



General Assembly

Distr.: General
6 September 2017

English only

Human Rights Council

Thirty-sixth session

11-29 September 2017

Agenda item 6

Universal Periodic Review

Written statement* submitted by The Next Century Foundation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-15411(E)



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Women's Rights in Bahrain

The Next Century Foundation is encouraged by the introduction of Bahrain's Unified Family Law. It is an important step forward.

The law deals with engagement, marriage, divorce, alimony, and custody. It guarantees, for the first time, that all of these matters be treated according to the civil law, based on principle of equality between genders.

We note with disappointment that the opposition in Bahrain is reluctant to endorse the Unified Family Law. The first paragraph of Article 16 of the United Nations Universal Declaration of Human Rights states:

"Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution."

It is particularly encouraging that in Bahrain a woman is no longer required to give up her rights over her children as prerequisite to attaining divorce; and that the courts have been granted authority to dissolve a marriage even without the husband's approval.

We now see no obstacle to Bahrain making two further reforms that support the rights of women:

1. That Bahrain should ratify the optional protocol on the Elimination of All Forms of Discrimination against Women. The Kingdom already, on 2 March 2002, declared its accession to the Convention on the Elimination of All Forms of Discrimination against Women with the exception of certain provisions then regarded as incompatible with the Islamic Shariah. The concerns about Islamic Shariah are no longer relevant, particularly in regard to article two of the convention, the terms of which condemn discrimination against women in all its forms, and require the pursuit by all appropriate means and without delay of a policy of eliminating discrimination against women. To further ratify the optional protocol would subject the Kingdom of Bahrain to external inspection in regard to matters relating to the rights of women. But we believe that to be small price to pay, especially in view of the fact that the progress made by Bahrain in regard to women's rights is arguably unique when set alongside the progress made by many other states of the Arabian Gulf.
2. That the Kingdom of Bahrain should amend the law to allow granting of Bahraini citizenship to children of Bahraini women married to foreigners. In practice children of Bahraini women married to foreigners are already often granted citizenship by Royal Decree. To formalise the issue by making the granting of Bahraini citizenship to children of Bahraini women married to foreigners the rule rather than an exceptional practice would be both kinder and more efficient. Furthermore making this practice into something underwritten in law would mean that Bahrain could then accede fully to article nine paragraph two of the Convention on the Elimination of All Forms of Discrimination against Women which states "Parties shall grant women equal rights with men with respect to the nationality of their children".