



COUNTRY OF ORIGIN INFORMATION REPORT

KUWAIT

29 JANUARY 2010

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Preface

- i This Country of Origin Information Report (COI Report) has been produced by COI Service, United Kingdom Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The main body of the report includes information available up to 24 December 2009. The 'Latest News' section contains further brief information on events and reports accessed from 25 December 2009 to 29 January 2010. The report was issued on 29 January 2010
- ii The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any UKBA opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- iii The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- iv The structure and format of the COI Report reflects the way it is used by UKBA decision makers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- v The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- vi As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties, etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.

- vii The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.
- viii This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the COI Service upon request.
- ix COI Reports are published regularly on the top 20 asylum intake countries. COI Key Documents are produced on lower asylum intake countries according to operational need. UKBA officials also have constant access to an information request service for specific enquiries.
- x In producing this COI Report, COI Service has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to UKBA as below.

Country of Origin Information Service

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Website: http://www.homeoffice.gov.uk/rds/country_reports.html

INDEPENDENT ADVISORY GROUP ON COUNTRY INFORMATION

- xi The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Chief Inspector of the UK Border Agency to make recommendations to him about the content of the UKBA's country of origin information material. The IAGCI welcomes feedback on UKBA's COI Reports, COI Key Documents and other country of origin information material. Information about the IAGCI's work can be found on the Chief Inspector's website at <http://www.ociukba.homeoffice.gov.uk>
- xii In the course of its work, the IAGCI reviews the content of selected UKBA COI documents and makes recommendations specific to those documents and of a more general nature. A list of the COI Reports and other documents which have been reviewed by the IAGCI or the Advisory Panel on Country Information (the independent organisation which monitored UKBA's COI material from September 2003 to October 2008) is available at <http://www.ociukba.homeoffice.gov.uk/>

- xiii Please note: it is not the function of the IAGCI to endorse any UKBA material or procedures. Some of the material examined by the Group relates to countries designated or proposed for designation to the Non-Suspensive Appeals (NSA) list. In such cases, the Group's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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Latest News

EVENTS IN KUWAIT, FROM 25 DECEMBER 2009 TO 29 JANUARY 2010

28 January "...Kuwait [has] embarked on devising a special national law on fighting human trafficking and immigrants smuggling out of its appraisal of the international, regional and national hazards embedded in such crimes. Procedures are being carried out now for this draft law to be passed by the parliament and approved by His Highness the Amir of Kuwait.

"Kuwaiti general prosecutor [Hamed Saleh Al-Othman] also pointed out that this bill tackles some topics including defining human trafficking and immigrant smuggling and the transnational crimes, besides imposing cruel penalties on the perpetrators of such crimes that may reach life imprisonment. The penalties also include confiscating seized tools and things that are used in committing such crimes.

"He also said that this bill documented the special guarantees and services related to the victims of human trafficking and the immigrant smuggling like providing medical and social care for them or putting them at one of the shelters earmarked by the state for such purposes."

Global Arab Network: Kuwait urges international community to combat human trafficking, 28 January 2010 via

<http://www.english.globalarabnetwork.com/201001284572/Kuwait-Politics/kuwait-urges-international-community-to-combat-human-trafficking.html>

Accessed 29 January 2010

See also [Women](#), [Children](#), [Trafficking](#) and [Non-citizen workers](#)

26 January "Minister of Social Affairs and Minister of Labor Dr. Mohammad Al-Afasi issued a decree Tuesday to launch the Kuwaiti Lawyers Union. A press release by the Ministry said that the union would be the organization that would protect the rights of lawyers and would also work on developing the skills of law officials."

Kuwait News Agency: Minister Afasi issues decree to establish lawyers union, 26 January 2010 via

<http://www.zawya.com/Story.cfm/sidZAWYA20100127074639/Minister%20Afasi%20issues%20decree%20to%20establish%20lawyers%20union%20>

Accessed 29 January 2010

See also [Judiciary](#)

25 January "Philippine vice president Noli de Castro will go to Kuwait to plead for clemency for a Filipina maid sentenced to death in the Gulf state, the [Philippine] government said. De Castro will ask that the death penalty be commuted for Jakatia Pawa, who was convicted in 2008 for stabbing to death her employer's daughter the previous year, the Foreign Affairs Department said. ...

"A Filipina nanny who was convicted of murdering her employer's seven-year-old son was last year [2009] granted a full pardon by Kuwait's ruler after heavy lobbying from the Philippine government.

“Government figures last year showed there were about 73,000 Filipinos -- 60,000 of them women employed mostly as maids earning less than 200 dollars a month -- in oil-rich Kuwait.”

Agence France Press: Philippine vice president to plead for maid's life in Kuwait, 25 January 2010 via <http://www.abs-cbnnews.com/pinoy-migration/01/25/10/philippine-vice-president-plead-maids-life-kuwait>
Accessed 25 January 2010

See also [Death penalty](#), [Employment rights](#) and [Women](#)

24 January “Kuwait improved its human rights record over the past year, but systemic abuses continued against marginalized populations, including migrant domestic workers and stateless Bidun, Human Rights Watch said today [24 January] in issuing its *World Report 2010*. Women still lack equal civil and political rights, and the rights to free expression and privacy continued to come under government attack.”

Human Rights Watch: <http://www.hrw.org/en/news/2010/01/24/kuwait-abuses-against-marginalized-groups>
Accessed 25 January 2010

See also [Latest News – Reports on Kuwait published or accessed between 25 Devenber 2009 and 25 January 2010](#), [Recent developments \(March-December 2009\)](#), [Freedom of speech and media](#), [Biduns \(also Bidoons, Bedouins, Beduins\)](#), [Lesbian, gay, bisexual and transgender persons](#), [Women](#) and [Employment rights](#)

20 January “Kuwait's parliament gave initial approval on Wednesday [20 January] to a bill that would mandate the formation of an independent regulator for the emirate's stock market. ... The bill calls for an independent five-member Capital Market Authority whose main duties would be to ensure complete transparency and to prevent insider trading and other forms of illegal trading and fraud. Since its founding as the region's first bourse in the early 1970s, Kuwait Stock Exchange has been run by a government-appointed administration that MPs said lacks the powers to ensure transparency.”

Agence France Press: Kuwait MPs vote to set up stock market regulator, 20 January 2010 via <http://www.google.com/hostednews/afp/article/ALeqM5heQwx-0hWj-evN-kB11jPic04IZq>
Accessed 25 January 2010

See also [Economy](#) and [Corruption](#)

18 January “Kuwaiti journalists on Monday [18 January] blasted a state plan for tougher punishment of press offences, and urged parliament to reject amendments to existing laws. Newspaper and television editors met and agreed to boycott lawmakers who back the amendments, said a statement from the Kuwait Journalists Association.

“[Information Minister] Sheikh Ahmad [Abdullah al-Sabah], who is also oil minister, said the amendments would stipulate penalties between one and two years for offenders who insult God. Publishing without an official licence would be punishable with a fine of up to 175,000 dollars, instead of the 3,500 dollars under the existing law. He said that broadcasting without a television licence would be

punishable by a two-year jail term, instead of fines stipulated under current laws.”

Agence France Press: Kuwait journalists blast plan for tougher media laws, 18 January 2010 via

http://www.google.com/hostednews/afp/article/ALeqM5hRJbSy5qyHkvnS2_wlmZG56f56yA

Accessed 25 January 2010

See also [Freedom of speech and media](#)

17 January “Kuwait fears a rise in militant attacks and sectarian tensions in Iraq could cause a new security threat for the Gulf Arab oil producer, a minister said in remarks published on Sunday [17 January]. ...

“I'm worried about the collapse of the security system in Iraq, which could drive many Iraqis to seek refuge in Kuwait,’ Foreign Minister Sheikh Mohammad al-Salem al-Sabah told al-Qabas daily. “I am worried about ... a sectarian conflict that would spread to Kuwait ... I'm worried that conflicts, terrorism and al Qaeda groups could spread to Kuwait,’ he said.

“Kuwait, which is almost one-third Shi'ite, waged a largely successful campaign to stamp out violence by Islamist militants after the Sept. 11, 2001 attacks on U.S. cities and Iraq war. Last year, Kuwait said it had foiled an al Qaeda-linked plan to bomb a U.S. army camp and an oil refinery in the OPEC oil exporting state.”

Reuters: Kuwait fears Iraq violence could spread – minister, 17 January 2010

<http://uk.reuters.com/article/idUKLDE60G03C20100117>

Accessed 25 January 2010

See also [Security situation](#)

15 January A *Kuwaiti Times* article discussed the inequality of pay and conditions between Kuwaiti nationals and “expats or half-expats”, despite the higher value attached to foreign workers by many businesses and clients.

Kuwaiti Times: The employment bigotry in scope, 15 January 2010

http://www.kuwaittimes.net/read_news.php?newsid=MTA2OTg5NTA3NQ

Accessed 25 January 2010

See also [Economy, Recent developments \(March-December 2009\) and Employment rights](#)

11 January “The Kuwait Stock Exchange building was closed and evacuated on Monday [11 January] after officials received a bomb threat from an anonymous caller, which turned out to be a hoax, officials said.”

Agence France Press: Kuwait bourse bomb threat a hoax, 11 January 2010 via

http://www.google.com/hostednews/afp/article/ALeqM5qBm1qil_gvexYetz2B42q-d_R_lw

Accessed 25 January 2010

See also [Security situation](#)

9 January MP Askar Al-Enezi, secretary of the Bedoun Affairs Committee at the Parliament, speaking about the adjournment of a discussion on a proposal to grant biduns civil rights “...refuted allegations that the

proposal aims to grant more privileges to Bedouins than Kuwaitis. He asserted the bill strictly adheres to the stipulations of international treaties which protect human rights.”

Al-Seyassah: Al-Enezi refutes claims draft bill eyes more privileges to Bedouins, 9 January 2010 via

<http://www.arabtimesonline.com/NewsDetails/tabid/96/smld/414/ArticleID/147933/t/Al-Enezi-refutes-claims-draft-bill-eyes-more-privileges-to-Bedouins/Default.aspx>

Accessed 25 January 2010

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#)

6 January

“The Kuwaiti parliament on Wednesday [6 January] passed an unprecedented law that requires the government of the oil-rich Gulf state to buy up some 21.6 billion dollars of citizens’ private debt....The government immediately said it will reject the law. ... Under Kuwaiti law, the government can reject legislation passed by MPs [Ministers of Parliament], but it must then go back to parliament, which can override the veto if it can muster a two-thirds majority in a new vote.”

Agence France Press: Kuwait parliament approves debt relief law, 7 January 2010 via

http://www.google.com/hostednews/afp/article/ALeqM5jr0vUMqi_ST6CliXdc4Pfc4K4q9A

Accessed 12 January 2010

See also [Economy](#), [Recent developments \(March-December 2009\)](#), [Political system](#) and [Political affiliation](#)

5 January

The *Kuwait Times* reported on its investigation into the alleged suicide rate of foreign domestic workers stating: “According to the Migrant Rights webpage, not a week goes by in Kuwait without a report about a maid setting herself on fire, hanging herself, drinking detergent, or mysteriously ‘falling’ from a roof or balcony.” [\[http://www.migrant-rights.org/category/gulf/kuwait/\]](http://www.migrant-rights.org/category/gulf/kuwait/)

Kuwait Times: Dying to escape: the desperation of Kuwait’s abused maids, 5 January 2010 http://www.kuwaittimes.net/read_news.php?newsid=ODY2NjA0MjA5

Accessed 12 January 2010

31 December

The *Kuwait Times* reported: “Visa trading, illegal businesses are thriving in Kuwait despite measures taken by the Kuwaiti government to improve worker’s rights. Recently the Kuwaiti Parliament overwhelmingly voted in favor of a new labor law that provides massive rights for their expatriate especially for workers in the private sector. But the new labor law stops short of abolishing the Sponsorship system ...

“According some human rights groups, if kafil system eliminated there could be end to some human rights and workers violations including visa trading. *[sic]* Earlier reports said that legislation provides more rights for workers in the private sector, including better annual leave, end of service indemnities and holidays. The bill requires the government to introduce a minimum wage for certain jobs, especially in the lower-paid categories. New labor law will be implemented next year [2010].”

Kuwait Times: Visa trading, illegal businesses thrive despite improved labor law, 31 December 2009

http://www.kuwaittimes.net/read_news.php?newsid=MzMzMTk3MjU3

Accessed 12 January 2010

30 December “The new Private Sector Labor Law will not be implemented retroactively’, Mini-ster of Social Affairs and Labor Dr Mohammad Mohsen Al-Afasi told the Arab Times on Wednesday.

“‘The new Labor Law will only be applied to employment contracts signed after the law’s publication in the official gazette, which is expected to take place after a month,’ he said.”

Arab Times: New Labor Law Not Retroactive, 30 December 2009

<http://www.arabtimesonline.com/NewsDetails/tabid/96/smld/414/ArticleID/147537/reftab/96/t/New-labor-law-not-retroactive/Default.aspx>

Accessed 12 January 2010

See also [Employment rights](#)

30 December “Director-General of the Anti-Drug department Brigadier Ahmad Al-Khalifa announced the forming of teams to monitor activities in chalets, private houses, stables, campsites and villas during the New Year festivities.

“He said that the department will have direct access to the Public Prosecution in order to obtain warrants to raid any sites that become a location for illegal activities, such as prostitution, alcohol and drug consumption. These raids will be conducted without receiving permission from the owner or landlord.

“Al-Khalifa warned those who will visit such locations that they will not be exempted from penalties if found to be at the site of the illegal activities. He stressed that festivities during this occasion will not be allowed to bring disrepute to the culture, customs and traditions of Kuwaiti society.”

Arab Times: Crackdown planned on NY [New Year] ‘Wild Parties’, 30 December 2009

<http://www.arabtimesonline.com/NewsDetails/tabid/96/smld/414/ArticleID/147548/reftab/116/Default.aspx>

Accessed 12 January 2010

See also [Security forces](#), [Judiciary](#) and [Arrest and detention – legal rights](#)

29 December “The ruler of Kuwait on Tuesday warned against chaos and social divisions amid heightened political turmoil and tribal and sectarian tensions that have rocked the oil-rich Gulf state.

“‘Democratic practice has its principles and limits ... If it exceeds that it turns into chaos,’ Sheikh Sabah al-Ahmad al-Sabah said in televised speech, adding that such chaos is a threat to Kuwait's security and stability. ... Tribal and sectarian tensions have surfaced in OPEC’s [Organization of the Petroleum Exporting Countries] fourth-largest producer over the past few weeks, with the emirate's Bedouin tribes staging two massive rallies last week to protest a controversial television programme.

“The minority Muslim Shiites also organised a large gathering to protest comments made by some Sunni activists deemed offensive to their faith.

“Opposition MPs, who earlier this month grilled the prime minister and three other cabinet members over allegations of corruption, have again threatened to grill the premier and other ministers.”

Agence France Press: Kuwaiti ruler warns against chaos, social rift, 29 December 2009

<http://www.google.com/hostednews/afp/article/ALeqM5icnCTpOWvepmboyznXaGzB5bbjOA>

Accessed 12 January 2010

See also [Recent developments \(March-December 2009\)](#), [Political system](#), [Political affiliation](#), [Freedom of religion](#) and [Biduns \(also Bidoons, Bedouins, Beduins\)](#)

27 December “The public prosecution yesterday began interrogating Mohammad Al-Juwaihel, the owner of the Al-Sour satellite channel, on charges that he undermined national unity by spreading false news. Juwaihel was arrested by state security personnel after his flight landed from Cairo on Thursday [24 December] after spending about five days outside the country following his controversial program in which he allegedly attacked Kuwaiti tribes. His arrest followed widespread protests and strong arguments in the National Assembly last week.”

Kuwait Times: Juwaihel questioned, Khorafi on back foot, 28 December 2009

http://www.kuwaittimes.net/read_news.php?newsid=ODQxODM3NTU2

Accessed 12 January 2010

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#)

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REPORTS ON KUWAIT PUBLISHED OR ACCESSED BETWEEN 25 DECEMBER 2009 AND 29 JANUARY 2010

Amnesty International

Urgent Action – Migrant worker faces execution, 25 January 2010

<http://www.amnesty.org/en/library/asset/MDE17/001/2010/en/28e8e944-5948-4528-b4be-ea90193da4a5/mde170012010en.pdf>

Accessed 29 January 2010

Human Rights Watch

World Report 2010, 20 January 2010 <http://www.hrw.org/en/node/87726>

Accessed 22 January 2010

For reports published outside of the period covered by the Latest News section, see the database websites of the United Nations High Commissioner for Refugees (UNHCR) [Refworld](#), and the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) [Ecoi.net](#)

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Background information

GEOGRAPHY

- 1.01 The State of Kuwait lies at the north-west of the Persian (Arabian) Gulf, with a border on the north-west with Iraq and to the south with Saudi Arabia. The State comprises a mainland region and nine small islands. (Europa Online, retrieved 25 November 2009) [2a] **(Country Profile)** The capital is Kuwait City, within 500-square kilometres of which 90 per cent of the population resided. (US Department of State (USSD) Background Note, February 2009) [1a] **(People)** (Europa Online, retrieved 25 November 2009) [2a] **(Country Profile)** Kuwait covers an area of 17,818 sq. km., most of which is arid desert. (Foreign and Commonwealth Office (FCO) Country Profile, reviewed 25 August 2009) [3a] **(Geography)**
- 1.02 The USSD Background Note of February 2009 reported that the country's population comprised of 45 per cent Kuwaiti citizens (approximately 1.05 million), other Arabs 35 per cent, South Asians nine per cent, Iranians four per cent and others accounted for seven per cent. [1a] **(People)** The FCO Country Profile, last reviewed 25 August 2009, noted: "...there are estimated to be over 100,000 Bidoon [stateless persons] still in Kuwait." [3a] **(Politics)** Further:
- "Of the country's total population of 3.4 million, approximately 85% are Muslims, including nearly all of its 1.05 million citizens. While the national census does not distinguish between Sunni and Shi'a adherents, approximately 70-75% of citizens, including the ruling family, belong to the Sunni branch of Islam. The remaining Kuwaiti citizens, with the exception of about 100-200 Christians and a few Baha'is, are Shi'a. The expatriate Christian population is estimated to be more than 400,000 residents. There also are communities of Hindus, Buddhists, and Sikhs." (USSD Background Note, February 2009) [1a] **(People)**
- See also [Ethnic groups](#), [Freedom of religion](#), [Citizenship and nationality](#) and [Employment rights – Non-citizen workers](#)
- 1.03 Europa Online, undated, retrieved 25 November 2009 observed: "The official language is Arabic, which is spoken by the majority of Kuwaiti nationals (estimated, by official definition, to have comprised 39.8% of Kuwait's population at the census of April 2005, according to preliminary results) and by many of the country's non-Kuwaiti residents [including the biduns]." [2a] **(Country Profile)**

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MAP

- 1.04 Kuwait Atlas Map, May 2005, published by the United Nations High Commissioner for Refugees (UNHCR):



[33b]

- 1.05 Maps of Kuwait dated 2006 and 2008 (see below), produced by the Central Intelligence Agency (CIA), were available via the Perry-Castañeda Library Map Collection of the University of Texas Libraries:



[12b]

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ECONOMY

- 2.01 The US Department of State (USSD) Background Note, February 2009, reported:

“Kuwait has a small, relatively open economy dominated by the oil industry and government sector. Approximately 90% of the Kuwaiti citizen labor force works in the public sector, and 90% of private sector workers are non-Kuwaitis. Kuwait's proven crude oil reserves of about 100 billion barrels--9% of world reserves--account for nearly 45% of GDP, 95% of export revenues, and 90%-95% of government income.” **[1a] (Economy)**

- 2.02 The World Bank's Kuwait Profile of April 2007 indicated a Gross Domestic Product (GDP) at 2005 of \$80.8 billion and a GDP annual growth in the same year of 8.5 per cent. The World Bank also listed a Gross National Income (GNI) of \$77.7 billion for 2005 with a GNI per capita of \$30,630. **[4a]** The estimated percentage figure for inflation in 2008 was 10.6. (CIA World Factbook, last updated 11 September 2009) **[12a] (Economy)**

- 2.03 The Kuwaiti currency is the dinar and the exchange rate was 0.46 dinars to the British pound and 0.28 dinars to the US dollar as of 25 October 2009. (Oanada.com, accessed 25 November 2009) **[38a, 38b]** The country's major industries were oil, food processing, textiles, furniture and fertilisers with its major trading partners being UK, Japan, USA and Germany. (FCO Country Profile, reviewed 25 August 2009) **[3a] (Basic Economic Facts)** In terms of agriculture, “With the exception of fish, most food was imported.” (USSD Background Note, February 2009) **[1a] (Economy)**

- 2.04 The CIA World Factbook in September 2009 listed the estimated unemployment rate for 2004 as 2.2 per cent. **[12a] (Economy)** The USSD Human Rights Report 2008, released on 25 February 2009, noted:

“The public sector minimum wage for citizens was 217 dinars (approximately [US] \$740) per month, while the public sector noncitizen wage was 97 dinars (\$333). The public sector minimum wage provided a decent standard of living for a citizen worker and family. There was no legal minimum wage in the private sector, except for those domestic workers who had signed contracts since 2006 who received at least 40 dinars (\$136) per month. The MOSAL [Ministry of Social Affairs and Labor] is responsible for implementing the minimum wage, which was effectively enforced.” **[1b] (Section 6e)**

See also [Employment rights](#)

- 2.05 The FCO Country Profile, reviewed 25 August 2009, described Kuwait as a “generous aid donor”. **[3a] (Economy)** The USSD Background Note of February 2009 reported that the Kuwait Fund for Arab Economic Development (KFAED), an autonomous state institution, contributed millions of dollars in grants:

“At the 2003 Madrid Conference, the Government of Kuwait pledged \$1.5 billion in assistance to Iraq. KFAED is responsible for disbursing and overseeing as much as \$560 million of that assistance through grants. In 2005, KFAED contributed \$50 million to Pakistan earthquake relief; \$50 million for Hurricane Katrina relief; and made significant contributions to tsunami relief

efforts. Kuwait has also supported the establishment of the International Compact for Iraq.” [1a] (Trade, Finance, and Aid)

- 2.06 On 8 December 2009, *Reuters* reported that the Kuwaiti Parliament had unanimously approved a measure to join the efforts to create a Gulf monetary union, but a top government official said adoption of a single currency could take as long as a decade. Kuwait is the latest member of the six-nation Gulf Cooperation Council (GCC) to approve the project; Saudi Arabia had already approved the plan and Bahrain was due to agree in the following week. [57b]

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HISTORY

3.01 Europa online, retrieved on 25 November 2009, noted:

“Kuwait became part of Turkey’s Ottoman Empire in the 16th century. During the later years of Ottoman rule Kuwait became a semi-autonomous Arab monarchy, with local administration controlled by a Sheikh of the Sabah family, which is still the ruling dynasty. In 1899, fearing an extension of Turkish control, the ruler of Kuwait made a treaty with the United Kingdom, accepting British protection while surrendering control over external relations. ...

