf. Paragraph 82 of the 2002 Annual Review Introduction – ILO: GB.283/3/1).

2001 AR: The IDEAs hoped in particular that the governments of GCC countries would continue a dialogue with the Office regarding the ways in which respect for fundamental principles and rights at work and positive changes could be achieved through technical cooperation (Cf. Paragraph 77 of the 2001 Annual Review Introduction – ILO: GB.280/3/1).