

Discrimination Against Women



In Bahraini Society & Legislation

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BAHRAIN CENTER FOR HUMAN RIGHTS

Defending and promoting human rights in Bahrain

About Us



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The Bahrain Center for Human Rights (BCHR) is a nonprofit, non-governmental organization, registered with the Bahraini Ministry of Labor and Social Services since July 2002. Despite an order by the authorities in November 2004 to close it, the BCHR is still functioning after gaining wide internal and external support for its struggle to promote human rights in Bahrain.

The co-founder and former President of the BCHR is Abdulhadi Al-Khawaja, who is currently serving a life sentence in prison for charges related to freedom of speech. The current President is Nabeel Rajab, who is serving a two year prison sentence for his work as a human rights defender. The Acting President is Maryam Al-Khawaja.

For more information, please visit our website:

www.bahrainrights.org

Overview of Women Rights in Bahrain:

Initially, one should look at the context of what human rights means. Are government officials in the Arab countries, which often claim that human rights are a Western invention, able to uphold the individual's right to not be subjected to torture, their right to religious freedom, education, or protect them from being discriminated against? Or do they claim that these rights are not pre-rooted in local culture and values?

A human rights activist who strives to assess human rights in the country where they reside, makes a record of the place where he or she lives, and uses International Laws of Human Rights as the main gauge of local performance against international standards.

When comparing legal materials on women's rights and the abuse experienced for centuries in Bahrain with International charters and conventions, as well as local legislation, and further linking it to the findings of human rights reports by the Women's Union and associations concerned with women's rights or even those of the Shura Council, the House of Representatives and the pro-government Supreme Council for Women, it is found that there exists violations of these obligations and laws in Bahrain.

The International Day for the Elimination of Violence against Women, held on the 25th November of each year, has disclosed some disturbing figures, including the disclosure of 2800 cases of family violence, recorded through August of last year. Further, the report noted that there were 850 cases of divorce within the first six months of the year.

Sharifa AbdelHameed, a counsellor and psychotherapy and cognitive behavioral specialist for Batelco's center for domestic violence, described to Al-Wasat Newspaper a worrisome Bahraini situation. She referred to the four year time period before the adoption of the Sunni portion of the family law, and further called for the adoption of the Jaafari portion, especially for the families dealing with issues of legitimacy, citing "the eleven thousand women battered and held in suspense for the ten-year waiting period to get a divorce" in Jafari Courts.

The National Foundation for Human Rights has called for the enactment of laws to criminalize violence against women and the development of long term strategies to create community awareness and education on the topic of violence. Further it stresses the need to combat violence against women when witnessed by a family, as it is an integral part of human rights. This statement issued by a government-sponsored human rights organization clearly shows the inadequate legislation in Bahrain for the protection of women. While legislatures witness dozens of laws that are passed annually for the benefit of the system towards greater stifling of freedom, laws such as those against domestic violence remain in locked drawers indicating a priority gap in favor of criminalizing sit-ins.

Since the King of Bahrain assumed the throne after his father, he issued most of the laws currently in use through royal decree, as well as issuing legal decrees to a lesser extent. Through such decrees it was agreed to participate in UN agreements related to women's rights including the convention against torture and others such as cruel treatment, harsh or inhumane penalties and the international convention for the elimination of all types of sexual discrimination. Further it also included the UN convention for children's rights and participation in the International Labor Organization's 1999 convention eliminating the worst forms of child labor and the immediate action to abolish it as well as the convention to eliminate all types of discrimination against women. Similarly Bahrain participated in the Optional Protocol regarding involvement of children

in armed conflict and the sale of children, child prostitution and child pornography included under the UN convention for Child's Rights. The Bahraini government agreed to participate in the international treaty related to economic, social and cultural rights. In 2006 and 2007, under royal decree the Kingdom of Bahrain participated in the International covenant for political and civil rights. In 2011 it ratified the convention on rights of persons with disabilities. Finally on 23/11/2013, Bahrain signed the UN agreement on arms trade.

