



# General Assembly

Distr.: General  
12 November 2014

Original: English

---

## Human Rights Council

Working Group on the Universal Periodic Review

Twenty-first session

19–30 January 2015

### **Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

#### **Kuwait**

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

GE.14-21066



\* 1 4 2 1 0 6 6 \*

Please recycle The text "Please recycle" followed by a recycling symbol consisting of three chasing arrows forming a triangle.



## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1968)	CRPD (2013)	OP-CAT
	ICESCR (1996)		ICCPR-OP 2
	ICCPR (1996)		ICRMW
	CEDAW (1994)		ICPPED
	CAT (1996)		
	CRC (1991)		
	OP-CRC-AC (2004)		
	OP-CRC-SC (2004)		
<i>Reservations and/or declarations</i>	ICERD (declaration: art. 22, 1968)	CRPD (reservations: arts. 18, para. 1(a) and 23, para. 2; interpretative declarations: arts. 12, paras. 2, 19, para. (a) and 25, para. (a), 2013)	
	ICESCR (interpretative declarations: arts. 2, para. 2, 3 and 9; reservation: art. 8, para. 1 (d), 1996)		
	ICCPR (interpretative declarations: arts. 2, para. 1, 3 and 23; reservation, art. 25 (b), 1996)		
	CEDAW (reservations: arts. 9, para. 2, 16, para. 1 (f) and 29, para.1, 1994)		
	CAT (reservations: arts. 20 and 30, para. 1, 1996)		
	CRC (general reservation, 1990; declarations: arts. 7 and 21, 1991)		
	OP-CRC-SC (reservation: art. 3, para. 5, 2004)		
<i>Complaints procedures, inquiries and urgent action<sup>3</sup></i>			ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW CAT, arts. 20, 21 and 22 OP-CRC-IC

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
		ICRMW
		OP-CRPD
		CPED

#### **Other main relevant international instruments<sup>4</sup>**

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		Rome Statute of the International Criminal Court
	Palermo Protocol <sup>5</sup>		Conventions on refugees and stateless persons <sup>8</sup>
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II <sup>6</sup>		ILO Conventions Nos. 100, 169 and 189 <sup>9</sup>
	ILO fundamental conventions except No. 100 <sup>7</sup>		Additional Protocol III to the 1949 Geneva Conventions <sup>10</sup>
	UNESCO Convention against Discrimination in Education		

1. Several treaty bodies recommended that Kuwait ratify ICCPR-OP1,<sup>11</sup> ICCPR-OP2,<sup>12</sup> OP-CAT,<sup>13</sup> ICRMW,<sup>14</sup> ICPPED,<sup>15</sup> OP-ICESCR<sup>16</sup> and OP-CRC-IC<sup>17</sup>. While taking note of the refusal of Kuwait to accept a universal periodic review (UPR) recommendation,<sup>18</sup> the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Kuwait to reconsider its accession to OP-CEDAW.<sup>19</sup>

2. The Committee against Torture (CAT) invited Kuwait to ratify the Rome Statute of the International Criminal Court.<sup>20</sup>

3. Several Treaty Bodies and the Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Kuwait accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.<sup>21</sup>

4. Several treaty bodies recommended that Kuwait ratify/accede to ILO Convention No. 189 concerning Decent Work for Domestic Workers.<sup>22</sup>

5. CAT recommended that Kuwait make the declarations under articles 21 and 22 of the Convention.<sup>23</sup>

6. The Committee on the Elimination of Racial Discrimination (CERD) recommended that Kuwait ratify the amendments to article 8, paragraph 6, of the Convention,<sup>24</sup> and invited the country to make a declaration under article 14.<sup>25</sup>

7. The Human Rights Committee (HR Committee) urged Kuwait to withdraw its interpretative declaration on article 2, paragraph 1, and article 3, as it was incompatible with ICCPR, as well as its interpretative declaration on article 23 and its reservation to article 25(b).<sup>26</sup>

8. CEDAW reiterated that the State party's reservation to article 16, paragraph 1(f), was contrary to the purpose of the Convention, recommending the withdrawal of reservations to articles 9, paragraph 2, and 16, paragraph 1 (f).<sup>27</sup>

9. The Committee on the Rights of the Child (CRC) urged Kuwait to withdraw its general reservation to the Convention, as being incompatible with it, as well as its interpretative declarations.<sup>28</sup>

10. The Committee on Economic, Social and Cultural Rights (CESCR) called on Kuwait to withdraw its reservations and declarations, which were incompatible with the Covenant.<sup>29</sup>

