



University of Notre Dame  
International Human Rights Clinic

SUBMISSION TO THE  
UNITED NATIONS HUMAN RIGHTS COUNCIL  
UNIVERSAL PERIODIC REVIEW  
FOURTH CYCLE  
BAHRAIN

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**I. INTRODUCTION**

1. The University of Notre Dame International Human Rights Clinic<sup>1</sup> respectfully submits this evaluation of Bahrain’s human rights record during the COVID-19 pandemic to the U.N. Human Rights Council for the Fourth Cycle of its Universal Periodic Review.

## **II. EXPRESSION AND OPINION**

### **A. Overview**

2. This section will address how Bahrain violated freedom of opinion and expression during the pandemic.

### **B. Prosecutorial Policies During the Pandemic**

3. Bahrain threatened to prosecute individuals who criticized the government’s response to the COVID-19 pandemic, in violation of the rights to freedom of opinion and expression as set forth in the Universal Declaration of Human Rights.<sup>2</sup> Bahrain’s General Directorate of Anti-Corruption and Economic and Electronic Security authorized the tracking of social media accounts of individuals who criticized “the state’s efforts to confront the COVID-19 pandemic” for possible prosecution.<sup>3</sup> At least 58 individuals were tried between June 2020 and May 2021 for violating Article 168 of the Penal Code,<sup>4</sup> which criminalizes the publication of “false news.”<sup>5</sup> This is more than double the number of arrests made between June 2019 and May 2020.<sup>6</sup> Furthermore, in 2020, there were 1,771 criminal cases involving “misuse of telecommunications mediums.”<sup>7</sup>

### **C. Individuals Prosecuted During the Pandemic**

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<sup>1</sup> The University of Notre Dame International Human Rights Clinic is a practice-based course on the Universal Periodic Review, offered by the Notre Dame Washington Program. This submission was researched and authored by students in the Notre Dame Washington Program. The student research and drafting team includes: Ashley Cammisso, Bridget Fuller, Alice He, Benjamín Rascón Gracia and Kayla Swiderski. Thomas Kellenberg, the Executive Director of the Notre Dame Washington Program, oversees the clinic. This submission represents the views and opinions of the authors. It does not represent an institutional position of the University of Notre Dame. Contact: Thomas Kellenberg ([tkellenb@nd.edu](mailto:tkellenb@nd.edu))

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<sup>2</sup> UNITED NATIONS GENERAL ASSEMBLY, *Universal Declaration of Human Rights*, Article 19, <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (This right “includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”).

<sup>3</sup> *Freedom on the Net 2021: Bahrain*, FREEDOM HOUSE, <https://freedomhouse.org/country/bahrain/freedom-net/2021>.

<sup>4</sup> *Bahrain 2020*, AMNESTY INTERNATIONAL, <https://www.amnesty.org/en/location/middle-east-and-north-africa/bahrain/report-bahrain/>.

<sup>5</sup> *Freedom on the Net 2021: Bahrain*, *supra* note 3.

<sup>6</sup> *Freedom on the Net 2020: Bahrain*, FREEDOM HOUSE, <https://freedomhouse.org/country/bahrain/freedom-net/2020>.

<sup>7</sup> *Freedom on the Net 2021: Bahrain*, *supra* note 3.

4. In February 2021, Jaffar al-Jamri was put on trial for using Twitter to criticize Bahrain’s Education Ministry for its remote-learning efforts.<sup>8</sup> Additionally, Alyaa al-Moayed, a nutritional therapist, was interrogated regarding her Instagram posts for “scaring people from the vaccine and weakening the Kingdom's efforts to combat COVID-19.”<sup>9</sup> Article 11(2) of the Universal Declaration of Human Rights guarantees individuals the right to know what the law is and what conduct violates the law.<sup>10</sup> However, in Bahrain the prosecutor decides on a case-by-case basis what constitutes “false news.”<sup>11</sup> The United Nations has previously condemned member states for using such vague and overly broad laws to prosecute those who criticize the government.<sup>12</sup>