“Sheikh Ahmad (ruler since 1921) was succeeded in 1950 by his cousin, Sheikh Abdullah as-Salim as-Sabah, who inaugurated a programme of public works and educational development, funded by petroleum revenues, which transformed Kuwait’s infrastructure and introduced a comprehensive system of welfare services.

“Kuwait became fully independent on 19 June 1961, when the United Kingdom and Kuwait agreed to terminate the 1899 treaty. The ruler took the title of Amir and assumed full executive power.” [2a] (Recent History)

3.02 Europa online continued:

“As Kuwait’s petroleum sector expanded during the 1960s, the country became increasingly wealthy. The Government effected an extensive redistribution of income, through public expenditure and a land compensation scheme, but there was some popular discontent concerning corruption and official manipulation of the media and the Majlis. ...

“The collapse of Kuwait’s unofficial stock exchange, the Souk al-Manakh, in September 1982 caused a prolonged financial crisis, ... The Majlis subsequently opposed several government measures, including proposed price increases for public services, educational reforms and legislation to restrict the press, and questioned the competence of certain ministers. In July 1986 the Council of Ministers submitted its resignation to the Amir, who then dissolved the Majlis and suspended some articles of the Constitution, declaring his intention to rule by decree. The Crown Prince was immediately reappointed Prime Minister. An Amiri decree accorded the Council of Ministers greater powers of censorship, including the right to suspend publication of newspapers for up to two years.

“In late 1989 the Amir refused to accept a petition, signed by more than 20,000 Kuwaiti citizens, seeking the restoration of the Majlis. In January 1990 police dispersed two pro-democracy demonstrations, although later in the month the Government agreed to relax press censorship. In June [1990] 62% of eligible voters participated in a general election for 50 members of a ‘provisional’ National Council; a further 25 members were appointed by the Amir. The election was boycotted by pro-democracy activists, who continued to demand the full restoration of the Majlis.” [2a] (Recent History)

3.03 In August 1990, after a series of disputes over oil, money and boundaries, Iraq attacked and invaded its smaller neighbour Kuwait. The invasion received immediate international condemnation and in January 1991, after the failure of

international diplomatic efforts and sanctions, a 28-member military coalition under United States (US) command (and United Nations (UN)-sanctioned) began a ground assault that resulted in the liberation of Kuwait by the end of February 1991. (USSD Background Note, February 2009) [1a] (History) (Europa Online, retrieved 25 November 2009) [2a] (Recent History) "Since that time Kuwait has had to recover from the economic, environmental and psychological damage caused by the occupation. In 2003 it was the launch pad for the invasion of Iraq." (FCO Country Profile, reviewed 25 August 2009) [3a] (History)

3.04 The FCO Country Profile, reviewed 25 August 2009, recorded:

"On 16 May 2005, following full debates on the issue, the Kuwait National Assembly voted in favour of giving women the right to vote and stand for election. On 5 June 2005 the government named two women on the Municipal Council and on 12 June the government made an historic step by appointing Dr Massouma Al-Mubarak as the Minister for Planning and the Minister for Administrative Development. Dr Al-Mubarak was the first female minister and was sworn into office on 20 June 2005. Since then two more women have been appointed Ministers. The municipal elections in April 2006 gave women their first opportunity to vote." [3a] (Politics)

See also [Women - Political rights](#)

3.05 The British Broadcasting Corporation's (BBC) Country Profile, last updated 10 August 2009, noted: "...the growing assertiveness of parliament has led to frequent confrontations with the government. Between 2007-9, three cabinets resigned in as many years amid disputes with the National Assembly." [5a] (Overview)

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RECENT DEVELOPMENTS (MARCH-DECEMBER 2009)

4.01 The Inter-Parliamentary Union (IPU) web page on the Kuwaiti National Assembly (Majles Al-Ommah) reported:

“On 18 March 2009, Emir Sheikh Sabah al-Ahmad al-Jaber al-Sabah dissolved the National Assembly due to a standoff between parliament and the executive over the latter's response to the recent global economic crisis as well as alleged financial impropriety in the Prime Minister's Office. On 14 April, the Emir issued a decree calling early elections for 17 May, the third in less than three years and only one year after the previous elections. ...

210 candidates, including 16 women, were vying for the 50 directly elected seats in the National Assembly, down from 274 candidates, including 28 women, in 2008. Women candidates benefitted from wide media coverage. Prominent candidates included Ms. Maasouma Al-Mubarak, the country's first female minister, and Ms. Aseel Al-Awadhi, a professor at Kuwait University.

“Women candidates promised change and reforms, aimed at getting the country out of the economic crisis. Some proposed to amend the law on citizenship so the children of Kuwaiti mothers (in addition to those of Kuwaiti fathers) would be granted Kuwaiti citizenship. Some male candidates also pledged to treat men and women equally, underscoring that the Constitution does not differentiate between sexes. Meanwhile, ISA [Islamic Salafi Alliance] leader Fuhayd al-Haylam called for a boycott of women candidates, saying that voting for women was a sin. ...

“No major incidents were reported during the election campaign. However, former parliamentarian Daifallah Buramia was briefly detained along with two other candidates following public speeches in which he allegedly criticized the ruling family.

“Over 59 per cent of the nearly 385,000 eligible voters turned out at the polls. Of the eligible voters, 175,679 are men and 209,111 are women.

“For the first time, four women were elected. They included Ms. Al-Mubarak and Ms. Al-Awadhi. The latter was elected with the second highest share of the vote (21 per cent) in her constituency.

“Overall results gave 11 seats to Sunni Islamists, down from 21. The ISA and the ICM [Islamic Constitutional Movement] saw their share reduced to two seats and one seat respectively. Shiite members took nine seats, up from five. Liberals took eight seats, up from seven. Candidates from six tribal groupings won a total of 20 seats. In all, 29 outgoing members retained their seats.

“On 31 May, the newly elected National Assembly held its first session and re-elected Mr. Jassem M. Al-Kharafi as its Speaker.

“In the meantime, on 21 May, the Emir reappointed Sheikh Nasser Mohammad al-Ahmad al-Jaber al-Sabah as Prime Minister. The 16-member cabinet included one woman. Since cabinet members sit in parliament as ex officio members, the number of women members of parliament increased to five.” [52a] (Background)

See also [Political system](#), [Political affiliation](#) and [Women](#)

- 4.02 On 29 June 2009, the *Kuwait Times* reported: “The Public Authority for Civil Information (PACI) yesterday [28 June 2009] held an official launch event for smart ID cards at its headquarters in South Surra.” [49b] The article continued:

“As of today [29 June 2009], citizens will be able to submit their application with the PACI for the new smart cards. ‘At present, 3,000 IDs can be issued per day, and we will work on increasing this number to 5,000 daily. The smart ID cards will be issued gradually to all citizens. Expats will receive them later,’ Sheikh Ahmad Al-Fahad explained after receiving his own ID card. ...

“The front of each card will include data in both English and Arabic, including the bearer's name, civil ID number, nationality, sex, birth date and the card's issue and expiry dates.

“The back of each card, meanwhile, will list the civil ID number again, as well as the bearer's blood type, detailed address, the ID card's serial number, international MRZ [Machine Readable Zone] data and an eight-digit electronic address number. The electronic chip will contain the same data, as well as the bearer's e-mail address, phone number, fingerprint and other information.” [49b]

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#), [Citizenship and nationality](#) and [Non-citizen workers](#)

- 4.03 In August 2009, the BBC reported that: “Kuwaiti officials say they have arrested six members of a ‘terrorist network’, linked to al-Qaeda, who were planning to attack a US military base. An interior ministry statement said that all six Kuwaitis had confessed to the crimes after they were arrested. The statement said they had also planned to bomb the headquarters of Kuwait's internal security agency.” [5d]

See also [Security situation](#)

- 4.04 In November 2009, *Reuters* reported that the United Nations (UN) had announced it was outlining a plan to help Iraq end its dispute with Kuwait over war reparations paid since the first Gulf War. The UN will also seek agreement on land and sea borders between the countries, Kuwait's demand for information related to its missing citizens and the return of property. [57c]

See also [Geography](#) and [History](#)

- 4.05 Also in November 2009, *Agence France Press (AFP)* reported that Kuwaiti Ministers of Parliament (MPs) had criticised the ruling Al-Sabah family for feuding, warning that persistent infighting posed serious risks for the emirate. Kuwait has been rocked by a series of political disputes over the past few years which have been blamed in part on squabbling within the ruling family. [48f]
- 4.06 In December, *AFP* reported that motions were filed by Kuwaiti MPs to unseat Prime Minister Sheikh Nasser Mohammad al-Ahmad al-Sabah and the Kuwaiti Interior Minister Sheikh Jaber Khaled al-Sabah. [48d] On 16 December, the Prime Minister comfortably survived a non-cooperation motion filed against

him over allegations of corruption which he emphatically denied and, the following day, the Minister of Interior also survived a no-confidence vote in parliament following an accusation of providing false information to the chamber. If the motion against the Interior Minister had passed, he would have lost his job, an unprecedented event in Kuwait's 47 years of parliamentary democracy. (*AFP*, 17 December 2009) [48e]

See also [Political system](#) and [Political affiliation](#)

For information, that is more recent, see [Latest News](#)

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CONSTITUTION

- 5.01 A constitution for Kuwait, made available by Middle East Information Network, was promulgated as law number 1 on 11 November 1962. [32a] (p1) The first few articles stated:

“Kuwait is an Arab State, independent and fully sovereign. Neither its sovereignty nor any part of its territory may be relinquished. The people of Kuwait are a part of the Arab Nation.” [32a] (Article 1)

“The religion of the State is Islam, and the Islamic Shari'a shall be a main source of legislation.” [32a] (Article 2)

“Kuwait is a hereditary Emirate, the succession to which shall be in the descendants of the late Mubarak al-Sabah.” [32a] (Article 4(1))

“The System of Government in Kuwait shall be democratic, under which sovereignty resides in the people, the source of all powers. Sovereignty shall be exercised in the manner specified in this Constitution.” [32a] (Article 6)

- 5.02 Articles 79 to 122 established the National Assembly and set out the rules governing its formation, rights and duties. [32a]

- 5.03 In terms of individual rights, the Constitution provides for the protection of personal liberty and equality before the law, freedom to hold beliefs and express opinions, and freedom of the press. [32] (Articles 7, 29, 35-37) The residences of citizens are inviolable. [32a] (Article 38) Torture and the deportation of Kuwaiti citizens are prohibited, and the accused are presumed innocent until proven guilty. [32a] (Articles 28, 31, 34) The Constitution guarantees the independence of the judiciary and designates the Supreme Council of the Judiciary as its highest body and guarantor of judicial independence. [32a] (Articles 53, 162-173) Freedom of assembly, and to form associations and trade unions is also asserted. [32a] (Articles 43-44)

- 5.04 With regard to social rights, the State is constitutionally obliged to care for the young and to aid the old, the ill and the disabled. [32a] (Articles 10-11) It is obliged to provide public education and to attend to public health. [32a] (Articles 13, 15, 40) Duties of citizens include national defence, the observance of public order, respect for public morals and the payment of taxes. [32a] (Articles 47-49) These rights and obligations, however, applied only to Kuwaiti citizens. The remainder of the population had few political and civic rights and have only restricted access to the benefits of the state welfare system. (US Library of Congress, January 1993) [6a] (Constitution)

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POLITICAL SYSTEM

6.01 US Department of State (USSD) Background Note, February 2009 stated: “Kuwait is a constitutional, hereditary emirate ruled by princes (Amirs) who have been drawn from the Al Sabah family since the middle of the 18th century. The 1962 constitution provides for an elected National Assembly and details the powers of the branches of government and the rights of citizens.” [1a] (Government and Political Conditions) Europa Online, retrieved 25 November 2009, noted:

“Under the 1962 Constitution, executive power is vested in the Amir, the Head of State (who is chosen by and from members of the ruling family), and is exercised through the Council of Ministers. The Amir appoints the Prime Minister and, on the latter’s recommendation, other ministers. Legislative power is vested in the unicameral Majlis al-Umma (National Assembly), with 50 elected members who serve for four years (subject to dissolution), along with some 15 government ministers who sit as *ex officio* members. In May 2005 legislation was approved allowing women to vote in legislative and municipal elections for the first time. The country is divided administratively into six governorates.” [2a] (Government)

6.02 The Inter-Parliamentary Union website recorded the following criteria for candidates to be deemed eligible: qualified electors, minimum age of 30 years, citizens of Kuwait with Kuwaiti father, resident in the country at the time of the election, and have the ability to read and write in Arabic. [52a] (Electoral System)

6.03 The US Library of Congress Country Study, dated January 1993 stated:

“Although the constitution affords the assembly considerable power, the body is limited by two major restrictions: the small size of the electorate as defined by law, which restricts suffrage to most adult male nationals whose ancestors were present in Kuwait in 1920; and the power of the amir [*sic*] to dissolve the assembly virtually at will. Nonetheless, the assembly plays a prominent role in raising issues of public importance, reviewing and challenging government policies and programs, and responding to constituent concerns. It helps give Kuwait a much more open and public political life than that in other gulf states.” [6a] (Legislature)

6.04 The USSD Human Rights Report 2008, released 25 February 2009, recorded:

“The law provides citizens with the right to change their representatives in the legislative branch of government, and citizens exercised this right in practice. However, citizens had only a very limited, indirect impact on control of the executive branch as the constitution stipulates that the country is a hereditary emirate. The elected National Assembly must approve the emir's choice of crown prince (the future emir) and may remove the emir from power if it declares him unfit. In 2006 the National Assembly exercised this power for the first time in the country's history.” [1b] (Section 3)

6.05 The USSD Human Rights Report 2008 also noted that: “According to press reports, 35 percent of Kuwaiti citizens were eligible to vote ...”. [1b] (Section 3)

See also [Recent developments \(March-December 2009\)](#) and [Political affiliation](#)

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Human Rights

INTRODUCTION

- 7.01 The US State Department Report on Human Rights Report 2008 (USSD Human Rights Report 2008) recorded:

“The government limited citizens’ right to change their government and form political parties. There were reports that security forces abused prisoners and detainees, and the government did not make public any investigations or prosecutions of perpetrators. The government limited freedoms of speech, press, religion, and movement for certain groups. Government corruption and trafficking in persons remained problems. The status of stateless Arab residents (called ‘Bidoon’) remained unresolved. Women did not enjoy equal rights, and expatriate workers faced difficult conditions in the domestic and unskilled service sectors.” [1b] (p1)

- 7.02 The summary of Amnesty International’s Annual Report 2009, covering events in 2008, stated: “Migrant workers continued to experience exploitation and abuse, and to demand protection of their rights. Some were deported after participating in mass protests. The government promised to improve conditions. Several journalists were prosecuted. One case of torture was reported. At least 12 people were under sentence of death but no executions were known to have been carried out.” [8b]

- 7.03 The Foreign and Commonwealth Office (FCO) Country Profile, last reviewed by the FCO on 25 August 2009, remarked:

“Kuwait has ratified all six core UN [United Nations] human rights conventions. Press freedom is guaranteed by the constitution although a small degree of self-censorship is exercised. There is a high level of freedom of expression and tolerance of Christianity. The Prime Minister has declared his intention to push for a solution to the long-standing problem of stateless residents of Kuwait (the Bidoon). Kuwait retains the death penalty. The issue of the Bidoon remains a sore in Kuwait’s Human Rights efforts.” [3a] (Human Rights)

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SECURITY SITUATION

- 8.01 The Executive Summary of the undated Defence and Security Report on Kuwait, produced by Bharat Book Bureau, reported:

“Kuwait has a small number of indirect security threats, but benefits from the external security endowed upon it by the US. In the past, its geo-strategic location made it precarious to threats, from an Iraqi invasion in 1991 and the possibility of an Iraqi missile strike on Kuwait prior to the US-led coalition invasion of Iraq in 2003. Kuwait faces a limited internal threat from al-Qaeda-linked militants operating on Kuwaiti soil. As with many of the region’s ruling regimes, there is a degree of protest from within disaffected sections of the population. The emirate will remain concerned with the ongoing instabilities in post-war Iraq and the possibility of Kuwaiti jihadis returning from Iraq.” [36a] (Executive Summary)

- 8.02 The US Department of State (USSD) Country Reports on Terrorism 2008, released 30 April 2009, noted: “Kuwait was an effective and reliable partner in providing security for U.S. military installations and convoys in Kuwait. The risk of a terrorist attack in Kuwait remained high, however, because of the government-welcomed presence of U.S. forces in the country.” [1e] (Kuwait)

See also [Recent developments \(March-December 2009\)](#)

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SECURITY FORCES

- 9.01 An August 2004 working paper produced for the Geneva Centre for the Democratic Control of Armed Forces (DCAF) by Professor Ghanim Al-Najjar of the Department of Political Science, Kuwait University stated:

“The security apparatus in Kuwait is divided into three main institutions, namely the Army, the Police, and the National Guard. The division of labour amongst the three institutions is clear. While the army is responsible for external defence duties (since offensive war is prohibited by the Constitution), the police are responsible for internal security, and the National Guard is responsible for providing emergency and supporting duties.” [19a] (p1)

POLICE

- 9.02 Jane’s Sentinel Security Assessment – The Gulf States: Kuwait reported that, as of April 2009:

“The Kuwait Police is a national organisation which has a complement of about 4,000, the majority being assigned to Kuwait City. It is a semi-military organisation, equipped with small arms, light weapons and all-terrain vehicles, and is capable of dealing with violent disorder as well as performing normal police duties.

“The police are directly responsible to the Emir through the Ministry of the Interior. In fact, over 90 per cent of the Ministry of Interior's heads of departments are police officers. The National Police is deployed for public order enforcement and its primary responsibility is internal security. Police units are based in all major urban centres.

