



Australian Government
Refugee Review Tribunal

Country Advice

Kuwait

Kuwait – KWT37848 – Bidoons –
Passports – Asylum seekers
21 December 2010

The Department of Foreign Affairs and Trade (DFAT) provided the following response¹ to this request on 21 December 2010:

1. Does Kuwaiti law impose a penalty on failed asylum seekers? Are failed asylum seekers penalised in any other way?

The Kuwait City office of UNHCR is not aware of any law imposing a penalty or of any instance in which failed asylum seekers (including Bidoons) have been penalised by the Kuwaiti authorities. A greater risk for a failed asylum seeker would be being denied re-entry to Kuwait, especially if he/she had travelled on an illegally obtained passport.

2. Are legal penalties imposed for the destruction of Kuwaiti passports or for the use of false passports? Are the penalties any different for stateless persons resident in Kuwait?

The Kuwait City office of UNHCR is not aware of any penalties but suggests this might depend on the circumstances and the type of passport as there are “many degrees of passport” in Kuwait. UNHCR consider the second part of this question to be “unanswerable” as, to UNHCR's knowledge, this has never been put to the test.

3. Would a stateless Bidoon be able to obtain a replacement passport and re-enter Kuwait?

The Kuwait City office of UNHCR believes a stateless Bidoon would be able to obtain a replacement travel document, though this may depend on the circumstances and would probably be a temporary passport.

4. What restrictions are currently placed on stateless Bidoons resident in Kuwait? Has the human rights situation for stateless Bidoons deteriorated in Kuwait in recent years?

Bidoons suffer official and social discrimination and are not accorded the same rights as Kuwaiti citizens in relation to employment, travel, health care, education and access to official documentation such as driver's licenses. UNHCR believes the human rights situation for stateless Bidoons has deteriorated since the 1980s and especially since the

¹ Department of Foreign Affairs and Trade (DFAT), 2010, *RRT Information Request: KWT37848*, Report No. 1226, 21 December – Attachment 1

1990-91 Gulf War (when they were perceived as having divided loyalties.) Their situation in Kuwait was described as “precarious”.

Attachments

1. Department of Foreign Affairs and Trade (DFAT), 2010, *RRT Information Request: KWT37848*, Report No. 1226, 21 December.