## B. Constitutional and legislative framework

11. The HR Committee was concerned about the lack of clarity on the primacy of the Covenant over contradictory national legislation, including both Sharia law and matters not based in Sharia law.<sup>30</sup>

12. CERD recommended the adoption of the draft bill amending the Civil Service Act (Act No. 15 of 1979) to prohibit discrimination in employment in the public administration on the grounds of sex, origin, language and religion.<sup>31</sup>

13. CRC urged Kuwait to adopt the draft child act.<sup>32</sup>

## C. Institutional and human rights infrastructure and policy measures

14. Several treaty bodies were concerned that a national human rights institution had not been established to date.<sup>33</sup> CEDAW recommended the establishment of an independent national human rights institution in accordance with the Paris Principles, pursuant to a pledge made during the UPR.<sup>34</sup>

15. Several treaty bodies welcomed the establishment of the Higher Committee on Human Rights in 2008.<sup>35</sup> In particular, CERD and CEDAW welcomed its International Liaison Committee tasked with the preparation of periodic reports to human rights treaty bodies.<sup>36</sup>

16. While welcoming the Coordination Committee on Women's Affairs and the National Assembly's Committee on Women's Affairs, CEDAW remained concerned at the absence of a central authority leading the national machinery on women's empowerment.<sup>37</sup>

17. CRC urged Kuwait to establish a higher council for childhood to coordinate the implementation of children's rights<sup>38</sup> and encouraged preparation of a comprehensive policy on children.<sup>39</sup>

## II. Cooperation with human rights mechanisms

### A. Cooperation with treaty bodies<sup>40</sup>

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	March 1999	2010	February 2012	Twenty-first to twenty-fourth periodic reports due in 2016
CESCR	May 2004	2010	November 2013	Third report due in 2018

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
HR Committee	July 2000	2009	November 2011	Third report due in November 2014
CEDAW	January 2004	2010	October 2011	Fifth report due in 2015
CAT	May 1998	2010	May 2011	Third report due in 2015
CRC	September 1998 (CRC); February 2008 (OP-CRC-AC and OP-CRC-SC)	2010	October 2013	Combined third to sixth reports due in 2018
CRPD	–	–	–	Initial report due in 2015

## 2. Responses to specific follow-up requests by treaty bodies

### *Concluding observations*

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2013	Definition of trafficking in persons; discrimination in employment in the public administration; situation of domestic workers. <sup>41</sup>	-
HR Committee	2012	Discrimination against migrant domestic workers; safeguards against arbitrary detention; restrictions on freedom of expression. <sup>42</sup>	2012 <sup>43</sup> and 2013 <sup>44</sup> . Further information requested. <sup>45</sup>
CEDAW	2013	Violence against women and women's participation in political and public life. <sup>46</sup>	-
CAT	2012	Mechanism for investigation of torture; death penalty; invitations to all special procedures. <sup>47</sup>	Reminder sent. <sup>48</sup>

## B. Cooperation with special procedures<sup>49</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	Yes
<i>[Visits undertaken]</i>	Racism (1996)	
<i>[Visits agreed to in principle]</i>		
<i>[Visits requested]</i>	Trafficking	Freedom of expression Slavery
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 8 communications were sent. The Government replied to 3 communications.	
<i>[Follow-up reports and missions]</i>		

### C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

18. Kuwait contributed financially to the Office of the United Nations High Commissioner for Human Rights (OHCHR) in 2010,<sup>50</sup> 2011,<sup>51</sup> 2012,<sup>52</sup> 2013<sup>53</sup> and 2014,<sup>54</sup> including to the United Nations Voluntary Fund for Victims of Torture.

## III. Implementation of international human rights obligations

### A. Equality and non-discrimination

19. CESCR noted with concern that constitutional guarantees of non-discrimination were limited to race, origin, language and religion. It recommended the adoption of a comprehensive anti-discrimination law defining, prohibiting and sanctioning discrimination on all grounds.<sup>55</sup>

20. CESCR noted with concern that the omission of the ground of “sex” among the grounds of non-discrimination in article 29 of the Constitution deprived women of legal protection against gender-based discrimination.<sup>56</sup> CEDAW encouraged Kuwait to adopt comprehensive legislation on gender equality.<sup>57</sup>

21. The HR Committee was concerned about persisting stereotypes of the role of women in the family and in society.<sup>58</sup> CEDAW recommended the adoption of a comprehensive national plan of action to achieve gender equality, in accordance with Kuwait’s commitments<sup>59</sup> during its UPR.<sup>60</sup>