#### **D. Reporting on COVID-19 Abuses**

5. After cutting diplomatic relations with Qatar in 2017, Bahrain blocked Qatar-funded web-based outlets and other pan-Arab media outlets critical of Bahrain, and suspended Al-Wasat, the country’s only independent newspaper.<sup>13</sup> Consequently, reporting on the COVID-19 pandemic is available only through state media, and numerous human rights groups have expressed concern over its accuracy and transparency.<sup>14</sup> Reportedly, the government also hacked the mobile telephones of nine Bahraini activists in August of 2021 using NSO Group’s Pegasus spyware.<sup>15</sup>

### **III. PRISON CONDITIONS**

#### **A. Overview**

6. This section will examine prison conditions in Bahrain during the COVID-19 pandemic. In 2020, the UN Office on Drugs and Crime acknowledged the unique risks and actions needed to mitigate the spread of COVID-19 for incarcerated people across the globe.<sup>16</sup> Between confined living spaces and the “systemic neglect of prisons and other places of detention,” there are countless challenges and precautions that need to be accounted for in order to ensure the safety and well-being of prisoners everywhere, including in Bahrain.<sup>17</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Universal Declaration of Human Rights*, *supra* note 2.

<sup>11</sup> *Bahrain Penal Code*, 1976, [https://menarights.org/sites/default/files/2016-12/BHR\\_PenalCode\\_1976.EN\\_.pdf](https://menarights.org/sites/default/files/2016-12/BHR_PenalCode_1976.EN_.pdf).

<sup>12</sup> ‘Vague and over-broad’ laws stifling independent journalism in Myanmar – *UN rights report*, UN NEWS, <https://news.un.org/en/story/2018/09/1019012>.

<sup>13</sup> *2020 Country Reports on Human Rights Practices: Bahrain*, U.S. DEPARTMENT OF STATE, 2020, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/bahrain/>

<sup>14</sup> *Bahrain Country Chapter 2021*, HUMAN RIGHTS WATCH, <https://www.hrw.org/world-report/2021/country-chapters/bahrain>.

<sup>15</sup> *Id.*

<sup>16</sup> *COVID-19 preparedness and responses in prison*, UNITED NATIONS OFFICE ON DRUGS AND CRIME, 2020, [https://www.unodc.org/documents/justice-and-prison-reform/UNODC\\_Position\\_paper\\_COVID-19\\_in\\_prisons.pdf](https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Position_paper_COVID-19_in_prisons.pdf)

<sup>17</sup> *Id.*

## B. COVID-19 Cases in Bahraini Prisons

7. It is difficult to locate an official statistic on the total number of COVID cases that have been diagnosed among Bahraini prisoners. At least two major waves of COVID have been documented in the Jau prison, the largest incarceration facility in Bahrain, that have amounted to at least 210 cases.<sup>18</sup> In addition to a government announcement of three COVID cases in March of 2021, total case count estimates have been independently calculated by family members and activists through the Bahrain Ministry of Health website.<sup>19</sup>

## C. Severe Overcrowding in Bahraini Prisons

8. Overcrowding in Bahraini prisons was a concern even before the pandemic. Every year since Bahrain's last UPR in 2017, the U.S. State Department has cited "overcrowding" in Bahraini prisons and detention centers in its "Country Reports on Human Rights Practices."<sup>20</sup> In April of 2021, Amnesty International reported that "a dozen or more prisoners [have] been held in cells roughly three by four and a half meters," and that "it is common to find a dozen or more prisoners being held in cells designed to accommodate eight people" in the Jau prison.<sup>21</sup> The lack of adequate space for those currently imprisoned, even with the release of 1,500 people from the Jau prison, has been further exacerbated by coronavirus concerns and the need for social distancing to mitigate the spread.<sup>22</sup> This overcrowding violates Rule 13 of the the UN Standard Minimum Rules for the Treatment of Prisoners ("Mandela Rules"), which calls for sleeping accommodations that "meet all requirements of health" as well as "minimum floor space" requirements.<sup>23</sup>

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<sup>18</sup> *Bahrain: Death of prisoner a warning for Covid-19 failings in Jaw Prison*, AMNESTY INTERNATIONAL, 2021, <https://www.amnesty.org/en/latest/news/2021/06/bahrain-death-of-prisoner-a-warning-for-covid-19-failings-in-jaw-prison/>

<sup>19</sup> *Bahraini authorities flouting prisoners' rights to health amid rise in COVID-19 cases at Jaw prison*, AMNESTY INTERNATIONAL, 2021, <https://www.amnesty.org/en/latest/news/2021/04/bahraini-authorities-flouting-prisoners-rights-to-health-amid-rise-in-covid-19-cases-at-jaw-prison/>.

