

Bahrain

Incidence and Nature of Child Labor

Statistics on the number of working children under the age of 15 years in Bahrain are unavailable, but reports indicate that child labor is not widespread.²⁶⁸ Children reportedly work in family businesses and in small numbers performing odd jobs in the Manama Central Market.²⁶⁹

According to the Education Act of 2005, education is free and compulsory for all children, including non-citizens, ages six to 15 years.²⁷⁰ In 2002, the gross primary enrollment rate was 97.0 percent and net primary enrollment rate was 90.0 percent. Gross and net enrollment ratios are based on the number of students formally registered in primary school and therefore do not necessarily reflect actual school attendance.²⁷¹ As of 2001, 99.0 percent of the children who started primary school were likely to reach grade 5.²⁷² The government provides for school equipment, supplies and transportation and establishes separate schools for boys and girls at all levels.²⁷³ In addition, the government is working to improve educational quality by hiring additional teachers, reducing class sizes, and offering teacher training and professional development courses for instructors. The government has also taken steps to reduce school dropouts and encourage regular school attendance.²⁷⁴

²⁶⁸ This statistic is not available from the data sources that are used in this report. Please see the "Data Sources and Definitions" section for information about sources used. The Government does not collect data pertaining to the number of children engaged in child labor, the nature or extent of child work, or the number of sanctions applied to employers in violation of child labor laws. See ILO, *Review of Annual Reports- The Effective Abolition of Child Labor: Bahrain*, GB.277/3/2, Geneva, March 2003, available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb280/pdf/gb-3-2-abol.pdf>. See also U.S. Department of State, *Country Reports- 2004: Bahrain*, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2004/41719.htm>. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms, such as the use of children in the illegal drug trade, prostitution, pornography, and trafficking. As a result, statistics and information on children's work in general are reported in this section. Such statistics and information may or may not include the worst forms of child labor. For more information on the definition of working children, please see the section in the front of the report titled "Data Sources."

²⁶⁹ U.S. Embassy-Manama official, email communication to USDOL official, May 17, 2004. See also U.S. Embassy – Manama official, email communication to USDOL official, June 12, 2005.

²⁷⁰ U.S. Embassy -Manama, *reporting*, August 27, 2005. The Education Act was ratified by the King on August 15, 2005. Under the law, parents who do not register their children for primary school by age 6 or who allow their children to be absent from school for over 10 days can face prosecution. See also Gulf Daily News, "School for All," August 16, 2005, available at http://www.gulf-daily-news.com/1yr_arc_Articles.asp?Article=119570&Sn=BNEW&IssueID=28149.

²⁷¹ UNESCO Institute for Statistics, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55> (Gross and Net Enrolment Ratios, Primary; accessed December 2005).

²⁷² UNESCO Institute for Statistics, School life expectancy, % of repeaters, survival rates; accessed December 2005, <http://stats.uis.unesco.org/TableViewer/tableView.aspx?ReportId=55>.

²⁷³ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties*, CRC/C/11/Add.24, prepared by Government of Bahrain, pursuant to Article 44 of the Convention on the Rights of the Child, July 23, 2001, para. 302; available from http://www.bayefsky.com/reports/bahrain_crc_c_11_add.24_2000.pdf. See also UNESCO, *Bahrain National Report: Education for All 2000 Assessment*.

²⁷⁴ UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention- Bahrain*, CRC/C/11/Add.24, para. 264.

Child Labor Laws and Enforcement

The Labor Law for the Private Sector, as amended, establishes 14 years as the minimum age for employment²⁷⁵ and applies to both national and foreign workers, including children, in the private sector. The law does not apply (with the exception of certain provisions regulating foreign workers) to workers, including children, in the domestic service and agricultural sectors or in enterprises owned by immediate family members.²⁷⁶ The Ministry of Labor (MOL) grants and reviews work permits for foreigners,²⁷⁷ and such permits may only be granted to persons 18 years of age and older.²⁷⁸ The Labor Law for the Private Sector establishes special requirements for the employment of children ages 14 to 16.²⁷⁹ Children ages 14 to 16 may not be employed in hazardous conditions; may not work overtime or at night; may not work on a piece-rate basis; and may not work for more than four consecutive hours or more than six hours per day. They must also be granted annual leave of not less than a full month, which they are not allowed to waive.²⁸⁰ A subsidiary order enacted under the provisions of the Labor Law for the Private Sector prohibits children under the age of 16 from working in more than 25 hazardous professions and sets a maximum allowable weight of 20 kilograms for juvenile workers to carry as part of their work.²⁸¹ In addition, such children must obtain authorization from MOL and undergo a medical examination prior to their admission to employment.²⁸²

Although there is no law specifically prohibiting trafficking or other worst forms of child labor in Bahrain, there are statutes under which the worst forms can be prosecuted.²⁸³ Forced or compulsory labor is prohibited by the Constitution.²⁸⁴ Prostitution is illegal under the Penal Code, and the forced prostitution of a child younger than 18 years of age is punishable by up to 10 years of imprisonment.²⁸⁵ While there is no compulsory military service in Bahrain, juveniles can be recruited into the Bahraini Defense Force from the age of 17 years.²⁸⁶ Since 1999, the Government of Bahrain has submitted to the ILO a list or an

²⁷⁵ *The Labour Law for the Private Sector, as amended by Legislative Decree No. 14 of 1993*; available from <http://www.bah-molsa.com/english/chap8.htm>, Article 50. See also ILO, *Review of Annual Reports- The Effective Abolition of Child Labor: Bahrain*, GB.277/3/2, Geneva, March 2002; available from <http://www.ilo.org/public/english/standards/relm/gb/docs/gb280/pdf/gb-3-2-abol.pdf>.