22. The HR Committee was concerned that the rights of women were affected by discriminatory provisions in the legislation.<sup>61</sup> CEDAW highlighted in particular discriminatory provisions in the Personal Status Act, Penal Code, Prisons Act, Civil Code, Nationality Act, Education Act and Private Sector Labour Act.<sup>62</sup> CEDAW urged Kuwait to amend or repeal sex- and gender-based discriminatory provisions in its legislation.<sup>63</sup> CESCR called on Kuwait to address gender inequality in the application of law.<sup>64</sup>

23. CEDAW reiterated its concern that, under the Nationality Act, Kuwaiti women were not entitled to pass on their nationality to their children, except in cases of divorce, death or statelessness of the father of the children, and that Kuwaiti women were unable to pass on their nationality to their foreign spouses. It urged Kuwait to review the Nationality Act to ensure equality between women and men with regard to the acquisition, change and retention of nationality.<sup>65</sup> The HR Committee, CERD, CRC and UNHCR shared the same concerns and recommendations.<sup>66</sup>

24. CEDAW was particularly concerned at the permissibility of polygamy, the prohibition for Muslim women to marry non-Muslim men, the requirement of the consent of *walis* (guardians) for the marriage of Sunni women, the restrictions on women’s right to divorce and the inheritance rights of Sunni women, who must share their deceased husband’s property with his male relatives.<sup>67</sup> CRC, the HR Committee and CESCR raised similar concerns.<sup>68</sup>

25. CRC expressed concern that parental responsibilities were not equally assigned, in particular, that, in cases of divorce between a Muslim man and a non-Muslim woman, custody of the children was automatically given to the father; in cases of divorce, Sunni mothers could keep their male children only until the age of 15 and their female children until they married; under Shia family law, mothers could keep their daughters only until the age of 7 and their sons until the age of 2, and women who remarried after a divorce lost custody of their children.<sup>69</sup> CEDAW expressed concern that the Civil Code and the Personal Status Act still vested the guardianship over a minor child to a father and other

male relatives, while mothers could serve as guardians when authorized through a court decision.<sup>70</sup>

26. CAT and the HR Committee expressed concern at discrimination and ill-treatment of the Bidoun (stateless persons).<sup>71</sup> CAT urged Kuwait to enact specific legislation to protect the Bidoun from discrimination.<sup>72</sup> CRC was particularly concerned about persistent discrimination against Bidoun children, with a great proportion of them being deprived of their rights to birth registration and access to health care, social services and education.<sup>73</sup> UNHCR expressed similar concerns.<sup>74</sup>

27. CERD recommended the amendment of Kuwaiti legislation to include a definition of racial discrimination in conformity with the Convention,<sup>75</sup> the revision of the Penal Code to prohibit dissemination of ideas based on racial superiority or hatred, and the banning of racist organizations.<sup>76</sup>

## **B. Right to life, liberty and security of the person**

28. The HR Committee was concerned at the high number of persons on death row,<sup>77</sup> and CAT at the wide number of offences for which the death penalty was imposed and at the provisions of article 49 of the Code of Criminal Procedure allowing the use of excessive force on death row detainees.<sup>78</sup>

29. CAT was concerned at recurrent reports about disappearances of persons detained following the 1991 war, an issue raised by an NGO during the UPR in 2010.<sup>79</sup> The HR Committee urged Kuwait to review the cases of persons serving prison sentences handed down in 1991 by the military tribunals.<sup>80</sup>

30. CAT noted with concern that current legal provisions failed to give a definition of torture and to ensure appropriate penalties. It recommended the incorporation of a crime of torture, as defined in the Convention, into the domestic penal law.<sup>81</sup>

31. The HR Committee was concerned about alleged torture and inhumane or degrading treatment of prisoners in police custody and in detention centres.<sup>82</sup> CAT requested information on the judicial developments concerning the death of Mohamed Ghazi Al-Maymuni Al-Matiri who was subjected to torture in January 2011 while in police custody, and on compensation measures for his relatives.<sup>83</sup>

32. CAT was concerned at the conditions of detention in all types of detention facilities.<sup>84</sup> It called upon Kuwait to establish a national system to monitor all places of detention and encouraged it to accept monitoring of places of detention by international mechanisms.<sup>85</sup> It also requested information on conditions for persons in psychiatric hospitals and recommended that persons in involuntary treatment have access to complaint mechanisms.<sup>86</sup>

