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## Kuwait

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution calls for "absolute freedom" of belief and for freedom of religious practice in accordance with established customs, provided that it does not conflict with public policy or morals; however, the government limits this right. The constitution states that Islam is the state religion and that Shari'a (Islamic law) is a main source of legislation. Article 12 of the constitution requires the state to safeguard "the heritage of Islam."

There was no change in the status of respect for religious freedom by the government during the reporting period. The government placed some limits on the rights of free religious practice and religious minorities experienced some discrimination as a result of government policies. Laws prohibit blasphemy, apostasy, and proselytizing.

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Shi'a Muslims continued to find it difficult to obtain legal permission to establish new places of worship.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The embassy worked with religious leaders and government officials on specific issues related to freedom of religion.

#### Section I. Religious Demography

The country has an area of 6,880 square miles and a population of 3.4 million, of whom 1.1 million are citizens and the rest foreign workers and their families. Estimates derived from voting records and personal status documents indicated that 70 percent of citizens, including the ruling family, belong to the Sunni branch of Islam. The national census did not distinguish between Shi'a and Sunni Muslims. Most of the remaining 30 percent of citizens are Shi'a Muslims. There are approximately 150-200 Christian citizens and a small number of Baha'i citizens. An estimated 150,000 noncitizen residents are Shi'a. While some areas have relatively high concentrations of either Sunnis or Shi'a, most areas are fairly well integrated religiously.

The Christian population is estimated to be more than 450,000 and consists mostly of foreign residents. The Christian community includes the Roman Catholic Church with 300,000 members, the Coptic Orthodox Church with 70,000 members, the National Evangelical (Protestant) Church with 40,000 members, the Armenian Orthodox Church with 4,000 members, the Greek Orthodox Church (referred to in Arabic as the Roman Orthodox Church) with 3,500 members, the

Greek Catholic (Melkite) Church with 1,000 - 2,000 members, and the Anglican (Episcopalian) Church with 200 members. There were also Latin, Maronite, Coptic Catholic, Armenian Catholic, Malabar, and Malankara congregations. The Church of Jesus Christ of Latter-day Saints (Mormons) has an estimated 70 members.

There are other unrecognized Christian religious groups including the Indian Orthodox Syrian Church, Mar Thoma, and Seventh-day Adventists. Reliable estimates of their populations are not available.

There are also an estimated 300,000 Hindus, 100,000 Buddhists, 10,000 Sikhs, and 400 Baha'i.

## Section II. Status of Government Respect for Religious Freedom

### Legal/Policy Framework

The constitution provides for "absolute freedom" of belief and for freedom of religious practice in accordance with established customs, provided that it does not conflict with public policy or morals.

The government exercised direct control of Sunni religious institutions. The government appointed Sunni imams, monitored their Friday sermons, and also financed the building of Sunni mosques. The government did not exert this control over Shi'a mosques, which were funded by the Shi'a community.

There were laws against blasphemy, apostasy, and proselytizing. While the number of situations to which these laws applied was limited, the government actively enforced them, particularly the prohibition on non-Muslim proselytizing to Muslims.

The government actively supported proselytism by Sunni Muslims and did not allow conversion away from Islam.

The Higher Advisory Committee on Completion of the Application of Islamic Shari'a Provisions was tasked with preparing society for the full implementation of Islamic law in all fields. The committee made recommendations to the emir on ways in which laws could be brought into better conformity with Islamic law, but it had no authority to enforce such changes. The constitution states Islamic law is a main source of legislation.

The 2006 Press and Publication Law required jail terms for journalists who defame any religion and prohibits denigration of Islam or Islamic religious figures, including the Prophet Muhammad. Also prohibited are publications that create hatred, spread dissension among the public, or incite persons to commit crimes. Academics and journalists were legally prohibited from criticizing Islam. The law also provided that any Muslim citizen may file criminal charges against an author if the citizen believes that the author has defamed Islam, the ruling family, or public morals.

Personal status law was administered through religious courts, and the government permitted Shi'a to follow their own jurisprudence in matters of personal status and family law at the first-instance and appellate levels. In October 2003 the government approved a Shi'a request to establish a court of cassation (equivalent of a supreme court) to oversee Shi'a personal status issues. The court had not been established by the end of the reporting period because the government was "unable to identify sufficiently qualified Shi'a judges," according to a government official. Shi'a religious endowments were administered by an independent Shi'a Waqf.

Shi'a who wanted to serve as imams (clergy) had to seek training and education abroad (primarily in Iraq, Iran, and to a lesser degree Syria) due to the lack of Shi'a jurisprudence courses at Kuwait University's College of Islamic Law. At the end of the reporting period, the Ministry of Education was reviewing a Shi'a application to establish a private college to train Shi'a clerics.

A 1980 law prohibited the naturalization of non-Muslims. The law allowed Christian citizens to transmit their citizenship to their descendents.