In comparison to other regions of the world, Bahrain is lacking in the provision of protection of human rights relative to its adherence to its international treaties. Furthermore there are no efficient regional mechanisms to enforce and protect human rights similar to for example the US courts, the EU human rights courts or even the African Commission on human and tribal rights. The current example of such regional mechanism is the Arab Charter on human Rights which has been ratified by a number of Middle Eastern countries. It is however criticized for being amongst the weakest of similar charters internationally, mainly due to questions surrounding the effectiveness of the authority set up to implement the charter. Furthermore, the Arab League of Nations agreed to establish an Arab Criminal Court in Bahrain, despite Bahrain not being a signatory to the Rome convention for International Criminal courts. Questions may arise in regards to its mandate, who will be appointed as judges and under which legal principles will it conduct its proceedings?

The ratification of such treaties is an important matter, as it is upon ratification that a government holds itself to the obligations of these treaties and conventions. The real challenge however is in actual implementation of these rights as it requires a strict compliance and strong political will form the part of the government. Furthermore, it also requires the participation of civil societies and public engagement in order to ensure proper and transparent adoption of policies entailed in the treaties. This is particularly true for segments of society whose voice is often the weakest due to the discrimination and other similar factors.

Interpreting these treaties is the mental process intended to draw on the content and extent of the legal provisions contained in the international agreement in preparation for application to the reality. Currently, however, what is happening in Bahrain is a process of throwing away the book of laws and instead adopting an "end justifies the mean" approach, making the obligations contained in the treaties secondary to the challenge of limiting activism through preventing their rights to express their political views, peaceful assembly or association, getting a divorce and participating in government. Therefore it is not surprising that as a result there have been greater human right violations particularly against women.

Following the popular uprising in Bahrain, where greater detention of people has been witnessed, Bahrain has moved away from the obligations it created with these treaties. Despite being the largest participant in Human Rights treaties in the Gulf, Bahrain also maintains the majority share of violations and breaches of contracts.

The Department of Women's Affairs of Al Wefaq, the largest political society in Bahrain, has confirmed violations committed by the Bahraini authorities in the violation of a woman's rights and dignity. The detention of eight women due to their opposing political opinions, bears witness to these violations. This, they cite is part of a larger set of violations committed by the regime which continue against women. On November 23 2011, the National Commission for Truth presented a report of the arrest of 250 women, their abuse, torture and brutal violation of their rights through both psychological torture such as the threat of rape and physical torture including electrocution, crossing a line in disgracing their humanity. This comes at a time of international silence while 30 women were detained, including nine women in early pregnancies and three nurturing mothers. The figures have doubled in the two years since the report was first published.

A further 308 women were not allowed to work and prevented from receiving an education while being detained, verbally abused (this includes family, faith and symbolisms) and coerced into confession under threat of torture. At a time when the UN resolution, on the occasion of the day of Elimination of violence Against Women, tried to use its bodies, funds, as well as NGOs, to raise awareness of violence against women, the Bahrain regime was arresting women and finding creative ways to torture them in order to deprive them of their freedom.

Bahrain has received a number of inquiries to its extent of its commitment to the CEDAW (Committee for Elimination of Discrimination Against Women) particularly a complete revision of its local legislation and administrative bodies to comply with its international treaties. Further it called for the training of personnel in law enforcement agencies and legal fields, especially the judiciary on the principles of human rights. To which the state replied that its legislative bodies have revised necessary legislation and that it had begun the training of the executive and judiciary branches. But has this resulted in visible change in the status of the state in its understanding or interpretation of violence against women, or an active effort toward inclusion of a unified family law rather than hiding it behind the passing of a section that does not cover all segments of society?

Further inquiries from international committees and special rapporteurs, working in the departments of special committees in the UN HCR, about the challenges and constraints and responses to the human rights situation on the ground have not been answered by the state, which the international community is aware of. Despite the treaties which Bahrain has signed to, calls from the international community, their questions and appeals and the principles upheld by the committees and organizations, Bahrain continues to crudely violate these treaties.