<sup>20</sup> *2017 Country Reports on Human Rights Practices: Bahrain*, U.S. DEPARTMENT OF STATE, 2017, <https://www.state.gov/reports/2017-country-reports-on-human-rights-practices/bahrain/>.

*2018 Country Reports on Human Rights Practices: Bahrain*, U.S. DEPARTMENT OF STATE, 2018, <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/bahrain/>.

*2019 Country Reports on Human Rights Practices: Bahrain*, U.S. DEPARTMENT OF STATE, 2019, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/bahrain/>.

*2020 Country Reports on Human Rights Practices: Bahrain*, U.S. DEPARTMENT OF STATE, 2020, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/bahrain/>.

<sup>21</sup> *Bahraini authorities flouting prisoners' rights to health amid rise in COVID-19 cases at Jaw prison*, *supra* note 19.

<sup>22</sup> *Bahrain: Free Imprisoned Rights Defenders and Opposition Activists*, HUMAN RIGHTS WATCH, 2020, <https://www.hrw.org/news/2020/04/06/bahrain-free-imprisoned-rights-defenders-and-opposition-activists>.

<sup>23</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners* (the "Nelson Mandela Rules"), UNITED NATIONS OFFICE ON DRUGS AND CRIME, [https://www.unodc.org/documents/justice-and-prison-reform/Nelson\\_Mandela\\_Rules-E-ebook.pdf](https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf).

## **D. Disparate Access to Personal Protective Equipment in Bahraini Prisons**

9. Several studies have reported that, in Bahrain, personal protective equipment (PPE) for safety and sanitation was not provided for those who were imprisoned. Amnesty International reported that “prisoners were not provided with face masks or hygiene supplies,” materials required under Rules 18 and 19 of the Mandela Rules.<sup>24</sup> These rules require that prisoners be provided with “water and toilet articles as are necessary for health and cleanliness” as well as “clothing suitable...to keep him or her in good health.”<sup>25</sup> Prisoners could buy “soap, detergent, rags, and towels” in the Jau prison commissary, but the need to purchase these materials created an additional burden for prisoners who wanted the equipment for hygiene and protection.<sup>26</sup> Additionally, some incarcerated individuals, such as Sayed Nizar, were “denied permission to visit the [commissary] for roughly a month and a half prior to the [COVID] outbreak at Jau.”<sup>27</sup>

## **IV. FREEDOM OF ASSEMBLY AND ASSOCIATION**

### **A. Overview**

10. This section examines the status of freedom of peaceful assembly and association in Bahrain since 2017. A CATO Institute report on Bahrain found that, from 2008-2019, four different indicators relating to freedom of assembly and association dropped in value, including civil society entry and exit, freedom of assembly, freedom to form political parties, and civil society repression.<sup>28</sup>
11. Freedom House evaluated equivalent indicators in 2020 and gave Bahrain a score of 0/4.<sup>29</sup> Their report cited major legal restrictions on political protests and assembly, a prohibition on political parties, and strong scrutiny and control over civil society organizations. Furthermore, Bahrain used COVID-19-prevention measures as tools to further limit the political rights of its citizens.

### **B. Freedom of Assembly and Association**

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<sup>24</sup> *Bahraini authorities flouting prisoners’ rights to health amid rise in COVID-19 cases at Jaw prison*, *supra* note 19.

<sup>25</sup> *The United Nations Standard Minimum Rules for the Treatment of Prisoners*, *supra* note 23.

<sup>26</sup> *Bahrain: Death of prisoner a warning for Covid-19 failings in Jaw Prison*, *supra* note 18.

<sup>27</sup> *Id.*

<sup>28</sup> *Human Freedom Index 2021*, CATO INSTITUTE, <https://www.cato.org/sites/cato.org/files/2021-12/human-freedom-index-2021-country-profiles.pdf>.

<sup>29</sup> *Freedom in the World 2021: Bahrain*, FREEDOM HOUSE, <https://freedomhouse.org/country/bahrain/freedom-world/2021>.