33. CAT regretted the lack of an independent complaint mechanism for receiving complaints and conducting investigations of torture.<sup>87</sup> CAT and the HR Committee recommended that Kuwait ensure prompt and impartial investigations into all allegations of torture and prosecute perpetrators<sup>88</sup> and ensure that victims obtained redress<sup>89</sup>. CAT requested information on the number of complaints filed against public officials for torture and ill-treatment, and on the results of the proceedings, at both the penal and disciplinary levels.<sup>90</sup>

34. The HR Committee was concerned that a person might be held in police custody for a period of four days before being brought before an investigating official, a period that could be extended up to 21 days. It recommended that Kuwait ensure that anyone arrested or detained was brought before a judge within 48 hours and provide immediate access to counsel and families.<sup>91</sup> In 2012, Kuwait reported that it had tabled a bill to amend the Code of Criminal Procedure so as to reduce the length of police custody to 24 hours instead of four days and also to reduce the term of pretrial detention from three weeks to one.<sup>92</sup> In

2013, the HR Committee requested information on the application of the above-mentioned bill.<sup>93</sup>

35. CEDAW noted with concern the practice of placing female detainees under male supervision in pretrial detentions and remand prisons. It urged that women be under the supervision of female guards in all places of detention.<sup>94</sup>

36. CEDAW urged Kuwait to adopt specific legislation to criminalize acts of domestic and sexual violence, including marital rape and amend the Penal Code to provide more stringent penalties for men who commit so-called “honour crimes” and equal sanctions for both men and women in relation to killings motivated by adultery.<sup>95</sup>

37. CAT noted with concern numerous allegations of violence against women and domestic violence.<sup>96</sup> CEDAW urged Kuwait to assist women victims to report domestic and sexual violence, investigate incidents of domestic and sexual violence and ensure adequate remedies for victims, provide shelters for victims without restrictions linked to age or marital status and facilitate the divorce of women victims of domestic or sexual violence.<sup>97</sup>

38. CRC expressed serious concern that child marriage was permitted by law and that young girls continued to be forcibly married.<sup>98</sup> It was also concerned that, under Penal Code, a kidnapper/abductor would escape punishment if he legally married the girl he had kidnapped/abducted, provided that the marriage was approved by her guardian and that sexual abuse was considered as a crime against so-called “reputation” or “honour”.<sup>99</sup>

39. CRC was concerned that corporal punishment remained lawful in home and in alternative care settings and urged Kuwait to prohibit it in all settings as it had committed to do in the UPR.<sup>100</sup>

40. CRC recommended the establishment of a complaint mechanism for children to report ill-treatment, domestic violence and abuse.<sup>101</sup>

41. With regard to the legal provisions on penalties involving compulsory labour in prison, CESCR called on Kuwait to abolish the penalty of forced labour.<sup>102</sup>

42. CRC was concerned that a number of stateless and migrant children resorted to selling goods on the street in dangerous conditions. It urged Kuwait to enable families with such children to have access to a decent source of income and prevent children in street situations from becoming victims of trafficking and economic and sexual exploitation.<sup>103</sup>

43. UNHCR indicated that refugees and asylum seekers in Kuwait might fall victims to trafficking or smuggling. The social situation of asylum seekers and refugees and the absence of special programmes to facilitate their local integration made refugee women, in particular vulnerable to human trafficking for sexual exploitation.<sup>104</sup>

44. CRC and CESCR welcomed the adoption of Law No. 91 of 2013, concerning trafficking in persons and smuggling of migrants.<sup>105</sup> CEDAW recommended that the above-mentioned law include a definition of trafficking and safeguards for the investigation, prosecution and punishment of such acts, and establish a centralized mechanism to prevent and combat trafficking in persons.<sup>106</sup> CAT urged Kuwait to ensure access of victims to medical, social, rehabilitative, counselling and legal services.<sup>107</sup> UNHCR made similar recommendations.<sup>108</sup>

### **C. Administration of justice and the rule of law**

45. The HR Committee recommended that Kuwait guarantee the independence of the judiciary by reforming the appointment, promotion and evaluation of judges and removing the direct dependency of the Supreme Judiciary on the Ministry of Justice.<sup>109</sup>

46. CAT noted with concern that certain provisions in the Code of Criminal Procedure and the Prison Regulation Act providing legal safeguards to detainees were little respected.