I - Women in Bahrain:

Women no longer play the part they once did in the awakening of society, their investment has become proverbial when it was once held alongside the men.

They constitute, a well-deserved, half of the community and have statistically proven their ability to excel, in some cases exceed their male counterparts, contending in a number of fields. They have shown their worth in being part of the decision-making process of the country and with that society must direct its view to a most fair and objective perception of the competency of both genders to better invest in the capacities of both.

Women have outperformed men in their attainment of secondary education, diplomas and Bachelor degrees despite preferential treatment toward men seen in the following such as higher number of participants from males in Bahraini societies. This may be due to the higher number of men that have achieved the Masters level requirement for entry. One possible explanation may be due the limited number of such degrees offered in the country tied with the limitation of women traveling abroad due to local community perception of women.

There have been a number of achievements for women in various women and the constitution of Bahrain confirms their place according to article V which states the countries role in “reconciling the duties of woman towards the family and her work in the community, and equality with men in the political, social, cultural and economic, without prejudice to the provisions of Islamic law.”

Women in Bahrain have played a prominent role in the community, being a role model for Arab women in positively affecting the building of the community, especially after receiving several official positions and participating in several projects to make and take decisions in the country's ministries, in addition to their many economic, social and political contributions. Despite favoritism in selection, Bahraini women have played major roles in the following:

Women were represented in the formation committee of the National Charter, its implementation committee and in the amendment of the constitution. The National Charter granted women the full right of election including voting and participation in municipal and parliamentary elections as well as insured their individual and family rights, hence promoting women's rights in the country.

Attorney Lulwa AlAwadhi, the current Secretary General of the Supreme Council for Women (SCW), was appointed as the first female minister in Bahrain on the 8th of November, 2001. Following her footsteps were Nada Haffadh and Fatema Al Balooshi as ministers of Health and Social Development respectively. Simultaneously, Shaikh Heya bint Rashid Al Khalifa was assigned to France as the first female ambassador for Bahrain.

Other female appointments include:

1. Shaikh Maryam bint Hassan Al Khalifa, President of the University of Bahrain.
2. Six new female members of the Shura Council; the upper house in the Kingdom of Bahrain, in 2002 bringing the total up from 4 to 10.
3. Four new appointees as Assistant Under secretaries in several ministers.
4. Twenty-five new assignments as directors in the public sector.
5. Three female chief prosecutors.
6. Mona Yusuf Almoayed was elected as the first women in Bahrain Chamber of Commerce and Industry.

Women have generally played, in recent years, a larger role in the executive suite of the private sector as well as through an increase number of societies dedicated to their cause.

Further, the establishment of the SCW on the 22nd of August 2001 by royal decree, headed by Princess Sabeeka bint Ibrahim Al Khalifa, the wife of the King of Bahrain, was a major step forward toward female participation in being a partner in the overall development of the country.

The feminist movement in Bahrain has been an active one and despite recent moves to bring them under a single umbrella, there have been adoptions of women rights committees under a number of political societies in Bahrain. While women have joined men in their political movements they deserve greater social, political and economic recognition from the state.

II - Violence Against Women:

Violence as understood by the victims are human acts of aggression, power and hatred from an individual, group or state against another aiming to create submission. This causes physical and psychological damage to the victim.

There are three main ways in which women are subjected to violence; the family, society and the political realm. In the family, this violence is usually either physical or in the form monetary deprivation. Violence in society can include the silencing, discrimination and oppression of women. Politically speaking, women can be deprived of their freedom of political expression, given a limited role in decision making or even arrested and tortured for her political beliefs.

These forms of violence have long run effects on women and society. They can cause a sense of insecurity and emotional stability which can have negative effects on her social duties towards her family and children, hence affecting society as a whole.