“The National Police has a number of departments, including Criminal Investigation, Logistics, Traffic and Rescue, Nationality and Travel Documents, Immigration Affairs, Department of Criminal Evidence, General Department of Investigation and Airport Police. In addition, there are Special Security Forces, whose role includes the protection of important buildings and installations.” [56a] (Security and Foreign Forces)

Arbitrary arrest and detention

- 9.03 The USSD Human Rights Report 2008, released 25 February 2009, recorded: “The law prohibits arbitrary arrest and detention, and the government generally observed these prohibitions, although police sometimes arbitrarily arrested nonnationals.” The source continued: “Police officers generally must obtain an arrest warrant from state prosecutors or a judge before making an arrest, except in cases of hot pursuit. There were credible reports of police arresting and detaining foreigners without a warrant during the year [2008]. However, the courts generally do not accept cases without warrants issued prior to arrests.” [1b] (Section 1d)
- 9.04 The USSD Human Rights Report 2008 also noted: “According to the penal code, suspected criminals may be held at a police station for up to four days without charge, during which authorities may prevent lawyers and family members from visiting them. ... Arbitrarily lengthy detention before trial was a

problem, and approximately 10 percent of the prison population consisted of pretrial detainees.” [1b] (Section 1d)

See also [Arrest and detention – legal rights](#)

Torture

- 9.05 The law prohibited torture but some police reportedly abused detainees during 2008; such abuse was more likely to be inflicted on noncitizens than citizens, “... particularly non-Gulf Arabs and Asians, and there were several reported accounts of police abuse of transgendered persons.” (USSD Human Rights Report 2008) [1b] (Section 1c) “The government stated that it investigated all allegations of abuse and punished at least some of the offenders; however, in most cases the government did not make public either the findings of its investigations or any punishments it imposed.” (USSD Human Rights Report 2008) [1b] (Section 1c)

Extra-judicial killings

- 9.06 The USSD Human Rights Report 2008 recorded: “There were no reports that the government or its agents committed arbitrary or unlawful killings. There were no developments in the two 2006 cases of nonnationals who died in police custody.” [1b] (Section 1a)

Avenues of complaint

- 9.07 The USSD Human Rights Report 2008 stated: “In cases of alleged police abuse, the district chief investigator examines abuse allegations and refers worthy cases to the courts for trial. Unlike in the past, no security officials were relieved of their duties as a result of credible allegations of abuse of detainees during interrogation.” [1b] (Section 1d)

ARMED FORCES

- 9.08 As of June 2009, Jane's Sentinel Security Assessment – The Gulf States: Kuwait recorded the country's armed forces as numbering 15,500, which comprised a land army of 11,000, an air force of 2,500 and a navy of 2,700; including 500 in the coastguard. [56a] (Army; Air Force; Navy) Additionally, as of April 2009, the National Guard was composed of an estimated 6,500 volunteers and the Civil Defense force was believed to be 2000-strong. [56a] (Security and Foreign Forces) The USSD Background Note of February 2009 reported:

“Since liberation [following the Iraqi invasion in 1990], Kuwait, with the help of the United States and other allies, has made significant efforts to increase the size and modernity of its armed forces. These efforts are succeeding. The government also continues to improve defense arrangements with other Arab states, as well as UN [United Nations] Security Council members. During Operation Iraqi Freedom, in 2003, Kuwaiti military elements successfully operated missile defense systems.” [1a] (Defense)

- 9.09 Jane's also noted, as of April 2009:

“Camp Arifjan is the key US Army installation in Kuwait, fulfilling a vital logistics role, and acting as a major rear supply base for US forces in Iraq and Afghanistan. Other US military operations throughout the region are also supported from Camp Arifjan. The major logistics effort is overseen by the US Army's 1st Sustainment Command (Theatre). Reports indicated that as many as 9,000 personnel were deployed in recent years at Camp Arifjan, south of Kuwait City, not counting the thousands of US troops who regularly pass through the camp en route to and from Iraq.” [56a] (Security and Foreign Forces)

NATIONAL GUARD

- 9.10 The DCAF working paper of August 2004 reported: “The National Guard is an independent institution of the Armed Forces, which reports directly to the Supreme Council of Defence, which is headed by a senior sheikh ...” [19a] (p1) Jane's reported, as of April 2009, that: “There are three 'guards' or battalions - an armoured vehicle unit, a special forces unit and a military police battalion. The Kuwaiti government has defined the KNG's mission as ‘providing assistance to the military and security forces, in addition to the execution of any assignment entrusted to it by the Higher Defence Council, such as safeguarding establishments and utilities of a sensitive nature and importance’.” [56a] (Security and Foreign Forces) The February 2009 USSD Background Note stated that the National Guard maintained internal security and referred to it as being separately organised from the army. [1a] (Defense) DCAF's August 2004 paper noted:

“According to law number 2/1967, the National Guard reports directly to the Supreme Council of Defence, which means that it has a higher degree of independence than either the army or the police.

“The most notable difference with the National Guard is that it is an exclusively Kuwaiti force compared to the Army and the Police where other nationalities are allowed to serve either as soldiers or officers. Another difference is that National Guard personnel, regardless of their ranks, are allowed to take part in the political process.” [19a] (p10)

KUWAIT STATE SECURITY

- 9.11 The USSD Human Rights Report of 2008 noted: “Kuwait State Security [which is under the purview of the Ministry of Interior] oversees intelligence and national security-related matters.” [1b] (Section 1d) The DCAF paper of August 2004 noted: “The name of the Intelligence Services was later changed to become the State Security Department, which reports directly to the Minister of the Interior.” [19a] (p10)

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MILITARY SERVICE

- 10.01 War Resisters International (WRI) released a comprehensive report on military service laws and practice throughout the world in 1998 which noted that, unlike other Persian Gulf states, Kuwait had a conscription system that obliged men aged between 18 and 30 years of age to serve for two years, although deferments were granted for educational and domestic reasons, and university graduates served for only a year. [14a] In practice, exemptions were liberally granted and most young Kuwaitis were able to avoid military duty. (WRI, 1998) [14a]
- 10.02 WRI noted: "Call-up takes place at the age of 18. According to the government most conscripts in the armed forces are aged 22 to 28." [14a] The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated: "The law ... requires male citizens serving in the military to obtain government approval to marry foreign nationals." [1b] (Section 1f) Reserve service was required up to the age of 40 involving a month's training per year. (Central Intelligence Agency (CIA) World Factbook, last updated 28 August 2009) [12a] (Military)
- 10.03 WRI also reported: "Traditionally, as in many Persian Gulf States, the Kuwaiti armed forces consist to a large extent of foreign volunteers. Before the 1991 Gulf War, only 20 to 30 percent of troops were Kuwaiti citizens. After the 1991 Iraqi invasion many non-Kuwaiti citizens - notably Palestinians and Bedouins - were expelled from the armed forces for alleged collaboration with Iraq." [14a]
- 10.04 Draft evasion and desertion is not an issue, according to WRI's 1998 report: though military service is unpopular, the authorities' liberal approach to exemption meant that military service may be evaded both easily and legally. The right to conscientious objection is not legally recognised and there were no provisions for substitute service. [14a]

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JUDICIARY

- 11.01 The United Nations Development Programme – Programme on Governance in the Arab Region’s (UNDP POGAR) undated entry, accessed 19 October 2009, on the judiciary in Kuwait recorded: “The legal system of Kuwait is an amalgam of British common law, French civil law, Islamic legal principles, and Egyptian law.” [7d]

ORGANISATION

- 11.02 UNDP POGAR noted:

“The official language of the court is Arabic, although other languages are not prohibited. Court proceedings are public unless keeping the peace requires they be closed, and some Court decisions are made public in the official Gazette. The judiciary is administered by the Judicial Council, which consists of the President and Deputy of the Court of Cassation, the President and Deputy of the Court of Appeal, the Attorney General, the President of the Al-Kulliyaa Court, and the Deputy of the Ministry of Justice.” [7d]

- 11.03 UNDP POGAR continued:

“The judiciary is structured in three levels. At the base of the hierarchy are the Courts of First Instance. These Courts handle civil, commercial, personal status and penal matters separately. Judgments in cases involving misdemeanors punishable by less than three years of imprisonment or fines of less than 250 Kuwaiti dinars cannot be appealed to a higher level court; commercial and civil judgments involving fines less than 1000 dinars are final. The Courts of Appeal, which sit in panels of three judges, serve as both intermediate and final courts of appeal. ...

“The Court of Cassation, added to the system in 1990, sits at the apex of the Kuwaiti judiciary and serves as the final court of appeal. Divided into Commercial, Civil, and Criminal Boards, the Court’s judgments are not legally binding on the lower courts, yet they are normally respected.” [7d]

- 11.04 The same source also stated: “Law No. 14 of 1973 established the Constitutional Court, which has exclusive jurisdiction to interpret the constitutionality of legislation and is empowered to review electoral contestations.” [7d]

Independence / fair trial

- 11.05 The US Department of State’s (USSD) Human Rights Report 2008, released 25 February 2009, stated:

“The law provides for an independent judiciary and the right to a fair trial and states that ‘judges shall not be subject to any authority’; however, the emir appoints all judges, and the renewal of judicial appointments is subject to government approval. Judges who are citizens have lifetime appointments; however, many judges are noncitizens who hold one- to three-year renewable contracts. The Ministry of Justice (MOJ) may remove judges for cause but

rarely does so. Foreign residents involved in legal disputes with citizens frequently claimed that the courts showed bias in favor of citizens. ...

“By law criminal trials are public unless a court or the government decides that ‘maintenance of public order’ or ‘preservation of public morals’ necessitates closed proceedings. There is no trial by jury. Defendants enjoy a presumption of innocence and have the right to confront their accusers and appeal verdicts. Defendants in felony cases are required by law to be represented in court by legal counsel, which the courts provide in criminal cases. The bar association is obligated upon court request to appoint an attorney without charge for indigent defendants in civil, commercial, and criminal cases, and defendants utilized these services. Defendants and their attorneys generally have access to government-held evidence relevant to their cases. The law affords these protections to all citizens.” [1b] (Section 1e)

OTHER COURTS

11.06 The USSD Human Rights Report 2008 related the following:

“Sunni and Shia Shari'a (Islamic law) courts have jurisdiction over family law cases for Muslims. Secular courts allow anyone to testify and consider male and female testimony equally; however, in the family courts the testimony of a man is equal to that of two women.

“The Constitutional Court, whose members are senior judges from the civil judiciary, has the authority to issue binding rulings concerning the constitutionality of laws and regulations and also rules on election disputes.

“The martial court convenes in the event the emir declares martial law. The law does not specifically provide for a military court or provide any guidelines for how such a court would operate. The military operates tribunals that can impose punishments for offenses within the military.” [1b] (Section 1e)

CIVIL PROCEDURES AND REMEDIES

11.07 The same report recorded: “The law provides for an independent and impartial judiciary in civil matters; however, enforcement of rulings was a significant problem. Administrative punishments, such as travel bans, are also available in civil matters.” [1b] (Section 1e)

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ARREST AND DETENTION – LEGAL RIGHTS

12.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, recorded that:

“Police officers generally must obtain an arrest warrant from state prosecutors or a judge before making an arrest, except in cases of hot pursuit. There were credible reports of police arresting and detaining foreigners without a warrant during the year. However, the courts generally do not accept cases without warrants issued prior to arrests. According to the penal code, suspected criminals may be held at a police station for up to four days without charge, during which authorities may prevent lawyers and family members from visiting them. In such cases lawyers are permitted to attend legal proceedings but are not allowed to have direct contact with their clients. If charges are filed, prosecutors may remand a suspect to detention for an additional 21 days. Prosecutors also may obtain court orders for further detention pending trial. There is a functioning bail system for defendants awaiting trial. The bar association provided lawyers for indigent defendants.” [1b] (Section 1d)

See also: [Security forces](#); [Judiciary](#) and [Prison conditions](#)

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PRISON CONDITIONS

13.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated: "Prison and detention center conditions varied. Some were poor, with inadequate sanitation and lack of sufficient medical staff. Authorities reportedly mistreated prisoners and failed to prevent inmate-on-inmate violence." [1b] (Section 1c) The USSD Human Rights Report 2008 also mentioned: "A new men's prison building that met all international standards opened in 2006, reducing previously severe overcrowding. On September 30 [2008], the parliamentary Human Rights Committee reported that Talha Prison was no longer suitable for inmates and stressed the need to renovate the dilapidated building." [1b] (Section 1c)

13.02 The same report noted:

"The government permitted visits by independent human rights observers. During the year the International Committee of the Red Cross carried out several visits to the Central Prison, both the men's and women's wards. It also visited temporary jails at police stations. The local nongovernmental organization (NGO) Kuwait Human Rights Society (KHRS) visited the women's ward at the Central Prison during the year, in addition to several temporary jails at police stations." [1b] (Section 1c)

13.03 The International Committee of the Red Cross (ICRC) Annual Report 2008, published 27 May 2009, noted that in 2008:

"In Kuwait, regular ICRC visits, conducted according to the organization's standard working procedures, were made to Iraqi nationals, stateless persons and Palestinians held in the central prison for men and in the deportation centre. Dialogue was successfully concluded with the Kuwaiti government to extend the scope of ICRC visits to Kuwaiti and foreign security detainees. ...

"In both Kuwait and Qatar, the findings and recommendations of ICRC delegates made during visits to detainees were shared confidentially with the authorities concerned." [42a] (p371)

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DEATH PENALTY

14.01 Amnesty International's 'The death penalty in Middle East and North Africa in 2008', published March 2009, reported that at least six people were known to have been sentenced to death during 2008. [8a] AI's Annual Report 2009, covering events in 2008, stated:

"At least 12 people were on death row, including six who were sentenced in 2008, but no executions were known to have been carried out. Two of four death sentences confirmed by the Supreme Court were later commuted by the Amir, the Head of State.

"In December, Kuwait voted against a UN [United Nations] General Assembly resolution calling for a worldwide moratorium on executions.

- On 24 June, the Supreme Court confirmed the death sentence imposed on Sheikh Talal bin Nasser al-Sabah, a member of the royal family, in December 2007 for drug smuggling.
- On 8 July, the Amir commuted the death sentence imposed on May Membri Vecina, a domestic worker from the Philippines, after she was convicted of murdering one of her employer's children and attempting to murder two others. At her trial, she alleged that her employer had physically and mentally abused her, causing her to become mentally incapable." [8b] (Death penalty)

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POLITICAL AFFILIATION

15.01 The US Department of State (USSD) Background Note of February 2009 reported: "The government does not officially recognize political parties; however, de facto political blocs, typically organized along ideological lines, exist and are active in the National Assembly." **[1a] (Government and Political Conditions)**

15.02 The Carnegie Endowment for International Peace resource page on Arab Political Systems: Kuwait, last updated in March 2008 **[15a] (p14)** and information on Europa World Online, retrieved 25 November 2009 **[2a]** recorded that the known political groupings in Kuwait included the following:

- | | |
|--|---|
| Islamic Constitutional Movement (ICM). | - Is a political affiliate of the Muslim Brotherhood movement.
- Is a Sunni Islamist movement.
- Calls for the implementation of Sharia law. [15a] (p14) |
| Islamic Popular Grouping. | - Sunni Islamist grouping. [15a] (p14) |
| Islamic Salafi Alliance | - Sunni Muslim [2a] |
| Umma Party (Hizb al Umma). | - Established in 2005.
- Is the only political group that calls itself a party.
- Sunni Islamist salafi movement.
- Its founders were charged with plotting to overthrow the government [15a] (p14) |
| Islamic National Alliance. | - Main faction for Shi'a Muslims. [15a] (p14) |
| Kuwaiti Democratic Forum. | - Is a group of Arab nationalists and pan Arabists, many of them deputies in recent parliaments, who pursue a secularist agenda and have often been critical of cabinet ministers. [15a] (p14) |
| National Democratic Alliance. | - Secular progressives with liberal tendencies. [15a] (p14) |
| Constitutional Group | Supported by merchants [2a] |
| Justice and Peace Alliance | - Shi'a Muslim [2a] |
| National Action Bloc | - Liberal
- Nationalist [2a] |
| Popular Action Bloc | - Loose association of nationalists and Shi'a Muslims [2a] |
| Justice and Development Movement. [15a] (p14) | |
| National Democratic Forum. [15a] (p14) | |
| Tribal Confederations [15a] (p14) | |

The Carnegie Endowment for International Peace page on Kuwait reported: "The legal status of these political groupings is yet to be determined. The constitution does not pronounce on their legal position. Although it does not explicitly approve the right to form political parties, article 45 gives organizations the 'right to address the authorities' and some take it as a proof of the legitimacy of forming political parties. The uncertain legal status of these political groups limits their effective functioning." **[15a] (p10)**

See also [Recent developments \(March-December 2009\)](#) and [Annex B – Political organisations](#)

FREEDOM OF ASSOCIATION AND ASSEMBLY

- 15.03 The USSD Human Rights Report 2008 recorded: “The law provides for freedom of association; however, the government restricted this right in practice. The law prohibits officially licensed groups from engaging in political activities.” [1b] (Section 2b) A Carnegie Endowment for International Peace paper of May 2009 remarked:

“Residents of various Arab societies often speak of the ‘red lines’ in their political systems—areas where freedom of speech and action end and where transgressors face harsh measures. Such red lines certainly existed in the past in Kuwait, but over the past two decades they have been slowly transformed into ‘amber lights’—areas where Kuwaitis tread with caution perhaps, but are no longer intimidated. And that has contributed to the growing sense of uncertainty in Kuwait today. ...

“Kuwaitis increasingly speak of the disintegration of red lines as less exhilarating than thoroughly disorienting. What are the rules governing politics? It is not the case that all restraints have been dropped—organizers of tribal primaries have been arrested; outspoken politicians have been hauled in for questioning; and the threat of parliamentary suspension suggests that far more extensive measures might be taken.” [15b] (Red Lines into Amber Lights & Dizziness and Disorientation)

- 15.04 Freedom House’s (FH) Freedom in the World 2009, covering events in 2008, concurred:

“In 2005, a group of Islamists announced the formation of the Umma Party, prompting the government to interrogate its leaders and impose a travel ban on 15 of its top members. A week after the emir dissolved the parliament in March 2008, police arrested eight members of the prominent Mateer tribe for organizing primary-style elections to determine their representatives for the national elections in May [2008]. The arrests prompted public protests and violent clashes between police and the demonstrators. Thousands of tribe members protested again in May [2008].” [10a] (Political Rights and Civil Liberties)

- 15.05 The USSD Human Rights Report 2008, released 25 February 2009, noted:

“The law provides for freedom of assembly, and the government generally respected the right in practice. Organizers of public gatherings of more than 20 persons must inform the MOI [Ministry of Interior] of their plans.

“The law also protects ‘diwanias’ (informal weekly social and political gatherings). Many adult male citizens, including members of the government and of the National Assembly, and increasing numbers of female citizens, hosted or attended diwanias to discuss current economic, political, and social issues. Women held diwanias of their own, but such diwanias were uncommon; a few diwanias were open to both sexes.” [1b] (Section 2b)

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FREEDOM OF SPEECH AND MEDIA

16.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, recorded: "The constitution provides for freedom of speech and the press 'in accordance with the conditions and in the circumstances defined by law.' In practice the government sometimes did not respect these rights. Journalists and publishers practiced self-censorship." [1b] (Section 2a) Reporters sans Frontières' (RSF) Worldwide Press Freedom Index for 2009, which calculated and measured press freedom around the world, placed Kuwait sixtieth in a list rising to 175 countries of concern (the country ranked first has the most press freedom). [16b] The USSD Human Rights Report 2008 also stated:

"The country had 14 Arabic and three English-language daily newspapers, all of which were privately owned. Print media generally exhibited independence and diversity of opinion, although there were reports that they practiced self-censorship at times in order to avoid unnecessary conflict with the government. The government continued its September 2007 ban on the import and circulation of several Egyptian newspapers. The government owned nine local radio and four television stations, and there were 11 privately owned television stations. A private satellite television news channel, Al-Rai, was affiliated with its sister newspaper of the same name." [1b] (Section 2a)

16.02 RSF noted, in a July 2008 article expressing concern at an increase in prosecutions against journalists during 2008, that:

"The Kuwait parliament in March 2006 adopted a new press law allowing for greater freedom to the emirates' journalists. The decriminalisation of press offences however remains limited, since the new law contains numerous exceptions - such as damage to religion - that come under the criminal code. On the other hand the reform has brought to an end the state monopoly on media licensing. Kuwait now has 15 daily newspapers and dozens of privately-owned television channels." [16c]

16.03 The USSD Human Rights Report 2008 concurred:

"The law prohibited the publication of material criticizing Islam, the emir, the constitution, or the neutrality of the courts or public prosecutor's office. The law also mandates jail terms for journalists who 'defame religion,' and any Muslim citizen may file criminal charges against an author the citizen believes has defamed Islam, the ruling family, or public morals. Citizens often filed such charges for political reasons." [1b] (Section 2a)

16.04 RSF's Annual Report 2008 noted: "Even a country like Kuwait, where press offences are not *[sic]* longer punishable by prison sentences, journalists fear huge fines. Ten complaints were filed in 2007 against Mansur al-Muharib, editor of the Kuwaiti weekly Al-Abraj, after he printed articles about corruption. He said the gains the media had made were being threatened by the intolerance of the information ministry." [16a] (The Gulf States – Prosecutions)

16.05 Towards the end of November 2009, Human Rights Watch (HRW) and RSF reported that Muhammad Abd al-Qadir al-Jasim, a lawyer and journalist, was arrested on charges of libel and slander. The arrest was allegedly provoked by

criticisms he made about Prime Minister Shaikh Nasir al Muhammad al-Ahmad al-Sabah's policies at a private gathering more than a month ago. [9a] [16d] RSF reported that Al-Jasim appeared in court again on 3 December 2009 and was able to challenge the legality of his detention, and the way the investigation had been conducted. At the conclusion of the hearing, the court ordered his release on bail of 1,000 dinars (2,300 euros) and set another hearing for 10 December 2009. Al-Jasim paid the bail and was released; he had previously refused to pay bail on the grounds that his detention was illegal. [16e]

- 16.06 Freedom House's (FH) Freedom in the World 2009, covering events in 2008, reported:

"Kuwaitis have access to the internet, though the government has instructed internet service providers to block certain sites for political or moral reasons. In August 2008, the public prosecutor confirmed that his office was finalizing a bill that would 'criminalize the promotion of immoral conduct, encouraging antigovernment sentiments, divulging state secrets, or insulting Islam online;' the bill had not passed as of year's end [2008]." [10a]

- 16.07 The USSD Human Rights Report 2008 noted:

"The government monitored Internet communications, such as blogs and discussion groups, for defamation and security reasons. The Ministry of Communications (MOC) continued to block Web sites deemed to 'incite terrorism and instability' and required Internet service providers to block other Web sites, some political. Internet cafe owners were obligated to obtain the names and civil identification numbers of customers and to submit the information to the MOC upon request." [1b] (Section 2a)

- 16.08 The same source stated: "The law provides for freedom of opinion and of research; however, academic freedom was limited by self-censorship, and the law prohibited academics from criticizing the emir or Islam." [1b] (Section 2a) FH's Freedom in the World 2008 reported: "Academic freedom is generally respected. Kuwait has a tradition of allowing relatively open and free private discussion, often conducted in traditional gatherings (diwaniyat) that usually include only men." [10a] (Political Rights and Civil Liberties) The USSD Human Rights Report 2008 also stated:

"The MOI [Ministry of Interior] reserved the right to approve or reject public events and rejected those it deemed politically or morally inappropriate. The ministry reported that it rejected many applications for events but did not release the names of these events. Some hotels and performance halls reported increased hesitation to host musical functions because of what they perceived as a rise in the power of cultural conservatives." [1b] (Section 2a)

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HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS

- 17.01 The United Nations Development Programme – Programme on Governance in the Arab Region’s (UNDP POGAR) undated web page on Human Rights in Kuwait reported:

“Kuwait has two types of human rights institutions, a parliamentary committee and non-governmental organizations (NGOs). A parliamentary committee called ‘Committee for the Protection of Human Rights’ was formed on October 24, 1992. The committee works on removing provisions that contradict human rights off Kuwaiti legislation; monitors the performance of government agencies in terms of their adherence to human rights principles; receives complaints and comments on practices that violate human rights, and forms fact-finding committees on issues within its jurisdiction. In the area of NGOs, Kuwait witnessed the establishment of NGOs that defend women’s rights, such as ‘The Kuwaiti Union of Women’s Associations’ and ‘Women’s Cultural and Social Society’ (1963). The Kuwaiti Society for Advancement of Arab Children was established in (1980). Kuwait also allowed a de-facto existence, rather than legal existence, of some human rights NGOs. However, in 2004 Kuwait took an important step forward by licensing the first human rights organization, namely ‘The Kuwaiti Society for Human Rights’.” [7e]

- 17.02 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated:

“The law permits the existence of NGOs; however, the government continued to deny licenses to some NGOs. NGOs may not engage in overtly political activity and are prohibited from encouraging sectarianism. They must also demonstrate that their existence is in the public interest. The only local independent NGOs dedicated specifically to human rights were the KHRS and the Kuwaiti Society for Fundamental Human Rights (KSFHR). The KHRS, which operated since the early 1990s and received its official license in 2004, sporadically published a magazine and met with senior government officials. The KSFHR, which came into existence in 2005, aimed to approach human rights from an Islamic perspective. Its leaders have spoken out on human rights issues such as the treatment of foreign workers and the Bidoon, but it had not published anything other than a booklet describing the organization and had not conducted any activities. Other local licensed NGOs devoted to specific groups, such as women, children, foreign workers, prisoners, and persons with disabilities, were permitted to work without government interference. Also, an unknown number of local unlicensed human rights groups operated without government restriction during the year [2008]. [1b] (Section 4)

- 17.03 The USSD Human Rights Report 2008 continued:

“The government permits international human rights organizations to visit the country and establish offices, although none operated in the country. The International Office for Migration’s regional director visited the country during the year. Refugees International performed and published a human rights study on the Bidoon in 2007 without government interference. ...

“The UN undersecretary for humanitarian affairs and emergency relief visited the country twice during the year and met with senior government officials

including the foreign minister. One of the UN human settlements officers met with the minister of housing and the minister of state for planning affairs. The government also continued to cooperate fully with the work of the UN special rapporteurs for Iran and Iraq and the high-level representative of the secretary general on the issue of its citizens missing in Iraq since the end of the Gulf War.” [1b] (Section 4)

- 17.04 The UN Human Rights Council report on human rights defenders of January 2006 recorded:

“According to information received, on 31 January 2005, Mr. Al-Munawer [lawyer and member of the Al-Karama Association for Defending Human Rights (KADHR)] was allegedly arrested at Kuwait city airport as he returned from Cairo, where he had reportedly been meeting with several Egyptian human rights defenders. On 2 February 2005, Mr. Al-Munawer was allegedly charged and provisionally detained for having reportedly had telephone contacts with his client Khaled Douisri, another Kuwaiti human rights defender who was recently forced to flee the country after an attempt on his life. Concerns were expressed that his arrest may be an attempt to curb his activities in defense of human rights. These concerns were heightened by the fact that Mr. Al-Munawer has, in the past, reportedly been the target of restrictive actions in connection to his role in exposing cases of human rights violations. ...

“The Government stated that Mr. Al-Munawer’s case was still under investigation and that he was charged with membership of a proscribed organization which seeks to destroy the basic apparatus of the State by unlawful means.” [40a] (p128-129)

- 17.05 A *Reuters* article of December 2005, reproduced on the website of Arabic newspaper *Asharq Alawsat*, reported:

“A Kuwaiti court on Tuesday [27 December 2005] sentenced to death six suspected militants linked to al Qaeda for bloody attacks in the country.

“The six were among 37 Islamists on trial as members of the ‘Peninsula Lions group believed to be linked to Osama bin Laden’s al Qaeda in Iraq and Saudi Arabia. ...

“Seven were acquitted including Islamist cleric Sheikh Hamed al-Ali, lawyer Osama al-Munawer who represents Islamists as well as the wife of Amer al-Enezi -- one of al Qaeda’s top leaders in Kuwait who died in custody in February.” [57a]

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CORRUPTION

- 18.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated that:

“The law mandates criminal penalties for official corruption; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. The Audit Bureau is the government agency responsible for combating government corruption.

“The MOSAL [Ministry of Social Affairs and Labor] and the MOI [Ministry of Interior] continued to discover numerous cases during the year [2008] of ministry employees forging documents enabling the importation of foreign workers. The government response was not effective in combating this problem. Violations were referred to investigative bodies within the ministries and then sent to the general attorney's office for action. No rigorous action was taken against the violators.” [1b] (Section 3)

- 18.02 The Carnegie Endowment for International Peace's resource page on Kuwait, last updated in March 2008, reported: “Parliament's Legal and Legislative Committee unanimously approved a draft law in January 2006 requiring top government officials and MPs to disclose their wealth before assuming office and after leaving their posts as part of a measure to combat corruption.” [15a] (p19)

- 18.03 The United Nations Development Programme – Programme on Governance in the Arab Region's (UNDP POGAR) undated web page on Human Rights in Kuwait reported:

“Several parliamentary investigations, especially concerning arms procurement and military contracts, led to dissolution of the legislature in 2006 to prevent further public discussion. Since 94 per cent of the Kuwaiti work force is employed by the government and public sector, critical Kuwaiti economists suggest that any streamlining of government for the sake of combating corruption is bound to be limited.” [7f]

- 18.04 In Transparency International's (TI) 2008 Corruption Perception Index Kuwait ranked 65th out of 180 countries worldwide. Kuwait scored 4.3 out of 10. (The CPI Score relates to perceptions of the degree of corruption as seen to exist among public officials and politicians by business people and country analysts. It ranges between 10 (highly clean) and 0 (highly corrupt). [17a]

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FREEDOM OF RELIGION

- 19.01 The US Department of State (USSD) International Religious Freedom Report 2009, released 26 October 2009, recorded:

“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.’” [1c] (p1)

- 19.02 The same source continued: “The Government does not designate religion on passports or national identity documents.” [1c] (Section II)

“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).” [1c] (Section I. Religious Demography)

MUSLIMS

- 19.03 The USSD International Religious Freedom Report 2009 noted: “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.” [1c] (Section II)

“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.” (USSD International Religious Freedom report 2009) [1c] (Section II)

CHRISTIANS AND OTHER NON-MUSLIM GROUPS

19.04 The USSD International Religious Freedom Report 2009 noted:

“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.” [1c] (Section II)

19.05 The USSD International Religious Freedom Report 2009 stated:

“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.” [1c] (Section II)

19.06 The same source stated:

“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.” [1c] (Section II)

- 19.07 The United Nations (UN) Special Rapporteur on Freedom of Religion and Belief stated, in her report of March 2006 that – according to information she had received – the amendments to the election law adopted on 16 May 2005, which gave women passive and active election rights, contained a clause stating that women voting and running for political office must adhere “to the dictates of Islamic Sharia”. However, the Government’s reply to the UN Special Rapporteur states that “The clause: ‘Women who stand for office and vote must comply with the precepts of the Islamic sharia’, as contained in article 1 of Act No. 17 of 2005, amending article 1 of the Parliamentary Elections Act No. 35 of 1962, is consistent with the Constitution of Kuwait, which provides that the religion of the State is Islam and the Islamic sharia is the principal source of domestic legislation and laws.” [40c] (p55) The Government’s reply went on to say:

“In addition, the provisions of article 1 of the aforementioned Act are redundant, since they confirm the actual state of affairs, whereby Kuwaiti women comply with the precepts of the Islamic sharia, which do not negate freedom of religion or deny rights, but are simply there to ensure that women are respected and that they respect themselves. This clause is there to help women and not to harm them.” [40c] (p55)

See also [Women](#)

INTER-FAITH MARRIAGES

- 19.08 The USSD International Religious Freedom Report 2009 stated:

“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.” [1c] (Section II)

SOCIETAL ISSUES

- 19.09 The USSD International Religious Freedom Report 2009 recorded: “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.” [1c] (Section III)

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ETHNIC GROUPS

20.01 The USSD Background Note of February 2009 reported that the country's population comprised of 45 per cent Kuwaiti citizens (approximately 1.05 million), other Arabs 35 per cent, South Asians nine per cent, Iranians four per cent and others accounted for seven per cent. **[1a] (People)** The FCO Country Profile, last reviewed 25 August 2009, noted: "...there are estimated to be over 100,000 Bidoon [stateless persons] still in Kuwait." **[3a] (Politics)**

BIDUNS (ALSO BIDOONS, BEDUINS, BEDUINS)

20.02 An October 2008 Refugees International (RI) report, 'Futures Denied: Statelessness Among Infants, Children, and Youth', recorded:

"*Bidun*, the Arabic word meaning 'without' and short for *bidun jinsiya* (without citizenship), are longtime *[sic]* residents of Kuwait who lack a nationality. They became stateless because either their ancestors did not understand the importance of citizenship, preferred not to belong to any one country, were living outside the city walls, were illiterate, or simply could not furnish adequate proof that they were settled in the country." **[18f] (p7)**

20.03 The March 2009 RI global report, 'Nationality Rights for All' noted that "Approximately *[sic]* 80,000 to 140,000 stateless Bidun reside in Kuwait." **[18g] (p51)**

20.04 Although formally described by the Kuwaiti authorities as '*bidun jinsiya*', stateless residents – a large percentage of whom were government workers and members of the police and armed forces – they were originally given the same health, education and social rights as Kuwaiti citizens, and were exempted from the residence permit requirements of other non-Kuwaiti residents. (FCO, 6 November 2007) **[3b] (p1)**

20.05 However, "The position and status of the bidun were steadily eroded after 1960." (FCO, 6 November 2007) **[3b] (p2)** And – at least partly in response to the internal instability of the mid-1980s (see also FCO, 6 November 2007) **[3b] (p2)** – "... the government introduced a number of draconian measures that stripped them of their identity." (RI, October 2007) **[18b] (p2)** "After 1985, Bidun were dismissed from their jobs (historically in the military or police forces), children were barred from public and private schools, and driving licenses were revoked. They could no longer carry passports (known as Article 17 passports) unless they left the country and renounced the right to return." (RI, 11 March 2009) **[18g] (p52)**

20.06 The FCO paper of November 2007 noted that:

"During the Gulf War, many bidoon of Iraqi origin had enlisted, or been forced to enlist, in the Iraqi army. This damaged the reputation of all bidoon and left the Kuwait government and people suspicious of them. The number of bidoon before the Gulf War has been more than 200,000: around half of these are believed to have left after liberation. Some were tried by the State Security Court in 1991 and were convicted and imprisoned." (FCO, 6 November 2007) **[3b] (p2)**

- 20.07 The RI global report of March 2009 recorded: "Following the liberation of the country from Iraqi occupation in 1991, they were fired en masse from positions in the military and police. Only a small fraction was rehired. Those dismissed could not collect their severance pay unless they produced a passport, either Kuwaiti or foreign, or left the country." [18g] (p52)
- 20.08 Minority Rights Group's (MRG) 'State of the World's Minorities' 2007 noted: "Despite some improvements in 2005, notably the provision of health care to the children of Bidouns, this minority still faces discrimination in employment, freedom of movement and education." [44] (p115)
- 20.09 RI's undated page on Kuwait stated:
- "Lack of legal status impacts all areas of life for bidun: their identity, family life, residence, health, livelihood, and lack of a political voice. Employment in the formal sector is unstable and usually only possible through 'favours', so bidun are forced to seek livelihoods in the underground economy. Their vulnerable status and lack of institutional protection renders them exploitable in what has been described as 'a new form of slavery.'" [18c]
- 20.10 Whilst FCO's November 2007 paper listed the following types of discrimination against the bidun:
- "Travel: not able to obtain Kuwaiti passport, ...
- "Not able to obtain Kuwaiti identity card [see also [Status and documentation](#) subsection below]
- "No vote
- "Not able to register births, marriages or deaths
- "Driving licences: available to bidoon since early 2007, but only for 3 or 12 months (Kuwaitis have 10 years), and must be endorsed 'Illegal Resident'
- "No access to state secondary education; 100 places now open to bidoon at Kuwait University
- "Health: access to state hospitals equivalent to foreign nationals (monthly fee of KD 5, about £9)
- "Barred from recruitment for employment in public sector, although those previously employed can continue
- "Liable to arrest or detention on grounds of being stateless or illegal residents
- "Children will have same status, even if their mother is a Kuwaiti citizen [see also [Citizenship and nationality](#) subsection below]
- "Access to law: bidoon can sue in the Kuwaiti courts, as can foreigners. If accused of a crime, they can have access to legal aid, but may find it difficult to have a lawyer allocated to them – in this respect being better off than foreigners and worse off than Kuwaitis." [3b] (p6)

- 20.11 RI's October 2008 paper, 'Futures Denied: Statelessness Among Infants, Children, and Youth', stated:
- "In Kuwait, the older generation of bidun who once served or still serve in the military and police force are reluctant to protest their plight too strenuously. Their children, however, are more impatient. Feelings of distress, frustration, resentment, disappointment and anger are palpable among bidun youth. They are unable to afford the cost of tuition and are therefore prevented from accessing higher education. Barred from employment in the public sector, they have to accept work that is poorly paid and intermittent. Older youth are reluctant to even envision marriage because they cannot support a family and fear that their children would face the same hardships." [18f] (p17)
- 20.12 RI's undated page on Kuwait noted: "In addition to parliamentary activity, the bidun themselves and sympathetic citizens have come together to form the Popular Committee for Support of the Bidun." [18c]
- 20.13 An October 2009 *Agence France Press (AFP)* article, reproduced by Lebanon's *Daily Star* website, reported:
- "Kuwaiti deputies on Sunday [4 October 2009] called for a special parliamentary debate to resolve the humanitarian issue of thousands of stateless Arabs in the country, MP Faisal al-Duwaisan said. The lawmaker told reporters that 24 MPs out of the 50-member house signed the request to hold a special session on December 10 [2009] to coincide with the Universal Declaration of Human Rights." [48a]
- 20.14 On 10 December 2009, *AFP* reported that Kuwait's National Assembly had failed to hold the session to resolve the humanitarian issue of stateless Arabs, as only 26 MPs and five ministers attended, two short of the number required for the session to start. The session was called to approve a draft law stipulating full civil and social rights for around 100,000 stateless Arabs who are deprived of their basic rights.
- "Head of the parliamentary committee on stateless Arabs, MP Hassan Jowhar accused the interior minister of aborting the session by applying tight security measures and blocking roads leading to parliament.
- "Hundreds of security officials blocked roads leading to parliament building in Kuwait City and prevented the public from approaching the house."
- "The security measures appear to be in response to calls by some MPs to the bidoons to assemble in large numbers outside the parliament." [48b]
- 20.15 Later the same month, *AFP* reported that over 5,000 tribesmen had demonstrated at a rally against a controversial television programme which alleged that bedouin tribes were not Kuwaiti. MPs and activists who accused the government of failing to curb 'racist' attempts aimed at dividing Kuwaiti society addressed the rally. The programme, aired by recently-established private Kuwaiti satellite channel Al-Soor, claimed that a majority of tribesmen are not true citizens, insulted them, and alleged that most tribesmen hold dual citizenship, which is outlawed in Kuwait. Before the rally was over, Information and Oil Minister Sheikh Ahmad Abdullah al-Sabah announced the government had closed the station. [48c]

Citizenship and nationality

20.16 RI's March 2009 global report stated:

“The country's 1959 Nationality Law defined Kuwaiti nationals as persons who were settled in Kuwait prior to 1920 and who maintained their normal residence there until the date of the publication of the law. Approximately one third of the population was recognized as full-fledged citizens. Another third was naturalized and granted partial citizenship rights. The remaining third was classified as ‘bidun jinsiya,’ meaning ‘without citizenship.’ The law has been amended 14 times since and with almost every amendment, it has become more restrictive. For example, the 1959 law (Article 3) granted citizenship to children of a Kuwaiti mother when at least one of four circumstances existed: the father was unknown, paternity could not be proven, the father's nationality was unknown, or he was stateless. When amended in 1980, the mention of unknown nationality and statelessness was omitted.” [18g] (p51)

20.17 The report continued: “Citizenship in Kuwait is passed on to children through their fathers, not their mothers. Consequently, the children of a Kuwaiti woman and a Bidun husband are also Bidun. In theory a child of a divorced Kuwaiti woman or widow can acquire citizenship, creating an incentive for couples to divorce for the sake of their children's future. However, interviewed individuals have said that they are still waiting on their cases.” [18g] (p52) Further: “The Bidun cannot petition the courts to have their citizenship claims adjudicated.” [18g] (p52)

An unofficial translation of the 1959 Nationality Law, including amendments, was available via the website of the United Nations High Commissioner for Refugees (UNHCR). [32b]

20.18 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, further noted that, “When a Bidoon resident applies for citizenship, the government considers security or criminal violations committed by his or her family members as a barrier to that resident getting citizenship.” [1b] (Section 1f)

20.19 RI's undated page on Kuwait reported: “In July 2006, Kuwait's parliament created a committee to address the issue of the bidun. On a nearly annual basis parliament approves a law granting citizenship to 2,000 bidun – a commendable act that is not fulfilled in practice. Last year, for example, only several hundred individuals were able to adjust their legal status.” [18c] The US Committee for Immigrants and Refugees' (USCRI) World Refugee Survey 2009 concurred: “During the year [2008] Kuwait granted citizenship to 573 bidoon after determining sufficient ties to the country. However, over 80,000 citizenship requests by bidoon lacking substantial proof of ties were still pending at the end of 2008. The Ggovernment [sic] maintained that a majority of bidoon were hiding their actual origins.” [25a]

20.20 RI's September 2008 paper, ‘Kuwait: Honor Nationality Rights of the Bidun’, also noted: “... the annually published list of would-be new citizens was altered to exclude children of Kuwaiti mothers and bidun fathers (citizenship in Kuwait is conveyed only by males and advancement toward equal rights for women is slow) ...”. [18d] The September 2008 paper also remarked that:

“An article in the Kuwaiti newspaper *Al-Qabas*, entitled ‘The Thorny Issue of the Bidun,’ described the situation succinctly: ‘Citizenship has been the most important issue on the table of the executive and legislative authorities for long years... like a snow ball that has now grown too large to handle easily. There is... hesitation among members of parliament when it comes to resolving this issue... There are plenty of suggestions but there is no serious will to...close this file.’” [18d]

See also [Recent developments \(March-December 2009\)](#) and [Citizenship and nationality](#)

Status and documentation

20.21 The FCO’s November 2007 paper reported that:

“An Executive Committee for Illegal Residents (ECIR) was established in 1993 to regularise the bidun’s status. It categorised them into two groups: those who were registered in the 1965 census and those who were not. Those who registered with the ECIR by 1996 received temporary residency rights. After 1996 the Government encouraged the bidun who were not eligible for nationality (because they could not demonstrate strong ties to Kuwait or because they were believed by the authorities to possess other nationalities) and who failed to register that year, to register themselves as non-nationals and to seek residency. The government set a deadline of June 2000 for bidun to come forward with evidence of their true nationalities, so as to be documented. Around 5,000 did so in the twelve months up to this deadline.” [3b] (p2-3)

“There was a distinction between documented and undocumented bidun. In basic terms, documented bidun had legal rights and undocumented bidun did not.” [3b] (p3)

Documented Bidun:

“[Only those] registered by the June 2000 deadline could begin the process under which they could be documented as citizens (having proof of their presence, or their parent’s/grandparent’s presence, in Kuwait in 1965).

