



Kuwait

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2009

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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 placed some limits on the right of free religious practice. 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."

The Government generally respected religious freedom in practice and there was no change in the status of respect for religious freedom by the Government during the reporting period. However, religious minorities experienced some discrimination as a result of governmental policies and non-Sunni Muslims continued to find it difficult or impossible to obtain legal permission to establish new places of worship.

There were no reports of societal abuses based on religious affiliation, belief, or practice, although some discrimination was present.

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 religious rights.

Section I. Religious Demography

The country has an area of 6,880 square miles and a population of 3.4 million, of whom 1 million are citizens and the rest foreign workers and their families. Estimates derived from voting records and personal status documents indicate 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 to 200 Christian citizens and a small number of Baha'i citizens. An estimated 100,000 noncitizen residents are Shi'a. While some areas have relatively high concentrations of Sunnis or Shi'a, most areas are fairly well integrated religiously.

The Christian population, consisting mostly of expatriates, is estimated to be more than 450,000. The Christian community includes the Roman Catholic Church, with 250,000 to 300,000 members worshipping in two official churches and a third worship facility in a rented house; the Coptic Orthodox Church (70,000 members), the National Evangelical (Protestant) Church with more than 70 congregations serving 40,000; the Armenian Orthodox Church with 4,000 members; the Greek Orthodox Church (referred to in Arabic as the Roman Orthodox Church) (3,500 members); the Greek Catholic (Melkite) Church with 1,000 to 2,000 members who worship in a rented house; and the Anglican (Episcopalian) Church (100 members), which also makes its church available to several thousand other Christians for worship services. There were also Latin, Maronite, Coptic Catholic, Armenian Catholic, Malabar, and Malankara congregations, which all worshipped at the Catholic cathedral in Kuwait City. 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 numbers are not available.

There are also communities of Hindus (300,000 adherents), Buddhists (100,000), Sikhs (10,000), and Baha'i (400).

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 exercises direct control of Sunni religious institutions. For example, the Government appoints Sunni imams, monitors their Friday sermons, and pays the salaries of mosque staff. The Government also finances the building of Sunni mosques. The Government does not exert this control over Shi'a mosques, which are funded by the Shi'a community.

The 2006 Press and Publications Law specifically prohibits the publication of any material that attacks religious groups or incites persons to commit crimes, creates hatred, or spreads dissension among the public. The law increased the fines and jail sentences for those who publish material denigrating Islam. It also expanded the scope of what cannot be criticized to include the companions of the Prophet Muhammad.

There are laws against blasphemy, apostasy, and proselytizing. While the number of situations to which these laws apply is limited, the Government actively enforces them, especially the prohibition on non-Muslim proselytizing of Muslims.

The Ministry of Awqaf and Islamic Affairs has official responsibility for overseeing religious groups. Officially recognized churches must deal with a variety of government entities, including the Ministry of Social Affairs and Labor (for visas and residence permits for pastors 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 at least some form of official recognition enabling them to operate openly. These seven churches had open files at the Ministry of Social Affairs and Labor, allowing 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 appear to be similar to those for nongovernmental organizations (NGOs). No religious group received official recognition during the period covered by this report, and unrecognized Christian groups perceived it as impossible to gain official recognition. They therefore worshiped at unofficial, private spaces or borrowed the worship spaces of existing groups. The Government did not interfere with such private gatherings.

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

The following Islamic holy days are considered national holidays: Islamic New Year, Birth of the Prophet Muhammad, Ascension of the Prophet, Eid al-Fitr, and Eid al-Adha. Most Christians attended church on Fridays and

did not cite the inability to go on Sunday as a religious concern. Some workers are able to arrange with their employers to have time on Sunday for worship. Private employers can decide whether to give their non-Muslim employees time off for their holidays.

The Government requires Islamic religious instruction in public schools for all students. The Government also requires Islamic religious instruction in private schools that have one or more Muslim students.

The Government does not designate religion on passports or national identity documents.

Restrictions on Religious Freedom

Shi'a are free to worship according to their faith without government interference, and the overall situation for Shi'a remained stable during the reporting period. However, there were problems. 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 repair of existing ones (there are 35 Shi'a mosques compared to more than 1,100 Sunni mosques in the country). Since 2001 the Government granted licenses for and approved the construction of six new Shi'a mosques. The Ministry of Awqaf and Islamic Affairs reported that in the future, Shi'a mosques would be built in new residential areas in sufficient numbers to serve the Shi'a populations who move into these areas.

There are hundreds of Shi'a husseiniyas (Shi'a community religious gathering places), most of which are informal or unlicensed. Generally, the country's husseiniyas are 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 controls access to government land and at times reportedly refused to grant land to non-Sunni Muslim religious institutions.

Shi'a who want to serve as imams (clergy) must seek training and education abroad (primarily in Iraq and Iran, and to a lesser degree in 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. In 2008 Shi'a member of Parliament Saleh Ashour called for the Ministry of Education to remove references from high school Islamic education textbooks specifically declaring some Shi'a religious practices heretical. Sunni scholars author the books, which are entirely based on the Sunni interpretation of Islam. A governmental committee, formed to study the issue of removing references that are offensive to Shi'a Islam, was inactive.