Violence is a tool of the strong that goes against all understanding of modern civilized behavior. It is used by those with power to keep others suppressed. Violence should be fought at all levels especially when involving women. However this duty has been forgotten by the societies, including feminist sector when their support was needed the most in Bahrain.

Ahlam Al Khozaee Head of Women Affairs in Al Wefaq Islamic Society has shown that the government has not been able to create a practical way to deter violence against women. Further they have been lacking as a leader in changing the mentality of its people, to protect women against discrimination, especially considering they are signatories of CEDAW.

Women in Bahrain remain subjected to physical and emotional violence, which continues in every aspect of her life, in addition to her constant exposure to political violence.

Violence against women has become institutionalized and systematic as can be seen in the report of Bahrain Independent Committee of Inquiry (BICI) in the following points:

1. Raids on houses by security forces.
2. The documented violations during security forces arbitrary arrests.
3. Concealing the location of detainees from their family members.
4. Public officials who sought sought revenge of participants of the 2011 protests.
5. The unacceptable suspension of hundreds of university students due to pictures showing their participation in protests.

Sharifa AbdelHameed of Batelco's center for domestic violence cited a study conducted on violence against women, which indicated 411 cases of violence during the first 10 months of 2013. Meanwhile the SCW (which is not trusted by many women in Bahrain because of its ties to the government) stated that cases of violence against women only occur in a few instances which have been referred to and dealt with by the concerned authorities, asserting that it would not constitute a phenomenon. The Council's counseling and guidance department had received over 200 instances of violence in 2012, the majority of which appear to originate from the same source.

In his letter on the International Day for the Elimination of Violence Against Women, the Secretary-General of United Nations, Ban-Ki-Moon stated that “We must put our hands together to combat this global challenge. I have launched a campaign United to Eliminate Violence Against Women in 2008 to ensure that women around the world live a violence free life and we will continue our efforts... to end this clear violation against human rights.”

III: Discrimination Against Women In Bahrain

The women own half of the local talent and skills and any form of excluding their productivity means the development of human capital in any society. Most international gender related reports, including CEDAW, consider this gap as a main indicator on which they measure the performance or position of any country in this regard.

In Bahrain, the topic of gender discrimination is fairly new on the local stage and it is apparent that mentioning it seems to increase in multitude. This has can become the accustomed case when discussing women in Bahrain, making it necessary to address these concerns twice if not tenfold.

Bahrain joined CEDAW in 2002, during its attempt to increase democratization in the country through a complete change political agenda. It was clear that women empowerment was a corner stone for completion of this project.

Over a decade has passed since that process had begun, and discrimination against women, particularly the gaps between local legislation and their implementation, is still a clear topic that needs urgent addressing. Bahraini women are currently demanding their rights as a complete and equal citizens in the country given in full by its working constitution.

The flag point of this discussion would be their demand to fix the law of citizenship in the country. Currently the law allows for men to pass their citizenship to their children even if married to a non-Bahraini. This however is not the case for women that cannot pass their citizenship to their children.

In 2008 Bahrain first began to address the points seen in CEDAW, chiefly the gap seen between men and women in political and economic participation. This can be seen clearly in their struggle to reach decision making positions in either sector. However this deteriorating image may be seen in better light when considering educational and health indicators as noted in previous sections.

The head of the parliamentary committee on women and children Ibtisam AbdelRahman Hagra said that Bahrain ranked 112 globally and second regionally in relation to the social gap seen. Women also hold 16% of the leadership positions in the public sector and only 6% in private sector. Bahrain ranks below the 100th position in the following pillars of the Gender Gap report, in economic opportunity and participation, labor participation, life expectancy, political empowerment and 71st in regards to improvements in education. This gives a clear picture of the current policy towards women in the Kingdom.

On the other hand Bahrain performed well in primary and secondary enrollment gaps and tertiary participation of women. It must be noted however that pre- university education is free in Bahrain.