“Although many do not have the same rights as Kuwaiti citizens (such as free education and health care), they are treated similarly to registered foreign migrant workers.

“They are entitled to medical treatment on payment of the mandatory health insurance fee of KD5 (£9) per month; and had access to private education (additionally 16,000 bidun children, from Kuwaiti mothers, or with fathers in the Kuwait armed forces, received free education).

“Children of bidun fathers and Kuwaiti mothers no longer inherited Kuwaiti nationality, though this was not unique to them: the same rule applied to children of Kuwait mothers and other non-Kuwaiti fathers.

“In terms of employment, bidun were no longer recruited into the public sector. However, those who were employed earlier remained in position.

“Although the police and armed forces were purged of bidun following the Gulf War and key trainers and instructors in the army lost their jobs, there were still bidun in the ranks – around 6,000 or 25 per cent.

“Both the Kuwaiti Ministry of Defence and the police no longer recruited bidun, but the police still had some 1,700 registered bidun working for them.” (FCO, 6 November 2007) [3b] (p3)

Undocumented Bidun:

“bidun not registered by June 2000 or had not either disclosed their ‘true nationality’, or provided proof of their right to citizenship, would be subject to deportation.

“In practice, this did not happen, although the Government had brought charges against several bidun who allegedly obtained false documents in an attempt to prove their claim to Kuwaiti nationality.

“The Government stated that the majority of undocumented bidun were concealing their true nationality, and that they or their forebears had entered Kuwait illegally. The Government had encouraged them to come forward with nationality evidence, whereupon they would be issued with residency permits like any other foreigner residing in Kuwait.

“The problem for some second or third generation bidun was that their forebears may not have had any citizenship documents or may have destroyed them.

“These people were faced with the choice of acquiring the nationality of a third country and legalising their residency in Kuwait, or of living in the country without rights as an illegal alien.” (FCO, 6 November 2007) [3b] (p3-4)

Travel documents / Article 17 documents

20.22 The FCO’s November 2007 paper stated:

“Travel documents were not issued routinely to bidoon, so many have no means of leaving Kuwait. However, some bidoon were given temporary travel documents under Article 17 of the Kuwaiti Nationality Law which allows the issue of a Kuwaiti travel document to any person deemed to require it. They are often issued to bidoon in government service travelling abroad on official business and their families. According to the Department of Nationality and Travel Documents, Article 17 documents may also be issued to bidoon for medical treatment outside Kuwait (for which the applicant has to provide medical reports from Kuwaiti and overseas hospitals or physicians); for study at university overseas (where accompanied by the university’s letter of admission); or, for amendment of a bidoon’s legal status in Kuwait (for which they should submit a letter from an embassy in Kuwait acknowledging that he/she holds their nationality).” [3b] (p4)

20.23 The paper continued:

“Article 17 documents look almost identical to Kuwaiti passports, the key difference being that they do not confer nationality on the holder. They are issued only within Kuwait (ie not at diplomatic missions outside Kuwait) and have to be renewed through the Ministry of Interior.

“According to the Kuwaiti Passport Office all Kuwaiti travel documents, including Article 17, allow re-entry into Kuwait as long as they are within their validity date. But the situation is more complex and fluid than this suggests with some Article 17 documents bearing different endorsements.

“Holders of Article 17 documents applying for visas for travel abroad may seek from the Ministry of Foreign Affairs a letter stating that there is no objection to the applicant leaving Kuwait and that they will be re-admitted on return.”

[3b] (p4-5)

- 20.24 A June 2001 response to information request produced by the Immigration and Refugee Board (IRB) of Canada noted: “Article 17 passports contain an annotation of three Arabic letters at the bottom of the biodata page indicating that the holder is not a Kuwaiti citizen. ... The three Arabic letters are ‘ghayn’, ‘kaf’ and ‘mim’, in that order. The first two of those letters stand for the Arabic words *ghayr kuwayti*, which mean ‘non-Kuwaiti’.” [35c] The response continued by stating that, additionally, the following appeared on the observations page of an Article 17 passport: ‘This passport is issued according to Article 17, second paragraph of Passport Regulations Law No.11 of 1962, and it cannot be renewed or replaced without the approval of the Ministry of Interior.’” [35c]

“There are two types of Article 17 passports: Type 1 and Type 2. The Type 2 variety, unlike the Type 1 variety, ‘does not include a stamp which advises that the travel document should not be withdrawn at any time during its validity’ or within five years of issue. ...

“The following information is based on an examination of a Type 2 Article 17 passport:

“The stamp located on page 62 of a type 2 Article 17 passport could be provisionally translated as ‘This passport was issued according to Law Number 11 of the Fixed Law of Passports for the year of 1962. It can not/not (sic) be re-issued or renewed without the approval of the Ministry of the Interior.’ The endorsement on page 63 read ‘According to Law/Article 17.’ The stamp on page 1 read ‘See (or refer to) page 63.’ The endorsement on page 2 read ‘non-Kuwaiti’.” [35c]

Alien reporting cards

- 20.25 Alien Reporting Cards were issued by the Government until the middle of 2003 when they ceased to renew them. Issuance of the card was a means to obtain correct bidun numbers for the purpose of a population census and it explicitly indicated that it was not a form of identification. The card/document was a plastic, wallet-sized card and divided into three columns with a photograph of the subject in the far left column. (IRB, 22 December 2003 & 9 June 2003) [35a] [35b]

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PALESTINIANS

- 20.26 Before the 1990, Iraqi invasion there were some 400,000 Palestinians living in Kuwait. Palestinians had originally gone to Kuwait to find work after the war in 1948. At that stage Palestinians were a clear asset to an under-developed Kuwait, which was in need of teachers, labourers and civil servants. Whilst it was hard to acquire citizenship, this was not necessary for long-term work and residency. The numbers of Palestinian children were restricted within the Kuwaiti education system, but Palestinians were allowed to open their own schools. (Islam Online, 9 May 2005) [20]
- 20.27 The Palestinian leadership was seen to support Iraq following the invasion in 1990 and, after Kuwait's liberation, non-Kuwaitis, including Palestinians, were subject to many legal restrictions. By 1992 it was estimated that only 30,000 to 40,000 Palestinians remained in Kuwait. Around half of this number had Egyptian travel documents, but because they did not have Israeli identity cards, were not allowed to return to the Gaza Strip, and did not have access to citizenship in Kuwait. (Islam Online, 9 May 2005) [20]
- 20.28 A case study published in 1998, and reproduced in the June 2009 Palestinian Return Centre (PRC) report 'Palestinian Refugees and International Law', recounted:

"In the months following the [Iraqi] invasion, hundreds of thousands of Palestinians fled Kuwait to Jordan, the country where they, or their parents had originally taken refuge. For the Palestinians who had come from Gaza it was more complicated to leave. Unlike the Palestinians of Jordan, who had been granted full Jordanian citizenship, the Gaza Palestinians only had their refugee travel documents and, although these had been issued by Egypt, that country did not allow the holders of the document to reside within its borders. Moreover, since Israel had occupied the Gaza Strip during the 1967 war, it had also become impossible to return there. The Gaza Palestinians were trapped in Kuwait-they had nowhere to go.

"After Kuwait was liberated by the United States-led coalition in early 1991, the situation of the remaining Palestinians in Kuwait deteriorated rapidly. The public support for Saddam Hussein by the PLO leadership had resulted in Palestinians now being considered traitors by most Kuwaitis. All Palestinian government employees were immediately dismissed. ... More seriously, the wave of hatred against Palestinians was so severe, that it soon became apparent that it would be nearly impossible to continue living in the country. During the first months after the liberation, a considerable number of Palestinians were even expelled to Iraq. The forced deportations ceased, however, in response to international protest.

"By the summer of 1992, the remaining Palestinians in Kuwait had become quite desperate. The authorities continued to encourage them to leave and most of those having the option of leaving had already done so. Many of those who had nowhere else to go went to Iraq, which still considered Kuwait its eleventh province. Others had managed to go to Sudan or Yemen. ... Although some Palestinians were allowed to stay in the country, at the same time the authorities stepped up their efforts to encourage the remainder to

leave. Former teachers were especially singled out, as in the eyes of many Kuwaitis they had openly collaborated with the Iraqi occupiers.” [50a]

- 20.29 The USCRI World Refugee Survey 2009 reported that, in 2008, “An estimated 6,000 Palestinians lived in Kuwait, many of them having arrived between 1948 and 1967, although the Government considered them expatriates.” [25a]

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LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

- 21.01 The report, State Sponsord Homophobia: A world survey of laws prohibiting same activity between consenting adults, released May 2009 by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), recorded: "Penal Code, Law No. 16 of June 2, 1960, as amended in 1976 Article 193. 'Consensual intercourse between men of full age (from the age of 21) shall be punishable with a term of imprisonment of up to seven years.' Such relations with a man under 21 years of age are criminalised by article 192." [11a] (p25) The survey also noted that same-sex acts between women were legal. [11a] (p25)
- 21.02 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated:
- "Homosexuality is illegal, and there was discrimination against homosexuals, in addition to cases of police abuse of transgendered persons.
- "In December 2007 the National Assembly approved a law to impose a fine of 1,059 dinars (approximately \$3,600) and/or one year's imprisonment for those imitating the appearance of the opposite sex in public. There were no updates at year's end regarding the men arrested under this law in December 2007." [1b] (Section 5)
- 21.03 A Human Rights Watch report of March 2008 concurred:
- "On December 10, 2007, Kuwait's National Assembly approved an amendment to Article 198 of the Criminal Code. It states that 'any person committing an indecent act in a public place, or imitating the appearance of a member of the opposite sex, shall be subject to imprisonment for a period not exceeding one year or a fine not exceeding one thousand dinars [US\$3,500].' Police began arresting people almost immediately, jailing at least 14 people in the first month.
- "After a two-month lull in enforcing the dress-code law, police began arresting people again in mid-March 2008." [9c]
- 21.04 The HRW report continued:
- "Kuwait allows transgender people neither to change their legal identity to match the gender in which they live, nor to adapt their physical appearance through gender reassignment surgery. Of the 14 people arrested in December 2007, police beat at least three while in detention, leaving one unconscious, their friends reported. One foreign national was deported to Saudi Arabia to face trial in that country. Legal representation was denied to all of the detainees." [9c]
- 21.05 The USSD Human Rights Report 2008 "There were no further developments in the December 2007 cases of reported physical and psychological abuse of five transgendered women in Tahla prison. However, after they reported abuse by other inmates, the director of the prison separated them from the general population." [1b] (Section 1c)

21.06 Following the implementation of the new law, a December 2007 *Al-Arabiya* news article reported:

“Security sources in Kuwait said the Interior Ministry has allocated separate cells in the country's central prison for convicts who are bisexual or the so-called ‘sexually undecided’.

“Five ‘sexually undecided’ convicts have already been transferred to the new section and the number is expected to reach 16 within the coming week.

“Inmates had their heads shaved before they were transferred to the new area, reported Kuwaiti daily *Al-Rai* on Tuesday.” [47a]

See also [Women](#)

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DISABILITY

- 22.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated:

“The law prohibits discrimination against persons with disabilities and imposes penalties against employers who refrain from hiring persons with disabilities without reasonable cause. The law also mandates access to buildings for persons with disabilities. The government generally enforced these provisions. There was no reported discrimination against persons with disabilities generally; however, noncitizens with disabilities did not have access to government-operated facilities or receive stipends paid to citizens with disabilities, which covered transportation, housing, job training, and social welfare.” [1b] (Section 5)

See also [Employment rights](#)

- 22.02 The same source continued: “Representatives from ministries, other governmental bodies, Kuwait University, and several NGOs constituted the government's Higher Council for Handicapped Affairs, which made policy recommendations, provided financial aid to persons with disabilities, and facilitated the integration of such persons into schools, jobs, and other social institutions. The government supervised and contributed to schools and job and training programs that catered to persons with special needs.” [1b] (Section 5)

- 22.03 The Landmine Monitor Report of 2008 recorded that:

“There are no programs specifically for mine/ERW [explosive remnants of war] survivors in Kuwait, who receive the same treatment as other persons with disabilities. The Kuwaiti health system is said to be one of the best in the Gulf region and usually free for Kuwaiti citizens. However, access to healthcare and disability services remains a problem for many non-Kuwaitis, who make up almost 70% of the population. Foreign workers, who comprise most mine/ERW casualties, may receive free emergency care including helicopter rescue, basic medication, and outpatient services, but specialized care is not free of charge. At their discretion, specialist doctors and hospitals can exempt non-Kuwaiti patients from all charges.

“The government provides more than 80% of services, including physical rehabilitation and socio-economic support. Facilities include the Sulaibikhat Hospital for physiotherapy and rehabilitation and the Kuwaiti Artificial Limbs Center (KALC). The center planned to construct a new workshop to improve performance and cover the needs of the 7,000 beneficiaries it serves annually. KALC frequently has amputee patients. ...

“Disability issues are coordinated by the Ministry of Social Affairs and Labour, which also provides pensions and covers assistance costs for persons with disabilities. However, non-citizens do not have access to these services. Kuwaiti citizens and non-Kuwaitis are entitled to financial compensation for disabilities caused by work. No compensation cases for mine injuries have been reported since 2006.” [13a] (Victim Assistance)

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WOMEN

- 23.01 Freedom House's (FH) Freedom in the World 2009, covering events in 2008, reported:

"The 1962 constitution provides men and women with equal rights. Nevertheless, women face discrimination in several areas of law and society and remain underrepresented in the workforce. While women are offered some protection from abuse and discrimination under Kuwaiti law, they are only permitted to seek a divorce in cases where they have been deserted or subject to domestic violence, are required to have a male guardian in order to marry, and are eligible for only one half of their brother's inheritance. Domestic abuse and sexual harassment are not specifically prohibited by law, and foreign domestic servants remain particularly vulnerable to abuse and sexual assault. Kuwait is a destination country for the trafficking of women. In January 2008, the minister of education, Nuriya al-Sabeeh, survived a no-confidence vote in the National Assembly after Islamist lawmakers accused her of mismanagement and of failing to uphold Islamic values. In October, Islamist deputies leveled new charges against al-Sabeeh and Mudhi al-Humud, the state minister for housing and administrative development, arguing that they violated Islamic regulations by choosing not to wear the hijab (headscarf); the prime minister resisted parliamentary pressure to dismiss them from their posts. Separately, liberal lawmakers in February submitted a draft bill to end gender segregation in Kuwait's education system; no formal changes had been enacted by year's end. The country's public schools have been segregated since 2001. Private schools have yet to implement a 2000 law requiring segregation. Women comprise more than 60 percent of the student body at several leading universities in Kuwait. Kuwaiti women have the right to vote and run as candidates in parliamentary and local elections. They made up 55 percent of the voters who turned out for the 2008 parliamentary elections." [10a] (Political Rights and Civil Liberties)

- 23.02 Kuwait is a signatory to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), but not the Convention's Optional Protocol. (United Nations (UN) Treaty Collection, accessed 21 December 2009) [55]

LEGAL RIGHTS

- 23.03 The US Department of State's (USSD) Human Rights Report 2008, released 25 February 2009, summarised the legal situation of women in Kuwait: "Shari'a discriminates against women in judicial proceedings, freedom of movement, and marriage. Inheritance is governed by Shari'a, which differs according to the school of Islamic jurisprudence followed by the different populations in the country." [1b] (Section 5) Freedom House's (FH) February 2009 report, 'Women's Rights in the Middle East and North Africa, Gulf Edition', (FH Women's Rights report 2009) stated:

"Although Kuwait's constitution recognizes the principle of equality among its citizens regardless of 'race, origin, language, or religion,' it contains no specific protections against gender-based discrimination, and national laws continue to discriminate against women. In a few glaring instances, such as the Social

Security Law (No. 22 of 1987) and the Housing Assistance Law (No. 47 of 1993), Kuwait's laws and policies still treat women as dependents of men rather than individuals with equal rights and responsibilities." [10b] (Nondiscrimination and Access to Justice)

23.04 In October 2009, the British Broadcasting Corporation (BBC) reported:

"Kuwaiti women will be able to obtain their own passport without the consent of their husbands, following a ruling by the country's constitutional court. The court, whose decisions are final, said the previous requirement was in violation of guarantees of freedom and gender equality in the constitution. The decision came about when a woman complained her husband had prevented her from leaving the country." [5c]

23.05 In the same month, the *Associated Press* (AP) reported that Kuwait's Constitutional Court had ruled that women lawmakers are not obliged by law to wear the headscarf, a blow to Muslim fundamentalists who want to further impose Sharia law. [59a]

23.06 The USSD Human Rights Report 2008 noted:

"In the absence of a direct male heir, Shia women may inherit all property, while Sunni women inherit only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased. A divorced woman loses her right to live in housing purchased through the government loan program when her children reach age 18, regardless of any payments she may have made on the loan, and a female citizen married to a noncitizen cannot, by law, even qualify for the loan program. Female citizens married to noncitizens were also required to pay annual residence fees of 217 dinars (approximately \$740) for their husbands and children; the law grants residency only if the noncitizen husband is employed, and citizen women cannot pass citizenship to their noncitizen husbands or their children. Male citizens married to female noncitizens did not face such discrimination in law or practice." [1b] (Section 5)

23.07 FH's Women's Rights report 2009 noted:

"Female Kuwaiti citizens remain unable to confer their nationality on their children or foreign-born spouses, while Kuwaiti men are permitted to exercise this right. A Kuwaiti woman married to a foreign national can transfer her nationality to her children only if the father is unknown or has died, or if there has been an 'irrevocable' divorce. Conversely, the foreign-born wife of a Kuwaiti man may become a Kuwaiti national after 10 years or less of marriage.

"The noncitizen husbands of Kuwaiti women, like temporary foreign workers, are treated as guest workers under the Residency Law (No. 17 of 1959). To remain in the country, both populations must have valid work permits, pay residency fees, and renew their residency permits every three years or less. The same conditions apply to the mature children of Kuwaiti women married to noncitizens. On the other hand, the foreign wife of a Kuwaiti man is granted immediate residency upon marriage." [10b] (Nondiscrimination and Access to Justice)

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#)

23.08 The report continued:

“Kuwait has a three-tiered judicial system consisting of the courts of first instance, the appeals court, and the Court of Cassation. Additional specialized courts exist for administrative, military, and constitutional cases. Personal matters, including marriage, divorce, and inheritance, are governed by Shari’a but handled in the state’s court system. For these matters, Sunni and Shiite Muslims have recourse to courts that adhere to their respective schools of Islam. Family law courts value the testimony of a woman as half that of a man, but all other courts consider the testimony of men and women to be equal. This deeply ingrained tenet of Shari’a has gone unchallenged due to its presence in Islam.

“The criminal procedures code provides all residents, regardless of their gender or nationality, with equal access to courts and entitles them to a court-assigned lawyer and an interpreter.” [10b] (Nondiscrimination and Access to Justice)

23.09 FH’s report also noted:

“Depending on their sect, Muslim women are affected by one of two sets of active family laws in Kuwait. Personal life for Sunnis is regulated by the Personal Status Law (No. 51 of 1984), based on the Maliki school of Sunni Islam, while Shiite family law is based on the Jaafari school of interpretation. The treatment of women differs slightly under the two schools, particularly in areas of marriage, child custody, and inheritance. For instance, Sunni family law is more restrictive toward women’s marital rights, while Shiite family law is more restrictive toward women’s custody rights. Furthermore, while Sunni family law allows women to inherit a physical piece of property, under Shiite law a woman can inherit only the value of the property.

“The personal status law legitimizes male dominance over women. While it requires husbands to support their wives and children, the law nevertheless does not endow the husband with the absolute right to expect *ta’a* (obedience). Article 89 specifies that a husband should not forbid his wife from working outside the home unless the work negatively affects ‘family interests,’ but the phrase is ambiguous and can be interpreted as referring to the stability of the marriage or the upbringing of the children.” [10b] (Autonomy, Security, and Freedom of the Person)

Marriage and divorce

23.10 On marriage, FH’s Women’s Rights report 2009 stated:

“Women do not have the legal right to choose their future marital partners freely and independently. By law, a Sunni woman cannot conclude a marriage contract without the presence and consent of her wali (marriage guardian). The wali is usually the woman’s father or, in his absence, her brother, uncle, or other close male relative. The presence of the wali is required even in the case of divorcees, widows, and women who have reached the age of maturity, which is 25 years in Kuwait. Under Shiite family law, the participation of the guardian is not required; a woman who has reached the legal age for marriage

may marry whomever she wishes, and the validity of the contract is not dependent on the presence of the guardian.