Some Shi'a government employees reportedly had more difficulty in obtaining advancement in certain government agencies. However, since 2006, the Prime Minister has regularly appointed two Shi'a ministers to the 14-member cabinet, most recently in January 2009.

The Government did not permit public reenactments of the martyrdom of Hussein or public marches for the commemoration of Ashura in 2007 or 2008. The Government provided security to Shi'a neighborhoods, however, and allowed worshipers to gather peacefully in public spaces to participate in Ashura rituals. For the second year in a row, a Shi'a member of Parliament publicly lauded the Ministry of Interior's efforts in successfully managing security during the Ashura holiday.

Seven Christian denominations are widely understood to enjoy full recognition by the Government and are allowed to operate as official churches: Catholic, National Evangelical, Coptic Orthodox, Armenian Orthodox, Greek Orthodox, Greek Catholic, and Anglican. These religious groups operated freely on their premises and held worship services without government interference. Their leaders also stated that the Government generally was supportive of their presence, providing police security and traffic control as needed. Other Christian denominations (including Indian Orthodox, Mar Thoma, Mormons, and Seventh-day Adventists) were not legally recognized but 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.

Churches outside of the seven recognized denominations are prohibited from displaying exterior signs, including a cross or the congregation's name, or engaging in other public activities, such as ringing bells. Some churches without the financial resources to rent a location were able to gather in schools on the weekends, although representatives from the churches reported that the schools were pressured to stop allowing such gatherings.

Melkite Catholics worshipped in a rented house, which two other Indian Catholic denominations also used worship services. A 2005 application by Melkite Catholics to obtain land for a church was pending action by the Council of Ministers. The Armenian Orthodox and Greek Orthodox churches were allowed to operate openly, hire employees, invite religious speakers, and conduct other such activities without government interference; however, according to government records, their facilities were registered as private homes. They also rented facilities from private citizens for worship services and other religious purposes; however, this would place them in a vulnerable position if the owner stopped renting, since it is difficult to find landlords willing to rent to religious groups.

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

There is no specific law banning the establishment of non-Muslim places of worship; however, in practice the few groups that applied for licenses to build new places of worship were denied permission. Some religious groups understood this to mean that it is impossible to gain a license for a new place of worship and have therefore been deterred from applying.

The Government actively supports Sunni Muslim proselytism and does not allow conversion from Islam. While such conversions reportedly occurred, they did so quietly and discreetly. Known converts reportedly faced harassment, including loss of job, repeated summonses to police stations, arbitrary arrest and detention, physical and verbal abuse, police monitoring of their activities, and property damage without legal recourse. If prosecuted, a person who converted from Islam would likely face legal problems in personal status and property matters before the courts.

The Government forbids non-Muslim missionaries from working in the country and places limits on the number of religious leaders allowed to work for the few churches that have legal status. Religious leaders of unrecognized groups must come as nonreligious workers and perform their religious duties outside their regular employment.

The Government prohibits missionaries from proselytizing among Muslims; however, they may serve non-Muslim congregations.

The Islam Presentation Committee (IPC), under the authority of the Ministry of Awqaf and Islamic Affairs, actively encouraged proselytizing Islam to non-Muslims. The IPC maintained an office at the Central Prison to provide religious education and information to inmates and reportedly extended its proselytizing efforts to embassies that shelter foreign workers facing problems. An NGO that receives governmental financial support to obtain the early release of nonviolent offenders also proselytized in the prisons.

Article 19 of the Press and Publication Law prohibits denigration of Islam, the Prophet Muhammad, and other Islamic religious figures and requires jail terms for journalists who defame any religion. Academic freedom is limited

in practice by self-censorship. Academics and journalists are legally prohibited from criticizing Islam. The law also provides 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.

In November 2008 a controversy over the admittance of Iranian Shi'a cleric Mohammad Fali into Kuwait and comments by him, which allegedly denigrated Sunni Islam, led to a conflict between the parliament and the Prime Minister. Prior to the incident, Fali had been formally banned from entering because he had allegedly insulted some of the Prophet Muhammad's companions, who are revered by Sunnis. When the Prime Minister admitted Fali into the country in November 2008 in violation of this ban, three Salafi members of Parliament made a formal request to question the Prime Minister. This and subsequent requests to question the Prime Minister over financial mismanagement led Kuwait's Amir to dissolve parliament in March 2009.

The Government does not permit the establishment of non-Islamic religious publishing companies or training institutions for clergy. Nevertheless, several churches published religious materials solely for their congregations' use. A private company, the Book House Company Ltd., was permitted to import Bibles and other Christian religious materials, including videotapes and compact discs, for use solely by government -recognized church congregations and as long as the materials do not insult Islam. The Book House Company Ltd. was the only company that had an import license to bring in such materials, which require approval by government censors.

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

Although the Government usually does not issue travel documents to its 100,000 Bidoon residents, stateless Arabs living in Kuwait, it made an exception to these policies to allow the Bidoon to make the Hajj pilgrimage. However, Bidoon were required to turn in their travel documents upon returning to the country.