It recommended that Kuwait ensure that all detainees were afforded all fundamental legal safeguards from the very outset of the detention.<sup>110</sup>

47. CEDAW recommended that Kuwait enhance women's awareness of their rights and their access to justice at the national and local levels.<sup>111</sup> It also recommended that the submission of complaints by women victims of discrimination be facilitated, by the provision of legal assistance.<sup>112</sup>

48. CRC was concerned that the age of criminal responsibility remained 7 years, that Kuwait was considering lowering the age for imprisonment from 15 to 14 years, that children, especially girls, considered as being "at risk" and/or subject to so-called "perversity" had been deprived of their liberty<sup>113</sup>, and that children working in the streets might be considered as subject to "perversity" in accordance with of the Juveniles Act and might thus be prosecuted.<sup>114</sup> It recommended that Kuwait build a system of restorative and rehabilitative juvenile justice fully in line with relevant standards.<sup>115</sup>

#### **D. Right to privacy, marriage and family life**

49. CRC expressed concern that Kuwait had not raised the minimum age of marriage (17 years for boys and 15 years for girls) and that, under the Personal Status Act, a marriage was legitimate when parties reached the age of puberty and were of sound mind.<sup>116</sup> CEDAW recommended that Kuwait raise the legal minimum age of marriage to 18 for both men and women.<sup>117</sup> The HR Committee urged Kuwait to eliminate discrimination on the basis of sex for the minimum age of marriage.<sup>118</sup>

50. CRC urged Kuwait to provide special protection and assistance for all children deprived of their family environment, meet the psychosocial and other needs of children without parental care and assess the quality of alternative care institutions.<sup>119</sup>

51. The HR Committee was concerned about the criminalization of sexual relations between consenting adults of the same sex, the new criminal offence of "imitating members of the opposite sex" and reported acts of violence against lesbian, gay, bisexual and transgender (LGBT) persons.<sup>120</sup>

#### **E. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life**

52. The HR Committee was concerned about discrimination on grounds of religion, including the ineligibility of non-Muslims for naturalization and the restrictions on the construction of, and access to, places of worship.<sup>121</sup>

53. CRC expressed concern that students belonging to religious minorities enrolled in private schools, including in the Shia school, were not allowed to receive teaching of their religion during the time that Sunni Islam was being taught.<sup>122</sup>

54. The HR Committee urged Kuwait to adopt legislation recognizing the right of conscientious objection to military service and to put in place an alternative to military service.<sup>123</sup>

55. The HR Committee was concerned about the large number of cases brought to courts under blasphemy laws and urged Kuwait to revise its legislation on blasphemy.<sup>124</sup>

56. The HR Committee was concerned about excessive restrictions on freedom of expression contained in the Press and Publication Law and related legislation, including prohibitions on legitimate criticism of government officials and other public figures, and about allegations of arbitrary arrest, detention, trial and deportation of persons using their freedom of opinion and expression through the media and Internet. It recommended that

Kuwait revise the Press and Publication Law to fully guarantee freedoms of opinion and expression, protect media pluralism and decriminalize defamation.<sup>125</sup>

57. UNESCO noted that, under the Press and Publication Law, the Ministry of Information had the power to censor media “deemed morally offensive”, and to prohibit the publication of material that insulted God, the Prophets, Islam, or the Emir.<sup>126</sup>

58. CESCR recommended that the exercise of the rights to freedom of thought, conscience and religion, and freedom of opinion and expression not be unduly limited by censorship and that censorship decisions be made by courts.<sup>127</sup>

59. UNESCO stated that media self-regulatory mechanisms were not sufficiently developed<sup>128</sup> and recommended the development of such mechanisms.<sup>129</sup>

60. The HR Committee was concerned that the authorities unreasonably refused to deliver authorizations and dispersed peaceful demonstrations by excessive use of force.<sup>130</sup>

61. The HR Committee was concerned that no legal framework regulated the existence of political parties and recommended that Kuwait enable political parties to participate in political life.<sup>131</sup>

62. The HR Committee urged Kuwait to increase the participation of women in public and political life.<sup>132</sup> CEDAW urged Kuwait to encourage women’s representation in Parliament and ministerial positions and their appointment as prosecutors and judges and increase their representation in the diplomatic service, including as heads of diplomatic missions.<sup>133</sup>

## **F. Right to work and to just and favourable conditions of work**

63. CEDAW and CRC welcomed the adoption of the Private Sector Labour Act No. 6 of 2010 prohibiting the dismissal of employees on the basis of sex and other grounds and the employment of children under the age of 15.<sup>134</sup>