“A woman may refuse to marry altogether and remain single, but the social burden placed on aging single women is so high that most women prefer an unhappy marriage to the stigma associated with being a spinster. If a wali has refused the choice of husband of a woman over the age of 25, Sunni family law grants her the right to petition the family court to act as a surrogate wali. Regardless, she may not be forced into a marriage and must always agree with the final decision. Some women opt to marry outside Kuwait to circumvent the marriage restrictions, but these marriages are not legally recognized within the country, and the head of the bride's family has the right to ask the court to annul the marriage.

“The minimum legal age for marriage is 15 for girls and 17 for boys. Within the urban community, it is rare for girls to be married at an early age or forced into marriage. However, arranged marriages between families of similar social standing are still the norm.” [10b] (Autonomy, Security, and Freedom of the Person)

See also [Children](#)

23.11 FH continued:

“A husband is allowed to have more than one wife under both Sunni and Shiite family law without the permission or even the knowledge of his first wife. A wife may not petition for divorce on the grounds that her husband has taken another wife. However, the personal status law bars the husband from bringing his second wife to live with the first unless the first wife agrees. Article 85 states that a husband must provide each wife with accommodation, although an aggrieved first wife does not always file a complaint in court. Furthermore, under Article 86, a husband cannot have adult male family members unrelated to his wife live in the same house with her.” [10b] (Autonomy, Security, and Freedom of the Person)

23.12 On divorce, the report also stated:

“Kuwaiti women are provided with some protection against arbitrary divorce and mistreatment. A woman may receive financial compensation equal to one year of maintenance if her husband divorces her without her consent, but implementation of court verdicts is often irregular. A woman has the right to seek a divorce if her husband fails to maintain her financially. In that case, the judge can grant the husband a period of time in which to pay maintenance, and if he fails to do so his wife may seek a divorce. She also has the right to seek a separation from her husband on the grounds of darar (physical or moral injury) or if he has deserted her, including if the husband is sentenced to a term of imprisonment. In such cases, however, proof of injury is required, which is often difficult to obtain because women are reluctant to file complaints with the police and do not report causes of injury to doctors. Unsupportive and untrained police and doctors who examine abuse cases also hinder the gathering of evidence.” [10b] (Autonomy, Security, and Freedom of the Person)

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POLITICAL RIGHTS

- 23.13 FH's February 2009 report, 'Women's rights in the Middle East and North Africa, Gulf Edition', recorded:

"On May 16, 2005, the parliament amended the election law to allow Kuwaiti women to vote and hold elected office. Due to pressure from Islamist parliamentarians, however, the law requires women, both voters and candidates, to 'adhere' to the principles and rules of Shari'a. The implications that this provision may have for women's participation in political life are still difficult to gauge; wearing the hijab was not required for women to vote in local and national elections, but segregated polling stations were maintained. Recently, the National Assembly's legal and legislative committee has threatened Ms. al-Subeih and Ms. al-Homoud with dismissal after finding them in violation of the election law and the constitution for their refusal to wear a hijab, indicating that female voters and candidates may be required to do the same in any future elections." [10b] (Political Rights and Civic Voice)

- 23.14 The same report noted:

"In the 2006 and 2008 parliamentary elections, 27 women ran as candidates, and in 2006 two women competed in a local by-election to fill a vacant seat in the Municipal Council. None of the female candidates were elected, however, perhaps because of low turnout among eligible female voters. Women make up approximately 55 percent of eligible voters in Kuwait, but only 35 percent voted in the 2008 national elections (overall participation among eligible voters was 69 percent). In an effort to address this issue, women's rights advocates are calling for the adoption of electoral quotas to ensure women's presence in elective offices." [10b] (Political Rights and Civic Voice)

- 23.15 FH also stated:

"Previously confined to the extended family and immediate local community, diwanias [an informal gathering in the home or a room adjacent to the home] now bring together different groups of people, including politicians, and are important arenas for political activity. Only a few are open to both men and women, but during the recent election campaigns a number of women candidates visited diwanias, and some even held their own." [10b] (Political Rights and Civic Voice)

- 23.16 On the most recent elections, held on 17 May 2009, the Inter-Parliamentary Union (IPU) web page on the Kuwaiti National Assembly (Majles Al-Ommah) reported:

"For the first time, four women were elected. They included Ms. Al-Mubarak and Ms. Al-Awadhi. The latter was elected with the second highest share of the vote (21 per cent) in her constituency. ...

"The 16-member cabinet included one woman. Since cabinet members sit in parliament as ex officio members, the number of women members of parliament increased to five." [52a] (Background)

See also [Recent developments \(March-December 2009\)](#)

SOCIAL AND ECONOMIC RIGHTS

- 23.17 FH's February 2009 report, 'Women's Rights in the Middle East and North Africa', stated: "Women in Kuwait enjoy high literacy and employment rates, and their enrollment in postsecondary education and participation in the workforce have increased over the past decade. The government has invested efforts to create more employment opportunities for all Kuwaitis, men and women; however, the results have been mixed." [10b] (Economic Rights and Equal Opportunity)
- 23.18 The USSD Human Rights Report 2008 recorded:
- "The law provides for female 'remuneration equal to that of a man provided she does the same work'; however, it prohibits women from working in 'dangerous industries' and in trades 'harmful' to health. On June 8 [2008], the Constitutional Court ruled that the housing benefits package outlined in a resolution by the Council of Ministers for judges, general attorneys, and counselors in the legal advice and legislation department was unconstitutional. According to the resolution, married employees of both genders received a housing allowance of 323 dinars (approximately \$1,100), single male employees received 217 dinars (\$740), and single female employees received nothing. Educated women maintained that the conservative nature of society limited career opportunities, although there were limited improvements. On June 29, the police academy enrolled its first group of female cadets.
- "The law also requires that classes at all universities, private and public, be segregated by gender. Public universities enforced this law more rigorously than private universities." [1b] (Section 5)
- 23.19 FH's 2009 report also noted:
- "Kuwaiti women are entitled to own and have full and independent use of their land, property, income, and assets. Nonetheless, their right to inheritance is unequal to that of men in accordance with the Koran, which stipulates that a woman's share is equal to half that of her brother. This reflects the Shari'a requirement that, while a woman may use her inheritance for her sole benefit, a male beneficiary must use his inheritance to support all the dependent female members of his family." [10b] (Economic Rights and Equal Opportunity)
- 23.20 The USSD Human Rights Report 2008 added: "Inheritance is governed by Shari'a, which differs according to the school of Islamic jurisprudence followed by the different populations in the country. In the absence of a direct male heir, Shia women may inherit all property, while Sunni women inherit only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased." [1b] (Section 5)
- 23.21 FH's 2009 report noted: "Kuwaiti women may enter freely into business and financial contracts and activities at all levels without the permission of a male family member. All Kuwaitis over 21 years of age may conduct any commercial activity in Kuwait provided that they are not affected by a personal legal restriction, such as a criminal record. In recent years, women have been increasingly willing to start their own businesses and gain economic independence." [10b] (Economic Rights and Equal Opportunity) The report continued:

“Certain gender-based restrictions govern women's working hours and conditions. Article 23 of the labor law restricts female employees from working at night and, under Article 24, in jobs that may be hazardous to their well-being. Amendments to the law were passed in 2007 that specifically prohibit women from working between the hours of 8 p.m. and 7 a.m., but exempting those employed in medicine and a few other fields. Women are banned from working in positions that serve only men on the premise of protecting them from immoral exploitation. The amended law also includes a provision that gives the Ministry of Social Affairs and Labor (MOSAL) the authority to inspect employers, file reports, and arrest violators.” **[10b] (Economic Rights and Equal Opportunity)**

23.22 The USSD Human Rights Report 2008 recorded:

“The law provides for female ‘remuneration equal to that of a man provided she does the same work’; however, it prohibits women from working in ‘dangerous industries’ and in trades ‘harmful’ to health. ... Educated women maintained that the conservative nature of society limited career opportunities, although there were limited improvements. On June 29 [2008], the police academy enrolled its first group of female cadets.” **[1b] (Section 5)**

See also [Employment rights](#)

Contraceptives and abortion

23.23 FH's 2009 report on women's report stated:

“Women are generally free to make independent decisions about their health and reproductive rights, although limitations to this right exist regarding abortion. Contraceptives are readily available and affordable through government health services, and private pharmacies offer birth-control pills without a prescription. Use of contraceptives is relatively high among educated Kuwaiti women and is the leading method for family planning in the country. As a result, the overall fertility rate decreased from 2.6 births per woman in 2000 to 2.3 births in 2006.

“Abortion is legal only if the pregnancy constitutes a serious threat to the health of the mother or if the child would be born with grave, unexpected, and incurable physical or mental defects. Ministerial Decree (No. 55 of 1984) places strict procedural requirements on such abortions, including prior approval by the woman's husband or guardian. Even when permitted by law, doctors are reluctant to carry out the procedure due to the stiff penalties associated with abortion. Any woman who deliberately kills her newborn child to avoid dishonor, as well as any person who supplies a pregnant woman with drugs or other harmful substances, with or without her consent, may be sentenced to up to 10 years in prison.” **[10b] (Social and Cultural Rights)**

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VIOLENCE AGAINST WOMEN

- 23.24 The USSD Human Rights Report 2008 stated: "Violence against women continued to be a serious and overlooked problem." [1b] (Section 5)

"The law does not specifically prohibit domestic violence, although cases are tried as assault, and a victim of domestic violence may file a complaint with the police requesting formal charges be brought against the abuser. Each of the country's 83 police stations reportedly received weekly complaints of domestic abuse. However, even with documented evidence of the abuse, such as eyewitness accounts, hospital reports, and social worker testimony, police officials rarely arrested perpetrators of domestic violence. Noncitizen women married to citizens reported domestic abuse and inaction or discrimination by police during the year. A woman may petition for divorce based on injury from abuse, but the law does not provide a clear legal standard as to what constitutes injury. In addition a woman must provide at least two male witnesses (or a male witness and two female witnesses) to attest to the injury suffered. The courts have found husbands guilty of spousal abuse; however, most domestic abuse cases were not reported, especially outside of the capital, and individuals reportedly bribed police officials to ignore domestic abuse charges. Abusive husbands, if convicted, rarely faced severe penalties." [1b] (Section 5)

- 23.25 The same report recorded that: "There are no shelters or hot lines specifically for victims of domestic violence, although a temporary shelter for domestic workers opened in September 2007 housed victims during the year. In the year since it was opened, the shelter has housed 279 domestic workers." (USSD Human Rights Report 2008) [1b] (Section 5)

- 23.26 FH's February 2009 report on 'Women's Rights in the Middle East and North Africa, Gulf Edition' stated:

"Data and research on domestic violence in Kuwait continues to be sparse, making it difficult to assess the severity of the problem. No known NGO or government office works efficiently to collect such statistics. This scarcity of information is partly due to the societal belief that domestic violence is a family affair. Fear and shame often discourage victims of abuse from filing complaints with the police, and little effort has gone into providing assistance or protection to such victims. There are no laws against domestic violence, nor are there any shelters, support centers, or free legal services to aid female victims." [1b] (Section 5)

- 23.27 On sexual violence, the USSD Human Rights Report 2008 noted:

"Rape is criminalized with a maximum penalty of death, which the country imposes for the crime; however, spousal rape is not a crime. The media reported hundreds of rape cases during the year. Many of the victims were noncitizen domestic workers. The police occasionally arrested rapists, and several were tried and convicted during the year; however, laws against rape were not always enforced effectively. According to third-country diplomatic sources, victims reported that some police stations and hospitals handled their cases in a professional way, but many did not." [1b] (Section 5)

- 23.28 Whilst FH's report recorded:

“... gender-based violence such as rape and sexual assault that occurs outside the home tends to receive more scrutiny from the police and the press than incidents of domestic violence. Anyone found guilty of sexual violence may face a prison sentence or the death penalty, depending on the severity of the case. There have been reports of physical abuse of female detainees in police custody, but no monitoring mechanism is in place to record such violations systematically.” [10b] (Autonomy, Security, and Freedom of the Person)

‘Honour’ crimes

23.29 The USSD Human Rights Report 2008 stated “Honor crimes are prohibited; however, the penal code reduces penalties for such crimes to misdemeanors with a maximum prison sentence of three years. There were no reported cases of honor crimes during the year [2008].” [1b] (Section 5) FH’s February 2009 report, ‘Women’s Rights in the Middle East and North Africa, Gulf Edition’, concurred:

“Kuwait’s penal code is generally nondiscriminatory, although it still permits reduced sentences for men who commit honor killings. In principle, all perpetrators of murder, rape, kidnapping, or violence against women are subject to penalties ranging from lengthy prison sentences to the death penalty. According to Article 153 of the Penal Code (No. 16 of 1960), however, if a husband kills his wife or her illicit partner during an adulterous act, his sentence is capped at three years in prison. The same penalty applies for anyone who, in the heat of the moment, kills his daughter, sister, or mother for their involvement in acts of zina (unlawful sexual relations) carried out before him. Honor killings in Kuwait are rare, and in the past five years only one was reported: the murder of a young woman by her brothers in 2006. More recently, a young girl was given police protection after reporting that her family intended to kill her over an affair with an unrelated man in 2008. The male members of her family were arrested, detained for questioning, and later released on bail.” [10b] (Nondiscrimination and Access to Justice)

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CHILDREN

OVERVIEW

24.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, stated: “The government is generally committed to the rights and welfare of citizen children, although noncitizen children suffered.” [1b] (Section 5) Kuwait is a signatory to the United Nations (UN) Convention on the Rights of the Child, and the Optional Protocols on the sale of children, child prostitution and child pornography, and the involvement of children in armed conflict.(UN Treaty Database, accessed 21 December 2009) [55a]

24.02 The United Nations Children’s Fund’s (UNICEF) ‘At a glance: Kuwait’ provided the following statistics:

Population (thousands), 2007, under 18	785
Population (thousands), 2007, under 5	242
% of population urbanized, 2007	98
Life expectancy at birth (years), 2007	78
Annual no. of births (thousands), 2007	51
Annual no. of under-5 deaths (thousands), 2007	1

[54a]

Basic legal information

24.03 Freedom House’s February 2009 report ‘Women’s Rights in the Middle East and North Africa, Gulf Edition’ stated “The minimum legal age for marriage is 15 for girls and 17 for boys. Within the urban community, it is rare for girls to be married at an early age or forced into marriage. However, arranged marriages between families of similar social standing are still the norm.” [10b] (Autonomy, Security and Freedom of the Person) However, the USSD Human Rights Report 2008 stated: “The legal age for girls to marry is 15, but younger girls continued to marry within some tribal groups. The MOJ [Ministry of Justice] estimated the problem at 2 to 3 percent of total marriages. The government attempted to educate the rural community through the MAIA [Ministry of Awqaf and Islamic Affairs] and imams in local mosques.” [1b] (Section 5)

24.04 FH’s February 2009 report, when discussing the concept of the wali (marriage guardian) of female Kuwaitis, noted that the age of maturity in this respect was 25 years. [10b] (Autonomy, Security and Freedom of the Person) The United Nations Development Programme’s (UNDP) undated web page, ‘Kuwait at a Glance’, stated that the age of majority, when male and female Kuwaitis were able to vote, was 21 years of age. [7c] The USSD Human Rights Report 2008 noted that the minimum legal age for working was 18 years, although there were exceptions, as outlined in the [Child labour](#) subsection below. [1b] (Section 6d) The UN Committee on the Rights of the Child stated that the Kuwaiti Army Act barred persons under the age of 18 from participating in hostilities, as outlined in the [Violence against children](#) subsection below. [45d] (p3)

See also [Women](#)

VIOLENCE AGAINST CHILDREN

24.05 The USSD Human Rights Report 2008 stated: “There was no societal pattern of child abuse, although there were isolated instances.” [1b] (Section 5)

24.06 In April 2007, the UN Committee on the Rights of the Child reported extensively on the measures taken by Kuwait – outlined in the state’s Initial Report to the Committee – to implement the Optional Protocol on the involvement of children in armed conflict. [45b] The UN Committee’s comments on Kuwait’s initial report on the involvement of children in armed conflict, released in February 2008, noted “the establishment in 2007 of the Higher Council for the Family and Children to deal with children’s rights issues” and “the existence of high level training and capacity building programmes for professionals dealing with Kuwaiti children”. [45d] (p2) Also:

“The Committee notes with appreciation that the Kuwaiti Army Act prohibits the involvement of persons under the age of 18 in hostilities. While the Committee takes note of the State party’s indication that there are no armed groups in the country distinct from the armed forces, it nevertheless regrets the lack of legislation on the issue of child recruitment in order to protect children from recruitment abroad.” [45d] (p3)

CHILDCARE AND PROTECTION

24.07 In April 2007, the UN Committee on the Rights of the Child reported extensively on the measures taken by Kuwait – outlined in the state’s Initial Report to the Committee – to implement the Optional Protocol on the sale of children, child prostitution and child pornography. [45a] In February 2008, the Committee released its Concluding Observations on the Initial Report provided by Kuwait:

“The Committee welcomes the efforts made by the Ministry of Social Affairs and Labour [MOSAL] to update its data collection system to collect information on the number of prosecutions and convictions for offenses covered by this Optional Protocol. However, the Committee regrets that reliable data on the extent of sale of children, child prostitution and child pornography and on the number of children involved in these activities is very limited, mainly due to the absence of a comprehensive data collection system as well as to prevailing taboos in the society surrounding the issue.” [45c] (p2)

For further details, consult the full report [Concluding Observations of the Committee on the Rights of the Child: Kuwait](#)

See also [Trafficking](#)

Adoption

24.08 Upon ratification of the UN Convention on the Rights of the Child, Kuwait submitted the following declaration regarding Article 21: “The State of Kuwait, as it adheres to the provisions of the Islamic shariah as the main source of legislation, strictly bans abandoning the Islamic religion and does not therefore approve adoption.” (UN Treaty Collection: Convention on the Rights of the Child, status as at 21 December 2009) [55a]

Child labour

24.09 The USSD Human Rights Report 2008 stated:

“The law prohibits child labor; however, there were credible reports of underage workers, including domestic servants.

“The legal minimum age for employment is 18; however, employers may obtain permits from the MOSAL to employ juveniles between the ages of 14 and 18 in nonhazardous trades. Juveniles may work a maximum of six hours a day on the condition that they work no more than four consecutive hours followed by a one-hour rest period.” [1b] (Section 6d)

EDUCATION

24.10 The USSD Human Rights Report 2008 stated: “Education, which for citizen children was free through the university level and compulsory and universal through the secondary level, was generally unavailable to Bidoon children, who sometimes attended private schools.” [1b] (Section 5) Kuwaitiah.net’s undated web page on Education, accessed 11 September 2009 recorded: “The ME [Ministry of Education] provides free kindergartens for Kuwait children between the ages of four and six. For expatriate children between two and four years there are a large number of private nursery schools.” [21a]

“Attendance at state schools is restricted to Kuwait children, the children of teachers working for the ME and the children of expatriates who obtained residence prior to 1960. All other expatriate children must be educated privately. In 1997-98, there were 104 private foreign schools in Kuwait, of which 42 were following non-Arabic curricula. With more than 120.000 students, over 75.000 pupils were attending Arabic foreign schools and over 40.000 were enrolled in non-Arabic schools were Arab children of whom nearly half were Kuwaitis. ...