12. Bahrain enforces restrictive laws on assembly and association, requiring a government-issued permit for gatherings and protests,<sup>30</sup> and prohibiting most forms of political activity in public spaces.<sup>31</sup> Additionally, “all civil and political societies and labor unions are required to register” with government ministries.<sup>32</sup> Those government ministries may reject any application they deem “unnecessary,” a prerogative that enhances the power of the state. Furthermore, all unlicensed associations are prohibited.<sup>33</sup>
13. During the pandemic, Covid-related regulations were used as a pretext to limit freedom of assembly and association, and criminal penalties were imposed for “not adhering to preventive measures to limit the spread of the Coronavirus.”<sup>34</sup>
14. Bahrain implemented data-gathering measures to stop the spread of COVID-19, while also enhancing its power to limit assembly, by mandating the use of the “Be Aware” app. This mobile app tracked self-isolating users and alerted people of potential exposure to the virus. A variety of intrusive measures were taken to ensure compliance, including using tracking wristbands and forcing isolating individuals to send photographic proof of their location.<sup>35</sup> Given the government’s hostility to activist groups, such enhanced powers pose a threat to freedom of assembly and association.

### **C. Political Parties**

15. Bahrain prohibits political parties and dissolved “two opposition political societies and did not allow their participation in elections” in 2017.<sup>36</sup> After the dissolution of Al-Wifaq and Wa’ad, the government also prohibited election monitors.<sup>37</sup>
16. Bahrain has continued to quash all political opposition since 2017. The state convicted opposition leader Sheikh Ali Salman for “spying for Qatar” because he allied with religious and civic leaders to challenge the government.<sup>38</sup> Bahrain also banned former member of parliament Osama al-Tamimi from travel due to his criticism of the royal family.<sup>39</sup>
17. Up to 13 other activists and dissidents have also been convicted because of their roles in pro-democracy demonstrations. According to a report by Human Rights Watch, these

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<sup>30</sup> *Id.*

<sup>31</sup> *2020 Country Reports on Human Rights Practices: Bahrain, supra note 20.*

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> *2021: The year of systematic policies to whitewash human rights violations in Bahrain*, AMERICANS FOR DEMOCRACY & HUMAN RIGHTS IN BAHRAIN, <https://www.adhrb.org/2022/02/2021-the-year-of-systematic-policies-to-whitewash-human-rights-violations-in-bahrain/>.

<sup>35</sup> *Freedom on the Net 2021: Bahrain, supra note 3.*

<sup>36</sup> *2020 Country Reports on Human Rights Practices: Bahrain, supra note 13.*

<sup>37</sup> *Id.*

<sup>38</sup> *Bahrain 2020, supra note 4.*

<sup>39</sup> *2020 Country Reports on Human Rights Practices: Bahrain, supra note 13.*

include Abdulhadi al-Khawaja, from the Bahrain Center for Human Rights, and Hassan Mushaima and Abduljalil al-Singace, from the opposition group Al Haq.<sup>40</sup>

#### **D. Civil Society Repression**

18. The pandemic has been used as a pretext to further repress civil society and activist participation.<sup>41</sup> Up to 58 people were “arrested, detained, or prosecuted for their online activities.”<sup>42</sup> Furthermore, as noted above, Bahrain allegedly used NSO Group’s Pegasus spyware to target certain individuals and hack the phones of activists.
19. Other reports indicate that the government “did not prevent small, nonviolent opposition demonstrations” in villages but did break up some of the protests with tear gas<sup>43</sup>. One prominent pro-democracy protestor, Dr. Abduljalil Al-Singace, was arrested and detained in 2021.<sup>44</sup>

### **V. FREEDOM OF RELIGION AND BELIEF**

#### **A. Overview**

20. According to US Commission on International Religious Freedom’s 2020 country reports, Bahrain engages in preferential treatment for the ruling class’s associated Muslim denomination.<sup>45</sup> Shia Muslims are the majority in Bahrain, an estimated 70 percent of the population, but most of the elites, including the ruling Bahrain’s royal family, are Sunni Muslim.<sup>46</sup> There are restrictions on daily activities for Shia Muslims, including a prohibition on Shias’ commemoration of Ashura and other religious holidays and assemblies. In addition, there is open and notorious preferential treatment for Shia Muslims in terms of education, employment, and promotion. As a result, Shia Muslims are less financially and politically well off, and their freedom of speech is not protected. Moreover, Bahrain has revoked the citizenship of a significant number of Shia Muslims under the pretext of anti-government statements.<sup>47</sup>
21. The Bahrain Uprising led by a Shia-dominant opposition is a major reason why the

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<sup>40</sup> *Bahrain Country Chapter 2021*, *supra* note 14.