Shi'a remained underrepresented in upper levels of the Government. In 2008 five Shi'a were elected to the 50-member National Assembly, compared with four Shi'a in the previous assembly.

There were no known Shi'a in the state security forces, and they were reportedly underrepresented in the National Guard. Many Shi'a complained of a "glass ceiling" that prevents them from obtaining leadership positions. While such complaints were credible, they stemmed more from the decisions of individuals than a coordinated government policy. A notable exception was the September 16, 2009 appointment of retired Lieutenant General Ali Al-Mou'min, a Shi'a, as the country's first Ambassador to Baghdad since the Iraqi invasion of 1990.

Personal status law is administered through religious courts, and the Government permits Shi'a to follow their own jurisprudence in matters of personal status and family law at the first-instance and appellate levels. The Government approved a long-standing Shi'a request to establish a Shi'a court of cassation (Supreme Court) to handle Shi'a personal status issues. However, the court had not yet been established, according to a Shi'a government official, because it was unable to identify sufficiently qualified Shi'a judges.

The Government approved another long-standing Shi'a request for the establishment of an independent Shi'a Waqf, an agency to administer religious endowments. The Shi'a Waqf was able to carry out its work freely.

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

The Sikh community was able to worship freely in private homes. The community reported that it had not been able

to find a landlord willing to rent them a space to be used for religious purposes. They were unable to gain permission for a crematorium to cremate their deceased. Sikhs engaged in other religious activities, including public marriage and other celebrations, without government interference.

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

During the reporting period, the Government had not responded to the 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 Catholic Church faced severe overcrowding at its two official church facilities. Its cathedral in downtown Kuwait City regularly drew tens of thousands of worshippers to its more than 20 weekly services in several languages. Due to limited space on the compound, the Church was unable to construct any new buildings. The National Evangelical Church, which served a weekly average of 20,000 worshippers in more than 70 congregations, was also significantly overcrowded. The church wanted more land to build a new church but did not make an official request.

The Coptic Orthodox Church reported that it had excellent relations with the Government and faced no difficulties in bringing church workers and guests into the country. The Government was extremely cooperative in providing permits to erect tents on adjacent lots to handle the crowds during Christian holidays. The church's main challenge was the overcrowding at its small facility in Kuwait City. The Government determined it would have to demolish the church building to make way for a new road but granted the church 6,500 square meters of land in Hawally District to build a new place of worship; however, it did not offer any financial assistance to construct the new church. Construction began in the first quarter of 2006, and the Church expected construction to be completed in 2009. The Government decided to work around the church building until the new facility is completed and the old one can be demolished.

The Government controls the content delivered by imams and preachers, who must sign a "mosque compact" detailing their commitment to stay within certain boundaries in their sermons.

At the annual book fair held at the International Fairgrounds in November 2008, the Ministry of Information banned approximately 500 books that it deemed "radical" or "extremist." Some of these books were associated with the Salafi movement in Islam.

Although there was a small community of approximately 150 to 200 acknowledged Christian citizens, a 1980 law prohibits the naturalization of non-Muslims. Christian citizens are allowed to transmit their citizenship to their descendents.

The law forbids marriage between Muslim women and non-Muslim men. A non-Muslim female is not required by law to convert to Islam to marry a Muslim male; however in practice, many non-Muslim women face strong economic and societal pressure to convert. Failure to convert may mean that, should the couple later divorce, the Muslim father would be granted custody of any children. A non-Muslim woman who fails to convert also is ineligible to inherit her husband's property or to be naturalized.

During the reporting period, there were no reports of the Government prohibiting state employees from displaying or practicing any elements of their faith.

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

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States.

There were cases in which U.S. citizen children were prevented from returning to the United States; however, there were no reports that such children were forced to convert to Islam, or that forced conversion was the reason the children were not allowed to return to the United States during the reporting period.

Improvements and Positive Developments in Respect for Religious Freedom

In contrast with the previous reporting period, there was little activity by the Ministry of Awqaf and Islamic Affairs under its recently expanded "moderation initiative" of tolerance-promoting conferences and lectures.

Section III. Status of 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 Muslims of sects other than their own.

While some discrimination based on religion reportedly occurred on a personal level, most observers agreed that it was neither systematic nor widespread.

Some church officials reported that domestic workers complained of their employers not allowing them to leave their homes, thus making it impossible for them to worship with their congregations.

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 no problem with it, and none of the many stores that had Christmas-themed displays reported negative incidents.

Dr. Ahmad Duajj, a columnist for the local *Al-Watan* newspaper, wrote several anti-Semitic articles in which he denied the Holocaust. Many mosque preachers continued using anti-Semitic language, especially during and after the Israeli invasion of Gaza. The Government did not publicly respond to these articles or censor the mosque preachers.

Ecumenical dialogue took place among Christian denominations through the framework of a council representing Christian leaders from various churches and through numerous informal meetings.

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, embassy

officials met with senior representatives from the major 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.