“According to educationalists, there is a marked preference among Kuwaitis for a Western education for several reasons. There [*sic*] include the perceived inadequacy of state education, the importance of an English language education as a preparation for further education overseas and life in general, and the advanced curricula of the non-Arabic foreign schools in Kuwait. Despite comparatively high fees, schools that teach American and British curricula are booming.” (Kuwaitiah.net, undated, accessed 11 September 2009) [21a]

24.11 UNICEF’s ‘At a glance: Kuwait’ provided the following statistics:

Total adult literacy rate (%), 2000–2007*	94
Primary school net enrolment/ attendance (%), 2000–2007*	84
Youth (15–24 years) literacy rate, 2000–2007*, male	100
Youth (15–24 years) literacy rate, 2000–2007*, female	100
Number per 100 population, 2006, phones	91
Number per 100 population, 2006, Internet users	29
Primary school enrolment ratio 2000-2007*, gross, male	97
Primary school enrolment ratio 2000-2007*, gross, female	96
Primary school enrolment ratio 2000-2007*, net, male	84
Primary school enrolment ratio 2000-2007*, net, female	83
Survival rate to last primary grade (%); 2000–2007*, admin. data	96
Secondary school enrolment ratio 2000–2007*, gross, male	87

Secondary school enrolment ratio 2000–2007*, gross, female	91
Secondary school enrolment ratio 2000–2007*, net, male	75
Secondary school enrolment ratio 2000–2007*, net, female	79

[54a]

HEALTH AND WELFARE

24.12 A World Health Organisation Regional Office for the Eastern Mediterranean (WHO EMRO) Health System Profile on Kuwait, published in 2006, reported that primary health care is provided through health centers, and preventive & curative services are provided to the whole population – both Kuwaitis & non-Kuwaitis – to all age groups, with special care given to mothers and children. [22c] (p50) UNICEF’s ‘At a glance: Kuwait’ provided the following statistics:

Under-5 mortality rate, 2007	11
Infant mortality rate (under 1), 2007	9
Annual no. of births (thousands), 2007	51
Annual no. of under-5 deaths (thousands), 2007	1
Neonatal mortality rate, 2004	7
Immunization 2007: 1-year-old children immunized against: DPT: corresponding vaccines:DPT1b	99
Immunization 2007: 1-year-old children immunized against: DPT: corresponding vaccines: DPT3b	99
Immunization 2007: 1-year-old children immunized against: Polio: corresponding vaccines: polio3	99
Immunization 2007: 1-year-old children immunized against: Measles: corresponding vaccines: measles	99
Immunization 2007: 1-year-old children immunized against: HepB: corresponding vaccines: HepB3	99
Immunization 2007: 1-year-old children immunized against: Hib: corresponding vaccines: Hib3	99
Immunization 2007: % newborns protected against tetanus?	83
Antenatal care coverage (%), At least once, 2000–2007*	95
Delivery care coverage (%), Skilled attendant at birth, 2000–2007*	98
Delivery care coverage (%), Institutional delivery, 2000–2007*	98

[54a]

See also [Disability](#) and [Medical issues](#)

DOCUMENTATION

24.13 The USSD Human Rights Report 2008 noted: “The government did not issue birth certificates to Bidoon children, which resulted in the denial of free public services to those children.” [1b] (Section 5)

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#) and [Citizenship and nationality](#)

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TRAFFICKING

25.01 The initial report of the State of Kuwait to the United Nations (UN) Committee on the Rights of the Child, April 2007, stated that it is a criminal offence in Kuwait to engage in trafficking by selling, buying, offering for sale, or making a gift of, a person as a slave. "Thus, article 185 of the Criminal Code No. 16 of 1970 provides: 'Anyone who brings a person into or out of Kuwait with a view to selling that person as a slave and anyone who buys, offers to sell, or makes a gift of, a person as a slave shall be subject to a penalty of up to five years' imprisonment and/or a fine of up to 5,000 rupees.'" [45a] (p3) The UN Committee's Concluding Observations, dated 1 February 2008, stated:

"The Committee welcomes the efforts made by the Ministry of Social Affairs and Labour to update its data collection system to collect information on the number of prosecutions and convictions for offenses covered by this Optional Protocol. However, the Committee regrets that reliable data on the extent of sale of children, child prostitution and child pornography and on the number of children involved in these activities is very limited, mainly due to the absence of a comprehensive data collection system as well as to prevailing taboos in the society surrounding the issue." [45c] (p2)

For further details, consult the full report [Concluding Observations of the Committee on the Rights of the Child: Kuwait](#)

25.02 The US Department of State (USSD) Trafficking in Persons Report 2009, covering the period April 2008 to March 2009, released 16 June 2009, recorded:

"Kuwait is a destination country for men and women trafficked for the purposes of forced labor. The majority of trafficking victims are from among the over 500,000 foreign women recruited for domestic service work in Kuwait. Men and women migrate from Nepal, India, Sri Lanka, the Philippines, Indonesia, Pakistan, and Bangladesh in search of work in the domestic and sanitation industries. Although they migrate willingly to Kuwait, upon arrival some are subjected to conditions of forced labor from their 'sponsors' and labor agents, such as withholding of passports, confinement, physical sexual abuse and threats of such abuse or other serious harm, and non-payment of wages with the intent of compelling their continued service." [1d] (Kuwait)

25.03 The report also noted:

"Adult female migrant workers are particularly vulnerable, and consequently are often victims of sexual exploitation and forced prostitution. There have been instances of domestic workers who have fled from their employers, lured by the promise of well-paying service industry jobs, and being coerced into prostitution. In other cases, the terms of employment in Kuwait are wholly different from those agreed to in their home countries." [1d] (Kuwait)

25.04 A Human Rights Watch report of November 2007 outlined the ill-treatment of Sri Lankan domestic workers in four Middle East countries, including Kuwait. [9b]

See also [Non-citizen workers](#)

25.05 The USSD Trafficking Report 2009 asserted:

“The Government of Kuwait demonstrated some progress in punishing trafficking offenses this year. While existing legislation does not explicitly prohibit trafficking in persons, there are several related offenses which are prohibited by the Kuwaiti Criminal Code. Transnational slavery is prohibited through Article 185 of the criminal code and prescribes a maximum penalty of five years’ imprisonment. Article 201, which prohibits forced prostitution, prescribes a maximum sentence of five years’ imprisonment if the victim is an adult and seven years if the victim is a minor under the age of 18. These prescribed penalties are sufficiently severe and commensurate with those prescribed for other grave offenses. While the government did not punish any offenders under the specific charge of ‘human trafficking,’ it charged 12 individuals with domestic labor abuse and registered 1,762 cases against persons charged with falsifying labor petitions. Kuwaiti law enforcement generally takes an administrative or civil approach in addressing cases of labor exploitation or abuses, such as assessing fines, shutting down employment firms, issuing orders for employers to return withheld passports or requiring employers to pay back wages. Police, lawyers and judges have not been adequately trained on trafficking issues, although MOSAL [Ministry of Social Affairs and Labour] and MOI [Ministry of Interior] sent a small group of officers training by IOM [International Organization for Migration] on human trafficking in Bahrain. In addition, the Kuwaiti government recently committed to funding anti-trafficking training for 15 to 20 police officers to be provided by IOM.” [1d] (Kuwait-Prosecution)

25.06 The same source continued:

“During the year, Kuwait made minimal efforts to improve protection for victims of trafficking. In September 2007, the government opened a temporary shelter for female victims of forced labor. The shelter has a maximum capacity of 40 and is intended to provide medical, psychological and legal services. During its first full year of operation, 279 domestic workers—the group most vulnerable to trafficking and abuse—entered and departed the shelter. There is, to date, no shelter available for male migrant workers. In 2007, the government proposed opening a larger shelter that would be able to accommodate up to 700 men and women. An existing building was finally selected in 2008 to serve as the shelter and \$2.5 million was allocated toward its refurbishment. Final authorization from the Council of Ministers is necessary before the funds can be disbursed and refurbishment of the building can begin; as of this writing the shelter had not yet been opened. The government continues to lack a formal procedure for the systematic identification and protection of trafficking victims among vulnerable populations, such as foreign workers arrested without proper identity documents and women forced into prostitution. Government authorities do not encourage victims to participate in the investigation or prosecution of their traffickers. In July 2008 Kuwaiti law enforcement responded with force to protests and riots by an estimated 80,000 Bangladeshi workers complaining of non-payment of wages and abuses; the government made no discernable effort to identify trafficking victims among the 80,000 or investigate their complaints related to forced labor; instead, hundreds of the workers were summarily deported to Bangladesh. The government responded to some of the protesting workers by offering them reimbursement of unpaid wages.” [1d] (Kuwait-Protection)

25.07 The USSD Trafficking Report 2009 also stated:

“Kuwait made minimal efforts to prevent trafficking in persons this year. Throughout September 2008, the ministry of Awqaf and Islamic Affairs organized a series of lectures in mosques throughout Kuwait in which imams discussed the rights of domestic workers according to Islam. In April 2008, Kuwait established a Human Rights Commission, which meets once a month to discuss such issues, though there has been no indication of actions or decisions from these meetings. The government did not take any steps to address child sex tourism among Kuwait citizens traveling abroad or efforts to reduce the demand for commercial sexual acts within Kuwait.” [1d]
(Kuwait-Prevention)

See also [Women](#) and [Children](#)

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MEDICAL ISSUES

26.01 The World Health Organisation Regional Office for the Eastern Mediterranean (WHO EMRO) Country Profile for Kuwait, last updated September 2009, listed a number of key statistical indicators primarily for 2006, 2007 and 2008 including demographic, socio-economic, health expenditure and health status. Government and private (out-of-pocket) expenditure on health as a percentage of total health expenditure were at 77.4 and 20.7 respectively for 2008. The government allocated 5.7 per cent of its overall expenditure on health. Total life expectancy at birth in 2005 was 77.4 years and the under-five mortality rate was 10.5 per 1,000 live births in 2007. [22a]

26.02 A WHO EMRO Country Health Systems Profile on Kuwait, published in 2006, recorded:

“Primary health care is delivered through a series of health centers, with general or family health clinics, maternal and child care clinics, diabetic clinics, dental clinics, and preventive care clinics, school health services, ambulance services and police health services are also available. Foreign residents are entitled to treatment here. The clinics deal with preliminary examinations and routine matters and where necessary, patients are referred to hospital specialists.

“There are 72 primary health centres spread over the country. The services offered by them include general practitioner services and childcare, family medicine, maternity care, diabetes patient care, dentistry, preventive medical care, nursing care and pharmaceuticals.

26.03 WHO also noted that primary health care is provided through the health centers, and preventive & curative services are provided to the whole population – both Kuwaitis & non-Kuwaitis – to all age groups, with special care given to mothers and children. [22c] (p50)

26.04 In terms of cost, the profile stated:

“Governmental health services are free for citizens.

“Expatriates pay the amount of [Kuwaiti Dinar] K.D 1 upon visiting primary health care centers

“Expatriates pay the amount of K.D 2 upon visiting the clinics of general hospitals and specialized hospitals

“There are some symbolic fees on some examinations

“Expatriates pay annual health insurance fee of K.D 50 for labour, K.D 40 for wife, K.D 30 for children up to 18 years [sic] old and K.D 5 for housemaids and non-nationals.” [22c] (p40-41)

OVERVIEW OF AVAILABILITY OF MEDICAL TREATMENT AND DRUGS

26.05 The percentage of the population with access to local health services in urban areas was reported as 100 per cent in 2008 but there was no figure given for rural areas:

The number of physicians per 10,000 population for 2008 = 18.0

The number of dentists per 10,000 population for 2008 = 3.00

The number of pharmacists per 10,000 population for 2008 = 2.00
 The number of nurses and midwives per 10,000 population for 2008 = 39.0
 (WHO EMRO Country Profile, last updated September 2009) [22a]

HIV/AIDS – ANTI-RETROVIRAL TREATMENT

- 26.06 A *Kuwait Times* news report, dated 29 November 2008, recounted a message from Dr Rashed Al-Owaish, Director, Department of Public Health National AIDS Program Manager, Ministry of Health, who said:

“HIV testing has been available in Kuwait since 1984. Screening high-risk groups for HIV has been a continuous process and is under constant surveillance. In Kuwait till end of October 2008, a total of 451,379 individuals were screened for HIV, among whom 84 new HIV-positive cases were found. Out of these 84 cases, 75 cases were newcomers to Kuwait whose residency was not stamped and who have already left Kuwait to return to their respective countries.” [49c]

- 26.07 A United Nations Programme on HIV/AIDS (UNAIDS) Epidemiological Fact Sheet on HIV/AIDS of 2008 indicated the estimated number of people living with HIV was between less than 1000 and less than 2000, with a less than 0.2 per cent prevalence rate in adults aged between 15 and 49. There were no extant figures about the level of anti-retroviral treatment received. [23b] (p4)

- 26.08 Dr Rashed Al-Owaish’s November 2008 message also noted:

“Regarding antiretroviral drugs, Kuwait is one of the countries in GCC [Gulf Cooperation Council] States which provides all the genuine drugs (100%) for treatment of HIV/AIDS patients free of charge. All the latest genuine drugs used in United States and Europe are available for the treatment of AIDS patients in Kuwait. Testing of all blood and blood products has been introduced since 1984. There is 100% testing of all blood and blood products prior to transfusion in Kuwait and the country has not imported any blood or blood products since 1976.” (*Kuwait Times*, 29 November 2008) [49c]

MENTAL HEALTH

- 26.09 The WHO Mental Health Atlas Map for 2005 indicated that a mental health policy existed for Kuwait and it had been initially formulated in 1957; “The components of the policy were advocacy, promotion, prevention, treatment and rehabilitation.” [22b] (p1) “The primary sources of mental health financing in descending order are social insurance, private insurances and out-of-pocket expenditure by the patient or family. The country has disability benefits for persons with mental disorders. Treatment is provided by the Government and social benefits by the Ministry of Social Affairs.” (WHO Mental Health Atlas, 2005) [22b] (p1)

“Mental health is a part of primary health care system. Actual treatment of severe mental disorders is available at the primary level. Primary care is provided by the family doctor. Facilities should be developed further.

“... There are community care facilities for patients with mental disorders. Community care is provided through district and general hospitals and family doctors. Community care facilities are not well developed. However, there are

2 day care centres which cater to more than 30 clients and one half-way house that caters to 30 clients. (WHO Mental Health Atlas, 2005) [22b] (p2)

26.10 Psychiatric Beds and Professionals:

Total psychiatric beds per 10,000 population = 3.4
 Psychiatric beds in mental hospitals per 10,000 population = 3.4
 Psychiatric beds in general hospitals per 10,000 population = 0
 Psychiatric beds in other settings per 10,000 population = 0
 Number of psychiatrists per 100,000 population = 3.1
 Number of psychiatric nurses per 100,000 population = 22.5
 Number of psychologists per 100,000 population = 1.4
 Number of social workers per 100,000 = 0.4.
 (WHO Mental Health Atlas, 2005) [22b] (p3)

26.11 The WHO Mental Health Atlas, 2005, reported that:

“There is a plan to increase bed numbers in mental hospitals from the current level of 3.4 per 10,000 to 4.58 per 10,000 population in 2005. ... There is a specialised unit for treating PTSD patients. Although there are more than 1,000 psychologists and social workers only a few worked in the field of mental health. Thirty-one of them are employed by the psychiatric hospital which served as the main psychiatric set-up for Kuwait.” [22b] (p3)

26.12 The same source stated: “The following therapeutic drugs are generally available at the primary health care level of the country: carbamazepine, ethosuximide, phenobarbital, phenytoin sodium, sodium valproate, amitriptyline, chlorpromazine, diazepam, fluphenazine, haloperidol, lithium, biperiden, carbidopa, levodopa.” [22b] (p4)

26.13 An October 2008 *Kuwait Times* article reported: “... in Kuwait ... negative societal perceptions about mental health issues and psychiatry persist. Indeed it is generally felt that if you seek help from a psychiatrist or therapist for a mental health problem, then you are crazy or mentally unstable. Problems such as depression are not seen as problems at all.” [49d]

26.14 On Mental Health Services in Kuwait, the article continued:

“Apart from the Psychological Medicine Hospital and a handful of therapists, Kuwait is sadly lacking in mental health professionals. Many of those who are available in the public sector are derided as 'jokes' and the few in the private sector are too expensive.

“One blogger described his experience as follows: ‘Tried a couple of jokes under false names... You are supposed to feel safe with these a**holes instead you leave feeling like sh** and paranoid. Private is the way to go, but be ready to shell out a couple of thousands for therapy if you can get in. Anonymity is important in a country smaller than New Jersey ... especially of [sic] you call it home.

“Another blogger was critical of trying to use the Psychological Medicine Hospital because having a file at the hospital meant that your name is on governmental record and can be used against you if you were ever in court.

As he says, even if you have ADD [Attention Deficit Disorder], you are still technically of 'ill mental health.'" [49d]

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FREEDOM OF MOVEMENT

- 27.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, recorded: “The constitution generally provides for freedom of movement within the country; however, there are numerous laws constraining foreign travel, and the government placed some limits on freedom of movement in practice.” [1b] (Section 2d)

“Women, persons under 21 years of age, and Bidoon faced problems with, or restrictions on, foreign travel. While not sanctioned by law, MOI [Ministry of Interior] regulations mandate that all persons under 21 years of age obtain permission from their father or another male relative to receive a passport and travel abroad and that married women obtain their husband's permission to apply for a passport. Further, a husband may request that immigration authorities prevent his wife's departure from the country for 24 hours, after which a court order may extend the travel ban. The government severely restricted the ability of the Bidoon population to travel abroad; however, it permitted some Bidoon to travel to Saudi Arabia for the annual hajj.” (USSD Human Rights Report 2008) [1b] (Section 2d)

- 27.02 However, in October 2009, the British Broadcasting Corporation (BBC) reported:

“Kuwaiti women will be able to obtain their own passport without the consent of their husbands, following a ruling by the country's constitutional court. The court, whose decisions are final, said the previous requirement was in violation of guarantees of freedom and gender equality in the constitution. The decision came about when a woman complained her husband had prevented her from leaving the country.” [5c]

See also [Women](#)

- 27.03 The USSD Human Rights Report 2008 noted: “The law also permits the government to place a travel ban on any citizen or foreigner accused or suspected of violating the law, and it allows citizens to petition authorities to do so. In practice this resulted in citizens and foreigners arbitrarily being prevented or delayed from departing the country.

“The law prohibits the deportation or forced exile of citizens, although the government can revoke citizenship for various causes including felony conviction and subsequently deport individuals. On November 4, the Council of Ministers issued a decision to revoke Kuwaiti citizenship from five individuals whom they deemed ineligible for citizenship. Although the government formed a committee to investigate the cases, there was no update at year's end [2008].” [1b] (Section 2d)

See also [Citizenship and nationality](#)

- 27.04 The USSD Human Rights Report 2008 also noted that: “...employers frequently withheld workers' passports or otherwise restricted their movements...”. [1b] (Section 2d)

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FOREIGN REFUGEES

28.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, recorded: "The government did not cooperate with the Office of the UN [United Nations] High Commissioner for Refugees or other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern." Further:

"The laws do not provide for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, neither of which the country has signed. There is no system for providing protection to refugees, and the government did not grant refugee status or asylum during the year. In practice the government provided protection against the expulsion or return of refugees to a country where their lives or freedom would be threatened, and the constitution prohibits the extradition of political refugees; however, the government often kept such persons in detention until they agreed to return or made alternative travel arrangements, and it rarely granted them permission to live and work in the country." [1b] (Section 2d)

28.02 Statistics published in the US Committee for Refugees and Immigrants (USCRI), World Survey 2009, indicated that more than 40,000 refugees were living in Kuwait, including an estimated 35,000 Iraqis, "...most of whom entered on three-month visit visas and then overstayed" and 5,000-6,000 Palestinians "...although the Government considered them expatriates". The Survey also noted that "Kuwait hosted an undetermined number of Ahwazi Arabs from Iran." Figures were only estimated given that Kuwait did not recognise refugees. [25a]

See also [Palestinians](#)

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CITIZENSHIP AND NATIONALITY

- 29.01 The US Office of Personnel Management's March 2001 report on Citizenship Laws of the World reported the following:

"Citizenship laws were based upon the Constitution of Kuwait.

"BY BIRTH: Birth within the territory of Kuwait does not automatically confer citizenship. Kuwait has a large number of guest workers living in the country; Kuwaiti law considers them to be citizens of their country of origin. Children born in Kuwait of long term guest residents do not qualify for citizenship. In all cases, unless the child is born to a Kuwaiti citizen, the child is born a citizen of the parents' home country.

"BY DESCENT: (i) Child born in wedlock, whose father is a citizen of Kuwait, regardless of the child's country of birth. (ii) Child born out of wedlock, to a Kuwaiti mother and an unknown father, regardless of the child's country of birth.

"MARRIAGE: (i) A foreign woman who marries a citizen of Kuwait may obtain citizenship after 15 years residency. (ii) A foreign man who marries a citizen of Kuwait is not eligible for citizenship.

"BY NATURALISATION: Kuwaiti citizenship may be obtained under the following specific condition: person is granted citizenship through a special act of government.

"DUAL CITIZENSHIP is not recognised.

"LOSS OF CITIZENSHIP: Voluntary renunciation of Kuwaiti citizenship is permitted by law. There are no grounds for involuntary loss of Kuwaiti citizenship." [26] (p113)

An unofficial translation of the 1959 Nationality Law, including amendments, was available via the website of the United Nations High Commissioner for Refugees (UNHCR). [32b]

- 29.02 A report submitted to the UN Human Rights Council by the UN Secretary General, dated 26 January 2009, noted:

"The Government of Kuwait stated that, according to the Constitution of Kuwait, all citizens are equal before the law. According to the Government, following the application of the Law on Entry of Foreigners, there have been certain groups of persons claiming to be Kuwaiti citizens. These persons have not been granted Kuwaiti citizenship because they could not prove to be Kuwaiti nationals. According to the Government, many of these persons may have had foreign passports and entered Kuwait legally or illegally and subsequently hid their passports and claimed to be Kuwaiti nationals. According to the law, they are considered as illegal residents. The Government stated that an Executive Committee on Illegal Residents has been created to tackle this situation. The Committee has registered 92,667 cases of illegal residents. In any case, the Government indicated that health and education services are provided to all residents irrespective of their

nationality. All persons enjoy the right to work and right to register their marriage and to obtain birth certificates, travel documents and driving licences.