A lot of effort has been seen on both fronts; official and colloquial, to raise gender-related legislation to further protect the rights of women in the country. However discrimination can still be seen through the gaps in implementation.

In regards to the United Nations committee's recommendations to Bahrain regarding its compliance with CEDAW, the following points were highlighted;

1. The need to create a unified law for personal affairs including marriage, divorce, inheritance and child care. The gap due to sectarian differences in the application of the family law was a major cause of concern that required active educating the population and raising awareness of the importance such laws amongst all sects, religious leaders, traditionalists and media. It also included a call to raise the minimum age required for women to get married from 15 to 18 and a limitation on polygamy.
2. Necessary action to protect women against acts of violence, where no legal structure exists for it especially in the home to protect women particularly wives from abuse or rape. Further change in the form of amending article 535 which protects rapists by allowing them to marry their victims.
3. The need to protect female domestic workers, who have been exposed to subjugation considering their lack of knowledge of their rights, their limited ability to present their cases as well as the fact that they are not covered even in the most recent version of the labor law, despite these recommendations.
4. A more active effort towards eliminating human trafficking. Bahrain has passed a law in 2008 banning human trafficking, however once again it fell short on implementation of it. The committee therefore requested that the government place laws allowing for the penalization of such criminals involved in these acts as well as allowing for the rehabilitation of the women.
5. Taking realistic steps towards greater involvement of women in the political and public life in Bahrain, through greater participation in parliament and municipal councils. Some political societies have called for the installations of quotas.
6. Amendments in nationalization laws to allow women to pass their citizenship onto their children.
7. Withdrawal of the reservations to the elimination of discrimination against women as it goes against the "object and purpose of the agreement".

The committee further required that tools and indicators be set to insure and measure the success of the implementation of the agreements to which the state had signed. Bahrain is currently preparing for the discussion of the third CEDAW report which will be held in February 2014. The CEDAW working committee has submitted 21 questions to related officials covering instances indicating a break from the commitments within the convention.

The first question was in regard "the application of the recommendations of the Independent Commission for Truth (BICI) and how the State planned to improve the capacity of the authorities responsible for law enforcement and judicial institutions, at all levels to ensure the protection of the rights of women and girls and their enjoyment of these rights" "in light of the severe deterioration of the human rights situation since 2011."

As for question 5, it probed the number of complaints of violations received by the National Foundation for Human Rights from women and results of those complaints. Question 12 asks whether the State had conducted any investigations into, or prosecution procedures against the use of sexual violence as a means of torture and if it would allow a visit from the Special Rapporteur on Torture.

The team also questioned the role of “the Secretariat of the grievances of the Special Investigation Unit of the Ministry of Justice in the investigation into allegations of police officers’ excessive use of force and ill-treatment and torture in detention centers and prisons, particularly against women.” Question 19 on the other hand asked for detailed information about the suspension from work following the events of February and March of 2011.

The rest of the questions covered areas of legalization regarding the criminalization of violence, the protection of rapists if they married their victims, the issue of passing of citizenship from the mother, the ability of women to realistically use judicial institutions to protect their rights and compatibility of the draft law on civil societies and organizations with regards to their constitutional right to the establishment of civil society organizations and international standards on freedom of association. Further it questioned and requested the withdrawal of reservations to article 2, and article 9, paragraph 2, and Article 15, paragraph 4.

Further it pointed out the issues of human trafficking and prostitution, calling for the state to implement concrete measures to amend the stereotypes of women in the media and in the curriculum, and ensuring that equality of rights related to family and marriage.

Finally the responses received will be carefully examined to measure the success of the projects and achievements of Bahrain especially in regard to the unprecedented levels of violations following the events of 2011.

It is no longer a secret that the recommendations of Bahrain’s fact-finding mission are not implemented and that institutions such as National Foundation for Human Rights and the Secretariat for the Grievances of the Ministry of Interior falls short of international standards and effective independent investigations which are of utmost importance.