²⁷⁶ *The Labour Law for the Private Sector*, Article 2. Since Bahraini labor laws were designed to protect citizens working in the formal sector, domestic service work by foreigners falls outside the jurisdiction of current inspection mechanisms. See U.S. Embassy-Manama official, email communication to USDOL official, May 17, 2004.

²⁷⁷ *The Labour Law for the Private Sector*, Article 3.

²⁷⁸ Labor Consultations between Ministry of Labor and Social Affairs officials and U.S. Government officials, January 28, 2004.

²⁷⁹ *The Labour Law for the Private Sector*, Articles 49-55.

²⁸⁰ *Ibid.*, Article 55. Provisions of this law do not apply to children employed in family businesses. See also U.S. Embassy-Manama, unclassified telegram no. 143552, August 27, 2005. *Bahrain: Update of Worst Forms of Child Labor Information*.

²⁸¹ *Subsidiary Legislation Enacted under the Provisions of the Labour Law for the Private Sector, 1976; Promulgated by Amiri Decree Law No. 23 of 1976: The Employment of Juveniles*, (1976); available from <http://www.bah-molsa.com/english/c7.htm>.

²⁸² *The Labour Law for the Private Sector*, Article 51.2.

²⁸³ For example, trafficking may be prosecuted under laws on kidnapping, forced prostitution and immorality, and coercion. See UN Committee on the Rights of the Child, *Initial Reports of States Parties: Bahrain*, para. 336.

²⁸⁴ *Constitution of the State of Bahrain*, (February 14, 2002), Article 13(c); available from http://www.oefre.unibe.ch/law/icl/ba00000_.html. Article 5(a) of the Constitution makes the government responsible for protection of children from exploitation and neglect, as well as assisting their physical, moral, and intellectual growth.

²⁸⁵ See Penal Code of Bahrain, Articles 324-329, as cited in The Protection Project, "Bahrain," in *Human Rights Report on Trafficking of Persons, Especially Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery* Washington, D.C., March 2002; available from <http://209.190.246.239/ver2/cr/Bahrain.pdf>. See also ECPAT International, *Bahrain*, [database online] 2005 [cited November 28, 2005]; available from http://www.ecpat.net/eng/Ecpat_inter/projects/monitoring/online_database/index.asp.

²⁸⁶ Cadets of 15 years of age can be recruited for positions of non-commissioned officers, technicians, and specialized personnel. See UN Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention-Bahrain*, CRC/C/11/Add.24, para. 302.

equivalent document identifying the types of work that it has determined are harmful to the health, safety or morals of children under Convention 182 or Convention 138.²⁸⁷

The Ministry of Labor is responsible for implementing and enforcing child labor laws and regulations. The Labor Law for the Private Sector provides for the inspection of industrial workplaces and for legal sanctions against employers found in violation of child labor laws.²⁸⁸ Violators of the law or its implementing regulations are subject to fines between 50 and 200 Dinars (USD 132 and 526) for each occurrence and each worker. The same penalties apply to any person acting as a guardian of a juvenile who permits his or her employment in violation of the law's provisions.²⁸⁹ The U.S. Department of State reported that MOL inspectors effectively enforce the labor legislation in the industrial sector;²⁹⁰ however, child labor outside the industrial sector is reportedly monitored less effectively.²⁹¹

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Bahrain has developed a national action plan to eliminate the worst forms of child labor.²⁹² In December 2003, the National Assembly approved the UN Convention on Transnational Organized Crime and the optional Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children.²⁹³ The government provides vocational training programs for preparatory schools (grades 7-9),²⁹⁴ and funds the Child Care Home for children whose parents can no longer provide for them.²⁹⁵

Selected Child Labor Measures Adopted by Governments		
Ratified Convention 138		
Ratified Convention 182	3/23/2001	✓
ILO-IPEC Member		
National Plan for Children		
National Child Labor Action Plan		✓
Sector Action Plan		

²⁸⁷ ILO-IPEC official, email communication to USDOL official, November 14, 2005.

²⁸⁸ *Ibid.*, Article 147.

²⁸⁹ *Ibid.*, Article 163.

²⁹⁰ U.S. Department of State, *Country Reports on Human Rights Practices- 2004: Bahrain*, Washington, D.C., February 25, 2004, Section 6d; available from <http://www.state.gov/g/drl/rls/hrrpt/2003/27925.htm>. See also Ambassador to the U.S. Khalifa Ali Al-Khalifa, Response to Information Request, USDOL official, August 26, 2003.

²⁹¹ U.S. Department of State, *Country Reports- 2004: Bahrain*, Section 6d. Foreigners make up two-thirds of the workforce. There have been reports of illegal underage domestic workers, who have entered the country with false documents indicating they were adults. Because domestic labor falls outside the jurisdiction of the inspection mechanisms in place to enforce labor laws that were designed to protect Bahraini citizens, inspectors do not monitor or control working conditions of foreign child domestic workers. See U.S. Embassy- Manama official, email communication to USDOL official, May 17, 2004.

²⁹² U.S. Embassy- Manama, unclassified telegram no. 143552, August 27, 2005. *Bahrain: Update of Worst Forms of Child Labor Information*.

²⁹³ U.S. Embassy- Manama official, email communication to USDOL official, May 17, 2004. See also U.S. Department of State, *Country Reports- 2004: Bahrain*, Section 5.

²⁹⁴ UN Committee on the Rights of the Child, *Initial Reports of States Parties: Bahrain*, para. 263.

²⁹⁵ *Child Care Home*, Ministry of Social Affairs, [online] 2004 [cited May 18, 2004]; available from <http://www.bahmolsa.com/english/prog2b-2.htm>.