“The Government of Kuwait stated that there are no restrictions on the exercise of the right to a nationality. The Law on Nationality is based on international law principles. According to the Law on Nationality, Kuwaiti citizenship is obtained at birth if the father is a Kuwaiti national. Children born to female Kuwaitis married to foreigners are not considered Kuwaiti citizens. Nevertheless, permanent residents may consider applying for Kuwaiti citizenship with the Ministry of Interior. According to Kuwaiti law, dual nationality is not recognized. Kuwaiti citizens that adopt a foreign nationality lose their Kuwaiti citizenship. According to the Law on Nationality, Kuwait has adopted the necessary measures to reduce the number of stateless persons in Kuwait. In this respect, a number of legal residents are naturalized every year, in accordance with an annual quota. The Government informed that on the day of its submission, a total of 928 persons had been given Kuwaiti citizenship in 2008.” [40d] (paras 30-31)

- 29.03 Refugees International’s March 2009 ‘Nationality Rights for All: A Progress Report and Global Survey on Statelessness’ stated: “In theory a child of a divorced Kuwaiti woman or widow can acquire citizenship, creating an incentive for couples to divorce for the sake of their children’s future. However, interviewed individuals have said that they are still waiting on their cases.” [18g] (p52) An *Arab Times – Kuwait* article of September 2009 concurred:

“MP Faisal Al-Duwaisan has asked the Ministry of Interior to immediately grant citizenship to the children of divorced Kuwaiti women, widows, and naturalized Kuwaitis who have fulfilled the specified conditions. Al-Duwaisan claimed several files of children under the abovementioned categories have been left pending and were not referred to the Cabinet. He lamented the negligence of the concerned officials has disrupted the educational, employment and social aspects of the lives of these children. He pointed out ‘we can easily solve this problem as there are laws regarding the issue, yet the ministry has not taken any tangible step in this regard.’” [51a]

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#); [Palestinians](#) and [Freedom of movement](#)

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EXIT AND RETURN

- 30.01 To live permanently in Kuwait an expatriate (other than Gulf Cooperation Council (GCC) citizens) had to have an *iqama*, i.e. a residence permit. A person discovered without a valid *iqama* was fined and deported. There were different types of *iqama* which were colloquially known by the article numbers in the immigration regulations. The three main types were work visas, domestic and dependant visas, all of which required a sponsor. Individuals possessing resident status had to observe certain rules regarding travelling outside Kuwait. (Kuwaitiah.net, undated, last accessed 11 September 2009) **[21b] (Obtaining Residence)** “Expatriate employees of ministries and some other government institutions must obtain exit permits before they can leave Kuwait. Other expatriate do not require exit visas.” (Kuwaitiah.net, undated, last accessed 11 September 2009) **[21b] (Exit Permits)**
- 30.02 Residence visas were cancelled if the holder was absent abroad for a continuous period of six months. The only exception was for those who (a) were studying abroad, (b) were receiving necessary medical treatment abroad, (c) were required by virtue of their work to be abroad, provided permissions in all these cases were obtained before leaving country. (Kuwaitiah.net, undated, last accessed 11 September 2009) **[21b] (Absence Abroad)**
- 30.03 A Foreign and Commonwealth Office paper of November 2007 stated:
- “Travel documents were not issued routinely to bidoon, so many have no means of leaving Kuwait. However, some bidoon were given temporary travel documents under Article 17 of the Kuwaiti Nationality Law which allows the issue of a Kuwaiti travel document to any person deemed to require it. ...
- “Article 17 documents look almost identical to Kuwaiti passports, the key difference being that they do not confer nationality on the holder. They are issued only within Kuwait (ie not at diplomatic missions outside Kuwait) and have to be renewed through the Ministry of Interior.
- “According to the Kuwaiti Passport Office all Kuwaiti travel documents, including Article 17, allow re-entry into Kuwait as long as they are within their validity date. But the situation is more complex and fluid than this suggests with some Article 17 documents bearing different endorsements.
- “Holders of Article 17 documents applying for visas for travel abroad may seek from the Ministry of Foreign Affairs a letter stating that there is no objection to the applicant leaving Kuwait and that they will be re-admitted on return.” **[3b] (p4-5)**

See also [Biduns \(also Bidoons, Bedouins, Beduins\)](#)

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EMPLOYMENT RIGHTS

- 31.01 The US Department of State (USSD) Human Rights Report 2008, released 25 February 2009, recorded: "With the notable exceptions of the country's approximately 540,000 domestic servants and an unknown number of maritime employees, the law provides that workers have the restricted right to join unions without previous authorization. An estimated 80,000 persons, or 5 percent, of a total workforce of 1.6 million were organized into unions." [1b] (Section 6a)
- 31.02 The International Trade Union Confederation's (ITUC) Annual Survey 2009 reported: "Since 1996 the government has promised to introduce a new Labour Code in line with international labour standards but has still failed to do so. It has set up a tripartite committee to review the draft code and has sought the ILO's technical assistance to ensure it complies with international standards." [27a]
- 31.03 The USSD Human Rights Report 2008 continued:
- "The government restricts the right of freedom of association to only one union per occupational trade and permits only one federation, the Kuwait Trade Union Federation (KTUF), which comprises 15 of the 47 licensed unions. The law stipulates that any new union must include at least 100 workers, 15 of them citizens. Both the International Labor Organization and the International Trade Union Confederation have criticized this requirement because it discourages unions in sectors that employ few citizens, such as the construction industry and much of the private sector." [1b] (Section 6a)
- 31.04 The International Trade Union Confederation's (ITUC) Annual Survey of Violations of Trade Union Rights, 2009 reported:
- "Strike action is only allowed in the private sector, which accounts for 6% of the workforce. Compulsory arbitration is imposed if the workers and employers are unable to resolve a conflict. The new draft code still contains this provision, even though by international labour standards compulsory arbitration should apply to essential services only. There is no protection for strikers against retribution by the state." [27a]
- 31.05 Human Rights Watch reported that a draft Labour law, which would toughen penalties for private companies that abuse their workers, but would not extend its protections to the country's 600,000 migrant domestic workers was scheduled for a vote in the National Assembly on 6 December 2009. [9e] *Xinhua News* reported, on 24 December 2009:
- "Kuwait's parliament on Wednesday [23 December 2009] unanimously approved a new labor law, but the controversial sponsorship system for foreign workers will remain.
- "The new law grants more rights for the 2.3 million expatriates working in the private sector, who contributes [sic] 68 percent of the country's total population.
- "Made up of seven chapters and 142 items, the fresh law regulates disciplinary penalties, end-of-service bonus and better holidays." [58a]

NON-CITIZEN WORKERS

- 31.06 The ITUC's Annual Survey of 2009 recorded: "The government's policy of reducing its reliance on migrant workers has not been implemented. These workers are still exploited, even though the government has sought to improve their legal protection." [27a] It continued:

"Foreign workers, who make up about 80% of the workforce, must have lived in Kuwait for at least five years and must obtain a certificate of moral standing and good conduct before they are allowed to join trade unions as nonvoting members. They are not permitted to run for any trade union posts. The restrictions on the role of foreign workers in trade unions have been removed in the new draft. As a result, many are grossly exploited.

"Migrant workers in Kuwait are bound by the sponsor system, a regulation that restricts their movements and puts them at the mercy of their employers." [27a]

- 31.07 In December 2009, Human Rights Watch released the report, 'Slow Movement Protection of Migrants' Rights in 2009', which briefly discussed the situation in Kuwait:

"In research conducted in November 2009, Human Rights Watch documented how current practices in the sponsorship system exacerbate the abuses these workers face. Under Kuwaiti law, employers control whether domestic workers can change their jobs, and can file 'absconding' cases against domestic workers who leave their employment without permission. Domestic workers who leave their employers without their consent, even when escaping abuse, have no clear mechanism for reclaiming unpaid wages or negotiating payment of their return ticket home and must often rely on informal settlements brokered by their embassies. They may spend weeks or months in detention and be blacklisted permanently from future employment in Kuwait." [9f] (p4-5)

- 31.08 In September 2009, *Arab News* reported:

"Kuwait will soon start a gradual process of scrapping the sponsorship system for foreign workers, criticized by human rights bodies as akin to slavery, a minister said in press comments on Thursday [10 September 2009]. ...

"The ministry plans to scrap the rules for certain categories of expatriates provided they have a clean security record,' Social Affairs and Labor Minister Mohammed Al-Afasi said in comments published in *Al-Anbaa* daily. Afasi said under the plan, exempted workers can sponsor themselves and will enjoy full freedom of movement and choosing jobs.

"The minister did not specify the groups to be covered but said this will depend on the duration of their stay in Kuwait and type of work.

"The sponsor system is against human liberty,' said the minister. 'The current situation is almost chaotic with regards to the exploitation of foreign workers and depriving them of many rights stipulated by the law.'

“Under the sponsor system, foreign workers are bonded to their employers and have no right to move to other jobs without the prior approval of their current employers.” [53a]

- 31.09 On 24 December 2009, *Xinhua News*, reporting on the passing of a new Labour Law, stated:

“However, the parliament did not overhaul the sponsorship system which stipulates that foreign workers must be sponsored by a local employer to get a work permit and can not switch jobs without the approval of their employers.

“The practice, commonly adopted in the Gulf Arab countries, has been criticized for nourishing widespread abuses and infringing the basic rights and benefits of foreign workers.

“Kuwaiti officials said earlier the country was mulling over scraping [*sic*] that system, as it has come under pressure after Bahrain dropped its system in May [2009], the first in a region whose oil-driven economy has attracted millions of workers.

“A small step forward was seen in October [2009] when the oil-rich emirate decided to grant self-sponsorship for foreign workers in a few limited professions.” [58a]

- 31.10 The USSD Human Rights Report 2008 recorded:” There was no legal minimum wage in the private sector, except for those domestic workers who had signed contracts since 2006 who received at least 40 dinars (\$136) per month. The MOSAL is responsible for implementing the minimum wage, which was effectively enforced.” [1b] (Section 6e) Human Rights Watch (HRW) produced an extensive report on the treatment of domestic workers from Sri Lanka, ‘Exported and Exposed – Abuses against Sri Lankan Domestic Workers in Saudi Arabia, Kuwait, Lebanon, and the United Arab Emirates’, in November 2007. [9b]

- 31.11 The USSD Human Rights Report 2008 noted:

“On July 28 [2008], Bangladeshi workers, mainly cleaners and trash collectors, began a strike over grievances related to pay and work conditions. One of the demonstrations reportedly became violent, with workers smashing windows and vandalizing cars, and police responded with tear gas and clubs. According to reports, security officials imprisoned and beat the workers for five days before forcibly deporting them to Bangladesh. However, these strikes served to raise government awareness, and on September 11, parliament established an independent committee for foreign workers' problems.” [1b] (Section 6e)

- 31.12 The ITUC Annual Survey also reported on the strikes in 2008 noting: “The government agreed on a salary increase, and acknowledged that the lack of government supervision of contracts was to blame for the labour unrest. However, it said that anyone participating in further riots would be deported. More than 200 of them were then deported.” [27a]

See also [Economy and Trafficking](#)

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Annex A: Chronology of events

Information extracted from source [5b] (British Broadcasting Corporation (BBC) Timeline: Kuwait, 16 December 2009), unless otherwise stated.

- 1600s** North-east portion of Arabian peninsula becomes part of the Turkish Ottoman empire.
- 1700s** Settlers arrive at the site of present-day Kuwait City from the interior of the Arabian peninsula. The settlement grows into a bustling trading hub by the early 1800s.
- 1756** Kuwait comes under the control of the Al-Sabah family, predecessors of Kuwait's present rulers. A degree of semi-autonomy from Ottoman Turkey prevails.
- 1899** Fearing direct rule from Turkey, Sheikh Mubarak "the Great" strikes a deal with Britain and Kuwait becomes a protectorate. Britain provides naval protection in return for Kuwait allowing London to control its foreign affairs.
- 1937** Large oil reserves discovered by the US-British Kuwait Oil Company. Exploitation is delayed by World War II, but thereafter fuels the country's development into a modern commercial centre.
- 1951** Major public works programme begins; Kuwait's infrastructure is transformed, residents enjoy a high standard of living.
- 1961** June – Kuwait becomes independent with the end of the British protectorate; the sheikh becomes an emir. The country joins the Arab league. Iraq renews claims that Kuwait is part of its territory but backs down after British military intervention.
- 1963** Elections held for National Assembly, under terms of newly drafted constitution.
- 1976** Emir suspends National Assembly, saying it is not acting in the country's interests.
- 1980** Iran – Iraq war: Kuwait supports Iraq strategically and financially.
- 1981** National Assembly recalled; dissolved again in 1986.
- 1985-6** Domestic security concerns, particularly about Iran's perceived influence over the Shi'ite minority, prompt the deportations of thousands of expatriates, many of them Iranian.
- 1990** **July:** Iraq complains to Opec, accusing Kuwait of stealing its oil from a field near the border. Iraqi President Saddam Hussein threatens military action.
- 1990** **August:** Iraq invades and then annexes Kuwait. The emir and cabinet flee to Saudi Arabia.
- 1991** **January:** Iraq fails to comply with a United Nations (UN) resolution ordering it to pull out. A US-led and UN backed bombing aerial campaign begins in

- Kuwait and Iraq. By late February allied forces reach Kuwait City. Iraqi forces torch oil wells as they pull out.
- 1991** **March:** Emir returns, imposes three month period of martial law.
- 1992** Under domestic and international pressure, Emir gives green light to National Assembly elections. Opposition forces perform well in the vote.
- 1993** UN demarcates new Kuwait – Iraq border, awarding a port and a number of oil wells to Kuwait. US troops despatched to Kuwait following Iraqi border incursions.
- 1994** Iraq officially recognises Kuwait's independence and the UN-demarcated borders following UN pressure and Russian mediation.
- 1999** Emir suspends National Assembly after bitter feud between MPs and cabinet about misprints in state published edition of the Koran. Government supporters suffer shock setback in resulting elections; liberals and Islamists predominate in the new assembly.
- 2001** **March:** Kuwaiti court commutes to life imprisonment a death sentence handed down in 2000 to the country's pro-Iraqi puppet ruler during the 1990-91 invasion.
- 2003** **March:** Tens of thousands of soldiers converge on the Kuwait-Iraq border for a US led military campaign to disarm and oust Iraqi leader Saddam Hussein.
- 2003** **July:** Islamist and pro-government candidates fare well in parliamentary elections. There are major losses for liberal candidates. Emir appoints Sheikh Sabah al-Ahmad al-Sabah prime minister, separating post from role of heir to throne for the first time since independence.
- 2005** **January:** Deadly gun battles erupt between suspected Islamist militants and police.
- 2005** **May:** Parliament approves a law allowing women to vote and run for parliament. In June the first woman cabinet minister, Massouma al-Mubarak, is appointed.
- 2006** **January:** The emir, Sheikh Jaber, dies. The crown prince, Sheikh Saad, succeeds him but is removed days later because of concerns about his ailing health. Sheikh Saber al-Ahmad is sworn in as emir.
- 2006** **February:** Sheikh Sabah names his brother, Sheikh Nawaf, as crown prince and his nephew Sheikh Nasser as prime minister.
- 2006** **April:** Women cast their votes for the first time, in a municipal by-election.
- 2006** **June:** Women fail to win any seats in their first attempt to compete in parliamentary elections. The opposition - a loose alliance of reformists, liberals and Islamists – makes gains, winning nearly two thirds of the seats.

- 2006 December:** Information Minister Mohammad al-Sanousi resigns. He was to face questioning in parliament over allegations that he curbed media freedoms in the run-up to parliamentary elections in June.
- 2007 March:** The government resigns in a move aimed at thwarting a no-confidence motion against the health minister. The new cabinet includes two women.
- 2007 June:** Oil Minister Sheikh Ali resigns amid a political standoff between the government and parliament.
- 2007 July:** Kuwaitis are urged to conserve electricity as generators struggle to meet demands of economic growth fuelled by record oil exports.
- 2008 March:** Emir dissolves opposition-dominated parliament and calls elections for 17 May after cabinet quits over alleged lack of cooperation from MPs.
- 2008 May:** Radical Islamists make gains in parliamentary elections, winning more than half of the 50 seats. No women are elected. Emir re-appoints Sheikh Nasser al-Mohammad al-Ahmad as prime minister.
- 2009 January:** Prime Minister Sheikh Nasser Mohammad al-Ahmad al-Sabah forms new government after parliamentary row over visit by a Shia cleric.
- 2009 February:** Foreign Minister Sheikh Muhammad al-Sabah flies to Baghdad in highest-level visit since Iraq's armed forces invaded Kuwait in 1990.
- 2009 March:** Emir dissolves parliament after it demands to question his nephew and PM, Sheikh Nasser Mohammad al-Ahmad al-Sabah, about corruption allegations.
- 2009 May:** Three women MPs - Kuwait's first - win seats in parliamentary elections.
- 2009 October:** Constitutional court rules women can obtain passports without the consent of their husbands. In another ruling, it decides women MPs are not required to wear an Islamic head cover.
- 2009 December:** Prime Minister survives an attempt by the opposition to remove him over corruption allegations.

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Annex B: Political organisations

Information extracted from source [2a] (Europa World Online), last accessed 25 November 2009, unless otherwise stated.

Constitutional Group

Supported by merchants

Islamic Constitutional Movement (Hadas)

Founded 1991; Sunni Muslim; political arm of the Muslim Brotherhood.
Spokesman: Muhammad Abdullah Hadi al-Olaïm.

Islamic Salafi Alliance

Sunni Muslim;

Leader: Khalid Sultan Bin Essa

Justice and Peace Alliance

Shi'a Muslim;

Leader: Hassan Nasir

Kuwait Democratic Forum

Founded 1991; loose association of secular, liberal and Arab nationalist groups; campaigned for the extension of voting rights to women.

National Action Bloc

Liberal, nationalist

National Democratic Alliance (NDA)

Founded 1997; secular, liberal

Secretary-General: Khalid al-Fadalah

National Islamic Alliance

Shi'a Muslim

Popular Action Bloc

Loose association of nationalists and Shi'a Muslims;

Leader: Ahmad as-Saadoun

Salafeen (Islamic Popular Movement)

Sunni Muslim

See also [Political system](#) and [Political affiliation](#)

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Annex C: Prominent people

Information extracted from source [2a] (Europa World Online), last accessed 25 November 2009, unless otherwise stated.

Amir of Kuwait:

His Highness Sheikh Sabah al-Ahmad al-Jaber as-Sabah (acceded 29 January 2006).

Council of Ministers (as of August 2009)

Prime Minister:

Sheikh Nasser al-Muhammad al-Ahmad as-Sabah

First Deputy Prime Minister and Minister of Defence:

Sheikh Jaber Mubarak al-Hamad as-Sabah

Deputy Prime Minister and Minister of Foreign Affairs:

Sheikh Dr Muhammad Sabah as-Salim as-Sabah

Deputy Prime Minister for Legal Affairs, Minister of Justice and Minister of Awqaf (Religious Endowments) and Islamic Affairs:

Rashed Abdul Mohsen al-Hammaad

Deputy Prime Minister for Economic Affairs and Minister of State for Development Affairs and for Housing Affairs:

Sheikh Ahmad Fahad al-Ahmad al-Jaber as-Sabah

Minister of the Interior:

Lt-Gen. Sheikh Jaber Khalid al-Jaber as-Sabah

Minister of Finance:

Mustafa Jassem ash-Shimali

Minister of Commerce and Industry:

Ahmad Rashed al-Haroun

Minister of Electricity and Water:

Dr Bader Shebib ash-Shuraiaan

Minister of Oil and Information:

Sheikh Ahmad Abdullah as-Sabah

Minister of Public Works and Minister of State for Municipal Affairs:

Dr Fadhil Safar Ali Safar

Minister of Education and Higher Education:

Dr Moudhi Abd al-Aziz al-Homoud

Minister of Social Affairs and Labour:

Dr Muhammad Mohsen al-Ifasi

Minister of Health:

Dr Hilal Musaed as-Sayer

Minister of Communications and Minister of State for National Assembly Affairs:

Dr Muhammad Mohsen al-Busairi

Minister of State for Cabinet Affairs:

Roudhan Abd al-Aziz ar-Roudhan

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Annex D: List of abbreviations

AI	Amnesty International
CEDAW	Committee on the Elimination of All Forms of Discrimination Against Women
CPJ	Committee to Protect Journalists
DCAF	Geneva Centre for the Democratic Control of Armed Forces
FCO	Foreign and Commonwealth Office (UK)
FH	Freedom House
GCC	Gulf Cooperation Council
GDP	Gross Domestic Product
GNI	Gross National Income
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRW	Human Rights Watch
ICG	International Crisis Group
ICRC	International Committee for Red Cross
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent Societies
IMF	International Monetary Fund
IOM	International Organization for Migration
ITUC	International Trade Union Confederation
KTUF	Kuwait Trade Union Federation
MAIA	Ministry of Awqaf and Islamic Affairs
MOC	Ministry of Communications
MOI	Ministry of Interior
MOJ	Ministry of Justice
MOSAL	Ministry of Social Affairs and Labour
MP	Minister of Parliament
MRZ	Machine Readable Zone
NGO	Non Governmental Organisation
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
OPEC	Organization of the Petroleum Exporting Countries
RSF	Reporters sans Frontières
STD	Sexually Transmitted Disease
TI	Transparency International
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USSD	United States State Department
WFP	World Food Programme
WHO	World Health Organization
WHO EMRO	World Health Organization Regional Office for the Eastern Mediterranean

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