The way to move forward is the admission of this abuse, violation and overall degradation in and out of detention centers and beginning a reconciliation effort based on the BICI and the UN Universal Declaration of Human Rights (UDHR) by holding the perpetrators accountable in the eyes of the law. Further the opportunities stated in these reports should be insured especially to those women that faced suspensions due their sect or political beliefs and removal of systematic policies against them. As for the strategic plan particularly for media it should meet international standards that protect a positive perception of women, while the current situation still bears witness to programs of hatred and defamation of women in society. Finally it is surprising that article 353 has not been amended or removed despite being used to protect acts of rape.

IV - Official And Societal Violence Against Bahraini Women

Recognition of fault is a new topic of philosophy as discussed by the likes of Paul Wrecker and Axel Hunt. The ideas behind it were crystallized through ideas of transitional justice and reconciliation as witnessed by a number of modern countries such as South Africa, Ireland and Morocco where large segments of society were subject to oppression, humiliation and marginalization. Under this pretext it is the duty of the state to recognize their actions towards women and begin to recognize her as a wholly dignified citizen of the coun-

try whether or not they had opposing opinions to the State.

It is important for the state to understand that those with similar opinions to it are not necessarily patriots nor those with opposing opinions traitors and regardless of ethnic, religious or political backgrounds that it must recognize the rights of its people to their individuality in forms of their self-expression and existence as citizens whether they are part of the majority or minority.

An ideal democracy would see the recognition come on the part of the state recognizing its citizens rather than vice versa. On the other hand an authoritarian regime is one that requires its people to view the state as it does, or else bow in obedience or beg forgiveness for holding opposing opinions.

There is an established theory of recognition as the victory of justice for those suffering from tragic discriminatory situations. This kind of recognition is of utmost priority to the women in Bahrain, who have continuous exposure to violations from state organizations as well as in public platforms like the media. This lack of recognition is an obstacle playing a direct role in intensifying violence against women in the home, work place and other areas.

Humiliation is a form of lack of recognition and is a form of violence especially when used to protect the interests of an unjust authority. Women face humiliation in the following ways:

Economic humiliation: Dismissal from work , arresting the provider to create. When people need money they live in humiliation especially in Bahrain where people depend on their income for everyday necessities. The government was subjecting the people to humiliation through their dismissal from work for political reasons.

Employment humiliation: When you are employed by state ministries you are not entitled to an opinion which opposes it. In this case they would first detain, transfer the employee to the disciplinary council, followed by suspension, a transfer of the case to the ministry of Interior and interrogation at the local police station before finally opening and keeping a pending legal case against you.

Psychological Humiliation: Political prisoners were placed in the same cells as women charged with prostitution related crimes. Late night raids on homes, entering amidst them in their bedrooms. The mothers & wives of detainees and those wanted by the law have to deal with both the above & the absence of their loved ones.

Most importantly physical humiliation: We have witnessed and heard of women doctors, lawyers and activists in prisons, during interrogations or protests that have been thrown in the streets, suffered burns to the faces or direct physical abuse with a lot of physical evidence in form of videos and photos. Some of these women were Enat ElKarmazy, academic Nazeha Saeed, activists Zainab Al Khawaja, Rashat El Mowad and Zahra El Shaykh.

Many societies and lawyers have been presented with numerous cases of kidnapping or rape where because the actor was part of the law enforcement, or pro-government camps and the victim was accounted as part of the opposition, the judicial institutions did not take any form of action against the crime. In a number of these cases the victims were reluctant to continue pressing charges due to fear of being reprimanded for bearing false witness such as seen in the cases presented to the office of Mohammed El Tajer of Zahra El Bahrani,

and the student Fatema, who were placed under travel bans.

V - Women And The Legislative Reality In Bahrain

Bahrain joined CEDAW under decree no. 5 in 2002 and is currently through the Supreme Council for Women, reconsidering some of its reservations. This has been the case for some time, and no progress has been made. However, the fact that it is being addressed by the Supreme Council for Women is a reflection of the official position held by the Bahraini authorities. This is not in line with the opinion of the Women societies & organizations and CEDAW.

