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The Permanent Mission of the Kingdom of Bahrain to the United Nations Office and other international organizations in Geneva presents its compliments to all Permanent Missions in Geneva and wishes to refer to the 333 Session of the Governing Body of the International Labour Office (ILO).

In this regard, the Mission has the honour to enclose herewith an Executive Summary from the Ministry of Labour in the Kingdom of Bahrain on Measures Taken by the Government of Bahrain to Combat Discrimination in the Labour Market.

The Permanent Mission of the Kingdom of Bahrain avails itself of this opportunity to renew to all Permanent Missions in Geneva the assurances of its highest consideration.

To:
**All Permanent Missions
Geneva**



**Measures Taken By the Government of Bahrain to Combat
Discrimination in the Labour Market
Executive Summary**

1. The Government of Bahrain is committed to combat discrimination in the labour market. The Constitution of Bahrain affirms the equality and fair treatment of all people regardless of their sex, origin, language, religion or creed. Moreover, all labour legislations ensure equal treatment between males and females as well as between Bahraini and expatriate workers. There is no single clause which applies to one group of workers.
2. It is important to clarify that the four comments raised by the Committee of Experts (CEACR) are similar to those presented in previous reviews. CEACR's comments concern the effectiveness of legislation to provide the necessary protection for workers against discrimination, protection for expatriate workers, equality in the employment of women and the prohibition of sexual harassment in the Labour Law. However, it is important to note that CEACR does not explicitly state that discrimination is apparent in Bahrain.
3. Bahrain undertook a series of measures and initiatives to combat discrimination, including:
 - a. Expatriate workers have free mobility in Bahrain, they are able to change their employer, in accordance with the law.
 - b. Recently, Bahrain introduced the flexible work permit scheme, granting foreigners work permits without a sponsor, preserving labour rights and further protecting workers from any attempts of exploitation and trafficking, guaranteeing the worker's right to access to all forms of care and legal protection.
 - c. Bahrain adopted the national referral system to combat human trafficking. The system ensures that victims of human trafficking are identified and provided with all forms of support and protection, including shelter, medical treatment and legal advice.
 - d. Bahrain allows all workers to benefit from the non discriminatory unemployment insurance scheme. The purpose of the scheme is to provide a safety net in the form of financial assistance to workers during periods of unemployment.
 - e. Bahrain protects the freedom of association and trade unionists. All workers, irrespective of their nationalities, have the right of representation in trade unions, to go on strike, defend their legitimate interests and to work full-time as a trade unionist. The law protects trade unionists from dismissal for reasons related to their trade union activities.
 - f. The main provisions of the Labour Law apply to domestic workers, including the employment contract, protection of wages, annual leave, end of service indemnity and exemption from litigation fees.
 - g. Bahrain offers a number of mechanisms to defend workers interests and rights at the workplace in both the private and public sector. These mechanisms include the access to file a complaint within the competent authority, the labour dispute settlement procedure and other easily accessible judicial processes. Along with that, the labour inspectorate at the Ministry of Labour and Social Development

and the Labour Market Regulatory Authority (LMRA) are working on further enforcing labour legislations to protect labour rights.

4. CEASR recalled its concerns regarding the measures taken to raise awareness within the expatriate workers community. Multiple efforts were carried out in collaboration with the embassies of foreign sending countries. For example, the amnesty periods held regularly in Bahrain allow any worker in an irregular state to legalize his or hers status without any punitive actions. These amnesties have allowed for more than 50,000 workers to become regular workers and to be able to legally stay and work in Bahrain. Also, the LMRA provide a direct Call Centre with operators speaking more than six languages to receive complaints. The LMRA also allows expatriate workers to check their status through online services, providing them with all the necessary details concerning their work permits. Furthermore, 200,000 leaflets were circulated among expatriates, outlining procedural guidelines and information about the labor system in Bahrain in 14 foreign languages. The LMRA also launched a program in collaboration with the police that was broadcasted on local radio to educate workers of their legal rights.
5. Regarding the prohibition of sexual harassment, CEASR stated the necessity of a definition and to explicitly prohibit such acts in the Labour Law. CEASR suggests that the current measures taken by Bahrain are enough to protect workers. Bahrain addressed sexual harassment in numerous pieces of legislation; notably the Labour Law and the Civil Service Law outlining the corresponding punitive actions. Sexual harassment is not a phenomenon in Bahrain. However, the Government is very keen to address such issue by providing strict measures.
6. CEASR included a comment regarding the status of women in Bahrain's labour market. It took positive note of all the efforts done by the Government to ensure equal opportunities and fair treatment. Currently, women share approximately 39% of the workforce in the private and the public sectors. In addition, 39% of the commercial establishments are owned by women. Women are also represented in the National Council (the Parliament) by 12%.
7. The Tripartite Agreements of 2012 and 2014 were signed by the Government of Bahrain, Bahrain Chamber of Commerce and Industry (Employers Representative) and the General Federation of Bahrain Trade Union (Workers Representative) in order to resolve all the issues raised in the complaint submitted to the ILO during the 100th Session of the International Labour Conference under article 26 of the ILO constitution. The Government of Bahrain cooperated with all concerned parties to address all allegations stated in the complaint. Beside the 98% of dismissal cases were resolved, the list of 165 attached to the 2014 Agreement were solved by the ad hoc Tripartite Committee. Bahrain submitted a comprehensive report containing the final status of each dismissal case. The report showed that 156 cases were resolved according to the details mentioned in Table 1.

Table -1- Final Status of the 165 Dismissal Cases

Treatment	No. of Cases
Reinstated	69
Reinstated elsewhere	56
Retired	6
Private business owner	14
Eligible for reemployment elsewhere but did not apply	13
Financial Compensation	2
Convicted by court	3
Closed cases	2
Total No. of Cases	165

8. The Government of Bahrain ensures that no single case remains unresolved. The report gives clear evidence that the dismissal issue is closed with the agreement of the social partners.
9. The ILO Governing Body adopted a unanimous decision to close the complaint submitted against Bahrain due the achievement reached. ILO GB welcomed the entire efforts take by the tripartite constituents to resolve the dismissal cases.
10. Bahrain was given only one year since the last discussion at the Committee on the Application of Standards. It was a very short time to address all the recommendations adopted last session. Nevertheless, the Government remains committed to cooperate with the ILO. It submitted the required early report the ILO in August 2017. The Government also accepted the mission's visit to Bahrain.
11. **Bahrain sees that there is no rationale for including it yet again in the individual cases list on the application of ratified Conventions (D4).**
12. **Bahrain hopes that this information will serve as a reference to support Bahrain during the discussion setting before the Committee during the 107th Session of the International Labour Conference.**

End of Report