<sup>41</sup> *MENA: COVID-19 amplified inequalities and was used to further ramp up repression*, AMNESTY INTERNATIONAL, <https://www.amnesty.org/en/latest/news/2021/04/mena-covid-19-amplified-inequalities-and-was-used-to-further-ramp-up-repression-2/>.

<sup>42</sup> *Bahrain Country Chapter 2021*, *supra* note 14.

<sup>43</sup> *2020 Country Reports on Human Rights Practices: Bahrain*, *supra* note 13.

<sup>44</sup> *2021: The year of systematic policies to whitewash human rights violations in Bahrain*, AMERICANS FOR DEMOCRACY AND HUMAN RIGHTS IN BAHRAIN, <https://www.adhrb.org/2022/02/2021-the-year-of-systematic-policies-to-whitewash-human-rights-violations-in-bahrain/>.

<sup>45</sup> *2020 Report on International Religious Freedom: Bahrain*, U.S. DEPARTMENT OF STATE, 2020, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/bahrain/>

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

government associates militants and oppositional leaders with a Shia background. Many Shia oppositional leaders have been arrested and imprisoned. Some of them were never released and claimed to have been tortured during incarceration. The Islamic Ulema Council, a group of Shiite clerics, was banned in 2014. The government revoked the citizenship of senior Shiite cleric Isa Qassim in 2016, and he was given a suspended one-year prison sentence for money laundering in 2017, leaving Bahrain in 2018.<sup>48</sup>

22. While Bahrain's government specifically targets Shia civilians, other non-Muslim religious minorities, such as Catholic and Buddhists, are not restricted from worshipping freely.

## **B. Religious Rights issue under COVID-19**

23. As stated above, in March 2020, nearly 1,500 prisoners were released amid concerns about the spread of COVID-19, but those released did not include activists, opposition leaders, human rights defenders, or journalists.<sup>49</sup> Dissolved opposition group al-Wefaq, which has called for the release of prisoners of conscience since the start of the pandemic, said inmates' health had been negatively impacted by years of torture and inhumane conditions. "Al-Wefaq holds the regime fully responsible for what is happening inside the prisons," the group said in a statement about the latest outbreak.<sup>50</sup> Several incidents of prison mistreatment have surfaced during the pandemic. Husain Barakat, a young Shia prisoner, died after contracting COVID in June 2021. His death provoked waves of protest against the government and its mistreatment of imprisoned Shia political and religious leaders.<sup>51</sup>
24. During the pandemic, the Bahraini government has also shown deliberate actions that excluded Shia Muslim from diplomatic protection. Since the beginning of the pandemic, Shia Muslims on pilgrimage to other Middle Eastern countries have been blocked from returning to Bahrain, while other Bahrain citizens abroad were allowed to return.<sup>52</sup>
25. According to the human right organization Shia Human Right Watch, amidst the pandemic, the Bahraini government has unfairly banned Shia religious rituals or congregations citing COVID-19 precaution while allowing other business or private complexes to open.<sup>53</sup> Anti-rituals propaganda, blaming the spread of the coronavirus on

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<sup>48</sup> *Freedom in the World 2021: Bahrain*, *supra* note 29.

<sup>49</sup> *Bahrain Country Chapter 2021*, *supra* note 14.

<sup>50</sup> *Tensions rise in Bahrain prisons as inmates, families protest conditions*, REUTERS, <https://www.reuters.com/article/bahrain-security-prison-int-idUSKBN2C62B3>.

<sup>51</sup> *Sunnis and Shias in Bahrain remain as far apart as ever*, THE ECONOMIST, <https://www.economist.com/middle-east-and-africa/2022/01/22/sunnis-and-shias-in-bahrain-remain-as-far-apart-as-ever>

<sup>52</sup> *COVID Restrictions and Sectarian Tensions in the Middle East*, GEORGETOWN CENTER FOR INTERNATIONAL AND REGIONAL STUDIES, <https://cirs.qatar.georgetown.edu/covid-restrictions-and-sectarian-tensions-middle-east/>

<sup>53</sup> *Bahrain's Counterproductive Covid-19 Measures*, SHIA RIGHT GROUP, <http://shiarightswatch.org/bahrain-counterproductive-covid-19-measures/>