The UN celebrates the international day for the elimination of violence against women on the 25th of November, which was adopted by the UN on its 45th Seminar in 1999 under decree 104/98. The first article defines violence as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.”

This is also mentioned in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, CEDAW, the Convention against Torture and other cruel, inhuman or degrading acts.

The method in which the family law was created and passed excluded a segment of society. Following CEDAW the SCW began the effort to create the law without any consideration for the differences in Sunni and Shi'ite law. This led to the welcoming of Sunni observers and shunning of Shi'ite monitors. The fact they went ahead with the creation of the law without consideration of all factors only highlights the discrimination seen in the process.

VI - The Challenges Behind The Obstacles That Prevent Legislative Reform

The mechanisms followed by the Supreme Council for Women and the state representative in the National Council are very high level, far from the women who could be pushing towards legislation which does not discriminate. Examples include the national media and government newspapers that do not approach women or try to work with them which prevents any real outcome. Considering the current situation in Bahrain, where the society is divided between opposition and pro-government, no one will be able to compel the previously mentioned women in the jaffari sect to work with female societies or the Supreme Council for Women, who are seen as a part of the same political authority who oppresses and views these women as terrorists or traitors. There is an urgent need for reform & independence in both the judiciary system & the public prosecution, in particular the legal courts by voiding any laws which highlight differences in society. It is important to highlight the shortage of legislative action which the Government is currently ignoring. This is what women rights activists with the Supreme Council for women have agreed to, and issued in their report on 7 March 2013. They suggested amending Article 353 which protects rapists from any form of punishment if they marry their victims. An amendment to Article 3 to allow Bahraini women who marry foreigners to receive government housing (subject to the same conditions currently existing) and for a divorced woman to receive her share of their marriage home after divorce.

The Kingdom of Bahrain has failed to protect women against violence in the home mainly due to the lack of a clear law protecting women from violence. Noor Al Marzoqi (a member of the Women's Union) has called in

a recent statement to implement a previously suggested(2007) version of the family law which protects women in the home. She clarified that this law does not conflict with the Sharia Law but only protects a women's dignity. She also called for the jaffari sector from the family management law after their Sunni counter-parts withdrew in May 2009. She suggests that from this experience we have seen that this reduces violence against women and increases the stability of the family unit while safe guarding children's rights. She also mentioned that no clause was set in the Citizenship law to protect a widowed or divorced Bahraini women who has married a foreigner in case she would like to live with her children (who are considered foreigners) in Bahrain.

The BCHR disagrees with the traditional view towards women in Bahrain, which have been basis for the citizenship law in Bahrain, especially when most countries have already signed or joined conventions to protect women rights. Therefore the least the Kingdom of Bahrain can do is follow in this pattern and amend this law which does not allow any child of a Bahraini woman married to a non-Bahraini to get a citizenship unless there is a royal decree from the King. There have been recent articles in the local news where a Bahraini woman, who received a royal decree granting her children citizenship, has been denied this right by the passport agency due to lack of communications. This comes from a country that has naturalized more then quarter of a million people, but yet they refuses to grant the offspring of Bahraini women citizenship.

In Bahrain, there is a demand for legislation protecting family members, and in particular woman, from violence in the home. However, in reality, this is viewed differently where rather than a concern for conflict within the home, this concern has turned to a conflict in society where women stand defending their rights and freedom from a system forced upon them for the last decade. The question is, has the government, with all its institutions, paid any attention to this problem, and if son, on what level? The answer again is the lack of any real implementation as this law has been linked with sectarian issues for half the population while the other half announced their religious concerns and in turn political concerns