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The law prohibited marriage between Muslim women and non-Muslim men. A non-Muslim female was not required by law to convert to Islam to marry a Muslim male; however, in practice many non-Muslim women would face strong economic and societal pressure to convert. Failure to convert may have meant that, should the couple later divorce, the Muslim father would be granted custody of any children. A non-Muslim woman who fails to convert is also ineligible to be naturalized as a citizen or to inherit her husband's property without being specified as a beneficiary in his will.

The Ministry of Awqaf and Islamic Affairs had official responsibility for overseeing religious groups. Officially recognized churches needed to work with a variety of government entities in conducting their affairs. This included the Ministry of Social Affairs and Labor for visas and residence permits for clergy and other staff, the Municipality of Kuwait for building permits and land concerns, and the Ministry of Interior for security and police protection for places of worship.

While there was reportedly no official government list of recognized churches, seven Christian churches -- National Evangelical, Catholic, Coptic Orthodox, Armenian Orthodox, Greek Orthodox, Greek Catholic, and Anglican -- had some form of official recognition enabling them to operate. These seven churches had open files at the Ministry of Social Affairs and Labor, which allowed them to bring in religious workers and staff to operate their churches, as well as guest lecturers and other visitors.

The procedures for registration and licensing of religious groups appeared to be similar to those for nongovernmental organizations (NGOs). Unregistered religious groups worshiped at unofficial, private spaces or borrowed the worship spaces of existing groups. The government did not interfere with such private gatherings.

Members of religious groups not sanctioned in the Qur'an such as the Baha'i, Buddhists, Hindus, and Sikhs could not build places of worship or other religious facilities. Unrecognized religious groups were allowed to worship privately in their homes without government interference.

The government observes the following religious holidays as national holidays: Islamic New Year, Birth of the Prophet Muhammad, Ascension of the Prophet, Eid al-Fitr, and Eid al-Adha.

Private employers can decide whether to give their non-Muslim employees time off for their holidays.

The government required Islamic religious instruction in public schools for all students. The government also required Islamic religious instruction in private schools that have one or more Muslim students (regardless of whether the student is a citizen or resident). In practice, non-Muslim students were not required to attend these classes.

High school Islamic education textbooks were based entirely on the Sunni interpretation of Islam. Shi'a members of parliament continued to call for the Ministry of Education to remove references from high school Islamic education textbooks specifically declaring some Shi'a religious practices heretical.

The law prohibited organized religious education for faiths other than Islam, although this law was not enforced rigidly. Informal religious instruction occurred inside private homes and on church compounds without government interference. There were reports that government inspectors from the Ministry of Awqaf and Islamic Affairs periodically visited public and private schools near church compounds to ensure that religious teaching other than of Islam did not take place.

The government did not designate religion on passports or national identity documents.

Restrictions on Religious Freedom

The government did not permit public reenactments of the martyrdom of Hussein or public marches in commemoration of Ashura (day of mourning for the martyrdom of Hussein) during the reporting period. The government allowed worshipers to gather peacefully in public spaces to participate in Ashura rituals and provided security to Shi'a neighborhoods.

The government prohibited non-Muslim missionaries from working in the country. Religious leaders of unrecognized groups had to come as non-religious workers and perform their religious duties outside their regular employment. The government prohibited missionaries from proselytizing among Muslims; however, they may serve non-Muslim congregations.

While seven Christian denominations were legally recognized, the Indian Orthodox, Mar Thoma, Mormons, and Seventh-day Adventist denominations were not. These religious groups were allowed to operate in rented villas, private homes, or the facilities of recognized churches. Members of these congregations reported that they were able to worship without government interference provided that they did not disturb their neighbors or violate laws regarding assembly and proselytizing.

The government imposed quotas on the number of clergy and staff the seven recognized Christian groups could bring into the country. Most of the seven groups' churches found the quotas insufficient. Most of the groups considered their existing facilities inadequate to serve their respective communities and faced significant problems in trying to build new facilities.

Churches of the unrecognized denominations were prohibited from displaying exterior signs including a cross or the congregation's name, and also from engaging in public activities such as ringing bells. These congregations had sought to register in the past and were previously denied.

The government restricted entry of international religious scholars by canceling or refusing to honor the visas of those known for previous controversial religious writings. On December 15, 2009, officials from the Interior Ministry refused to honor the valid visa of Egyptian Hamid Abu Zayd when he arrived at Kuwait International Airport, denying him entry into the country. Zayd, a professor at a Dutch university, was declared an apostate by an Egyptian court in for his analysis of the Qur'an as a mythical literary work. On February 11, 2010, Kuwaiti security officials similarly canceled the visa of Dr. Madawi Al-Rasheed, a UK citizen of Saudi origin and professor at a British university. She is known for her widely published theories that conservative Islamism inhibits democratization.