Shia communities, was also promoted.<sup>54</sup>

## VI. GENDER INEQUALITY

### A. Overview

26. This section examines the status of gender equality in Bahrain, which has a Gender Development Index (GDI) value of 0.922 and a Gender Inequality Index (GII) of 0.212, placing it near the bottom.<sup>55</sup>

### B. Domestic Violence and Related Laws

27. Since the beginning of the COVID-19 pandemic, many women have been forced to reside with their abusers due to pandemic restrictions and discriminatory laws. If a woman wants to divorce her husband due to abuse, she must provide proof of the abuse other than just her word, while a man can divorce his wife without any cause. Additionally, a woman has the right for khul'a divorce, in which she must give compensation to her husband. The minimum age of marriage for girls is 16 years old, but a girl under the age of 16 may be married with permission from the court. Polygamy is permitted only for men by the Family Law, No. 19 of 2017.<sup>56</sup>

28. In a 2021 study, the prevalence of intimate partner violence (IPV) among Bahraini was found to be 71%. In 2017, Bahrain launched a statistics database in order to “monitor and follow up on various cases of domestic violence through an electronic platform for a unified data record of violence and changes in the status of abused women”<sup>57</sup>. However, that link is not on the official government website and cannot be found through an internet search. Additionally, there is restricted access to the official statistics and data on domestic abuse.<sup>58</sup>

29. Women are affected by laws that give leniency to their attackers. Marital rape is not criminalized, so wives are subject to sexual assault by their husband. According to Article 353 of the penal code, someone who commits the crimes of rape or sexual assault is exempt from criminal prosecution if they marry their victim after the crime is committed. Additionally, Article 334 of the Penal Code allows a “reduced penalty for a person who surprises his or her spouse in the act of adultery and assaults and kills their

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<sup>54</sup> *Id.*

<sup>55</sup> *Human Development Report 2020*, UNITED NATIONS DEVELOPMENT PROGRAM, <https://hdr.undp.org/sites/default/files/Country-Profiles/BHR.pdf>.

<sup>56</sup> *Gender Justice and the Law: Bahrain*, UNITED NATIONS DEVELOPMENT PROGRAM, 2019, <https://www1.undp.org/content/dam/rbas/doc/Gender%20Justice/English/updated%202019%202%20pager%20summary/Bahrain.Summary.19.Eng.pdf>.

<sup>57</sup> *Report: Women's Rights in Bahrain... Postponed Dreams*, AMERICANS FOR DEMOCRACY AND HUMAN RIGHTS IN BAHRAIN, 2022, <https://www.adhrb.org/2022/01/report-womens-rights-in-bahrain-postponed-dreams/>.

<sup>58</sup> *Id.*

spouse or spouse's partner.”<sup>59</sup>

### C. Discriminatory Labor Laws and Practices

30. Women are limited in the work they are able to do. According to Article 31 of the Labor Law No. 32 of 2012, the Minister of Labor is able to determine which occupations are prohibited for women. The Ministerial Decision No. 23 of 2013 prohibits the employment of women in work “that is not commensurate with the physiological nature of women.”<sup>60</sup> These include underground work or work involving great physical effort.<sup>61</sup> Women also may not work at night in certain industries under the Ministerial Order No. 16 of 2013, including construction, civil engineering, and electric jobs.<sup>62</sup> Even in the jobs they are allowed to have, women are often paid less. According to the Public Social Insurance Authority's report, women earn 88% of what men earn in the public sector, and 71% of what men earn in the private sector.<sup>63</sup>

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<sup>59</sup> *Gender Justice and the Law: Bahrain*, *supra* note 56.

<sup>60</sup> *Id.*

<sup>61</sup> *Ministerial Order No. 32 of 2013 Regulating Occupations in Which It Is Prohibited from Employing Women*, INTERNATIONAL LABOUR ORGANIZATION, [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=95435](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=95435).

<sup>62</sup> *Ministerial Order No. 16 of 2013 Regarding the Occupations and Circumstances Under Which It Is Prohibited to Employ Women at Night*, INTERNATIONAL LABOUR ORGANIZATION, [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=95259](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=95259).

<sup>63</sup> *Report: Women's Rights in Bahrain... Postponed Dreams*, *supra* note 57.