When addressing the penal code, you see it lacks any content protecting women except in the articles relating to bodily or sexual assault on others & rape. However as mentioned in article 353 ' No one will be resented for any of the above mentioned crimes , if the aggressor enters a marriage contract with the victim". This article nullifies the whole point of penalization by allowing those who commit such crimes to escape the consequences by agreeing to marry the victim. The law is then in fact not adhering to its objective of protecting society and taking measures to prevent any violations in society. It is therefore the duty of both legislative and judiciary powers to allow and enable the community to make or request the change required by the society they serve . Even though it is currently impossible to have society or the community all agree to a specific unified opinion regarding the required change . This is only due to the lack of a presence of a system enable the community to bring about such changes particularly in the empowerment of women. However the government has been disturbing the work of civil societies by targeting its members (lawyers, doctors and nurse associations) who have since been swimming against the current in their self-preservation.

VII - Women In The Judicial System:

Recently under heavy criticism the Supreme Judicial council issued a statement condemning a number of sites and other modes of communications which addressed topics involving commentary on judicial decisions particularly as it concerned their prestige and integrity. It is surprising to see the level of concern about prestige in regards to discussions on social media. It has been well documented by the BCHR that the judicial branch remains biased to the royal family and executive powers, which is the greatest damage to the institutions prestige.

To reveal the mentality of some of the governing judiciary, one need only look at the petitions submitted by 58 clerics and published on newspaper and distributed through brochures on December 2nd 2013 condemning Bahrain's joining of CEDAW and warned of the commercialization which will lead to changing of the mentality of people.

They stated that "It's the basis of the National Charter, which took Him, God Almighty to scholars in the statement of the truth and not concealing it, we warn the community of the seriousness of the Convention (CEDAW) and the ill consequences. The marketing of its evil should be confronted and addressed. It is a serious setback for common decency and is a real threat to the family structure." Many more examples of how it mixes the duties of women to her household and instead they continuously demand rights. It goes on to discuss how such a convention changes the cultures traditions and religion of the people and calls upon all Islamic countries to stop abiding by it, as it contradicts the laws the Almighty set for all times and place.

Further they called upon the scholars, advocates, educators, media and parents to carry out their role in stopping this threat to Islamic society, asking them "to use all means possible to repent to God and conduct their duty to eliminate and deny this evil."

Recommendations:

1. Working to allow for international human rights mechanisms to function in the country by allowing entry to such as special rapporteurs and individuals authorized to verify treaty obligation.
2. Improving the position of women in working, educational and societal backdrops and guaranteeing her right to freedom of expression and social welfare.
3. Stopping discrimination in granting political and civil rights and the limitation of person, social, religious and economic freedom
4. Harmonizing local legislation
5. Working with local organizations in the preparation of committee reports
6. Criminalizing violence against women and creating strategic plans to educate the population on violence against women.
7. A national plan for the empowerment of women in targeted at increasing the women's enjoyment of their right without discrimination.
8. Injecting the SCW with the role of fighting for the rights of independent women and those in the opposition.
9. Stop targeting the women's Union and facilitating local and international support and funding.
10. Developing a mechanized method of eliminating human trafficking and sex trade. The creation of a national committee charged with developing programs to prevent and combat human trafficking and protect victims from further harm.
11. Keeping extremists and fundamentalism away from the judiciary and other decision making centers.
12. A clear definition of discrimination against women that supports the first article of CEDAW.
13. Withdrawal of reservations with CEDAW.
14. Awareness campaigns and encouraging media to provide a positive image of equality between men and women.
15. Revision of the Penal Code to include the criminalization of all forms of violence against women in the house and the removal of article 353.
16. Organizing awareness and training programs for the benefit of workers in the judiciary, law enforcement officials, legal professionals, medical and community leaders as well as the general public.
17. Promote the participation of women in public and political life and addressing the under-representation in public and political life and decision-making positions
18. Allowing children of Bahraini women to inherit the citizenship of their mothers.
19. Amending the current labor law to include more rights for women in the work place.

20. A clear unified family law that doesn't contain any discriminatory provisions on marriage, divorce, inheritance or custody of children