The government did not permit the establishment of non-Islamic religious publishing companies or training institutions for clergy. Several churches published religious materials solely for their congregations' use despite this restriction. A private company, the Book House Company Ltd., was permitted to import Bibles and other Christian religious materials for use solely by government-recognized church congregations with the stipulation that any content did not insult Islam. The Book House Company Ltd. was the only company that had an import license to bring in such materials.

There is no specific law banning the establishment of non-Muslim places of worship; however, the small number of groups that applied for licenses to build new places of worship were denied permission.

Shi'a were well-represented in the army and police forces, although they were reportedly underrepresented in the National Guard. Some Shi'a alleged that a "glass ceiling" of discrimination prevented them from obtaining leadership positions.

Teachers at British schools were not allowed to teach comparative religion, although this unit is a required part of the British curriculum under U.K. law.

During the reporting period, the government had not responded to a request from the Catholic Church to permit Catholic students in certain private schools to study the Catechism separately during the period allotted for instruction in Islam.

The prime minister has appointed two Shi'a ministers to each cabinet since 2006. The current cabinet, appointed in May 2009, has two Shi'a ministers.

Members of the Shi'a community expressed concern over the relative scarcity of Shi'a mosques due to the government's slow approval of the construction of new mosques and of repair to existing ones. Since 2001 the government granted licenses and approved the construction of six new Shi'a mosques. Including these six, there are a total of 35 Shi'a mosques nationally.

There are hundreds of Shi'a community religious gathering places known as husseiniyas. Most were informal or unlicensed. The country's husseiniyas are generally privately owned and associated with prominent Shi'a families. Some Shi'as expressed concern about a Municipal Council proposal to impose more stringent regulations on husseiniyas. The Municipal Council controlled access to government land and at times reportedly refused to grant land to Shi'a Muslim religious institutions.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### Improvements and Positive Developments in Respect for Religious Freedom

In May 2010, Emir Sabah Al Ahmad Al Jaber Al Sabah visited Pope Benedict XVI in the Vatican to discuss interfaith dialogue and study the needs of Christians in the country. This is the first visit the emir has made to the Vatican since he came to power in 2006.

#### Section III. Status of Societal Respect for Religious Freedom

In general, citizens were open and tolerant of other religious groups; however, there is a minority that opposes the presence of non-Muslim groups in the country and rejects the legitimacy of Shi'a Muslims.

While some discrimination based on religion reportedly occurred on an individual level, discrimination appeared to be neither systematic nor widespread.

Some domestic workers reported that their employers confiscated religious articles such as Bibles and rosary beads along with nonreligious items.

Some church officials reported that Christian domestic workers complained that their employers would not allow them to leave their homes, which prevented them from worshiping with their congregations.

Some churches without the financial resources to rent a location were able to gather in schools on the weekends. Representatives from these churches reported that there was societal pressure on the schools to stop allowing such gatherings.

During the reporting period, there was continued debate over whether it was proper for Muslims to wish non-Muslims well on their religious holidays. While a small number of conservatives opposed the practice, most found it acceptable. None of the many stores that had Christmas-themed displays reported negative incidents.

Opinion pieces in Kuwaiti newspapers included positive and negative reflections of religious freedom. A November 2009 editorial profiled an Israeli Rabbi who prayed for peace in Israel. A March 2010 article described a positive personal encounter with a Jewish individual. There were also instances of anti-Semitic news stories. The Al-Qabas newspaper

featured several anti-Semitic articles during the reporting period. The Al-Watan newspaper featured a fictional story with significant anti-Semitic overtones invoking Nazi themes and characters.

Teachers were instructed by school administrators to expunge English-language textbooks of any references to Israel or the Holocaust. There were also reports that some preachers at mosques used anti-Semitic language in their religious services. The government did not publicly make a statement on textbook censorship or discouraged mosque preachers.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. Intensive monitoring of religious freedom matters remained an embassy priority. Embassy officials met frequently with recognized Sunni, Shi'a, and Christian groups as well as representatives of various unrecognized religious groups and NGOs that deal with religious freedom concerns.

The ambassador and other embassy officers actively encouraged the government to address the concerns of religious leaders such as overcrowding, lack of adequate worship space, lack of access to religious materials, insufficient staffing, and bureaucratic delays in processing routine requests. During the reporting period, the ambassador and other embassy officials met with senior representatives from the recognized Christian denominations, encouraged them to present their concerns in a unified manner to the government, and advocated on their behalf in high-level meetings with government officials.

In September 2009 the embassy helped arrange for American Imam Dr. Talal Eid to speak on the topic interfaith dialogue at the Western Perceptions of Islam Center at the Grand Mosque of Kuwait. The embassy also helped arrange for the imam to address a group of women at the Islamic Cultural Center for Women in cooperation with the Ministry of Awqaf. Dr. Talal also spoke to members of the "Advocate for Westerners-Arab Relations" (AWARE) center, which promotes tolerance and mutual respect between westerners and the Arab/Islamic world.

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