64. CESCR noted with concern that, under the 2010 Labour Law, the right to form trade unions was recognized only with regard to nationals.<sup>135</sup> It was also concerned that the right to strike was not protected by law.<sup>136</sup>

65. CESCR noted with concern that fewer than 50 per cent of women held employment<sup>137</sup> and that the gender pay gap was over 30 per cent.<sup>138</sup> It was also concerned that the provisions in the 2010 Labour Law regarding equal pay for men and women for the same work fell short of the requirement under the Covenant.<sup>139</sup> It recommended that the legislation be brought into line with article 7 of the Covenant on the right to equal remuneration for work of equal value.<sup>140</sup>

## **G. Right to social security and to an adequate standard of living**

66. CESCR was concerned that Kuwait had not included non-Kuwaiti nationals in its social insurance scheme and urged Kuwait to give non-nationals access to its contributory social security schemes for old-age pension and unemployment.<sup>141</sup>

67. CESCR was concerned at inadequate housing conditions for migrant workers.<sup>142</sup>

## **H. Right to health**

68. CEDAW expressed its concern at the practice of seeking a male guardian’s consent to medical treatment of a woman.<sup>143</sup>

69. CRC expressed concern that abortion was allowed only when the mother's life was threatened and recommended the revision of legislation concerning abortion.<sup>144</sup> CEDAW urged Kuwait to adopt medical standards establishing that rape and incest constitute grounds for abortion.<sup>145</sup>

70. CEDAW urged Kuwait to adopt a comprehensive law protecting women, including disabled women, from forced sterilization and abortion.<sup>146</sup>

71. CESCR was concerned that the Mental Health Act focused only on institutional care and did not regulate confinement. It called on Kuwait to bring its Mental Health Act into line with international standards, by regulating internment and confinement.<sup>147</sup> CEDAW urged Kuwait to adopt a law on mental health to regulate the detention and treatment of mentally ill patients in psychiatric hospitals.<sup>148</sup>

72. CEDAW was concerned about reports of involuntary psychiatric hospitalization of women for social misbehaviour or breaking societal norms.<sup>149</sup> CRC urged Kuwait to remove girls arbitrarily placed in mental care.<sup>150</sup>

73. CEDAW noted with concern that medical insurance for women migrant workers was the sole responsibility of employers. It urged Kuwait to guarantee basic health care to women migrant workers.<sup>151</sup>

## **I. Right to education**

74. CESCR was concerned that primary education was not compulsory for non-Kuwaiti children living in the country.<sup>152</sup> CERD recommended the implementation of free compulsory primary education for all children.<sup>153</sup> CRC urged Kuwait to establish an inclusive education system for all children, regardless of individual differences or difficulties, ethnic or cultural background, or socioeconomic status.<sup>154</sup> UNESCO also recommended that Kuwait be encouraged to equally apply compulsory education to non-Kuwaiti children and to marginalized groups.<sup>155</sup>

75. CESCR was concerned at restrictions on enrolment in university in Kuwait and recommended that higher education be made equally accessible to all on the basis of personal capacity.<sup>156</sup>

76. CEDAW expressed concern at the Ministry of Education instructions preventing married female students from continuing their education in day schools. It noted with concern the segregation of students on the basis of sex in public secondary schools and universities pursuant to Act No. 24 of 1996.<sup>157</sup>

## **J. Persons with disabilities**

77. While welcoming the adoption of Act No. 8/2010 on the Rights of Persons with Disabilities and the establishment of the Higher Council for Persons with Disabilities,<sup>158</sup> CRC was concerned that children with disabilities were enrolled in special schools and that social stigma surrounding them remained strong.<sup>159</sup> It recommended that Kuwait expand inclusive education.<sup>160</sup>

78. CRC was also concerned that Bidoun children with disabilities were not included as beneficiaries under Act No. 8/2010 and recommended that Kuwait address their situation in their access to suitable healthcare, education and rehabilitation services.<sup>161</sup>

79. CESCR recommended that Kuwait enforce the quota of 4 per cent for employment of persons with disabilities in companies with more than 50 workers, as established under its law.<sup>162</sup>

## K. Minorities

80. The HR Committee was concerned about the lack of protection of foreign nationals belonging to ethnic, religious or linguistic minorities living in the country and recommended that Kuwait officially recognize ethnic, religious or linguistic minorities.<sup>163</sup>

81. CESCR recommended the development of a legislative framework recognizing the right of minorities to express their cultural identity.<sup>164</sup>

## L. Migrants, refugees and asylum seekers

82. CESCR was concerned that the "Kuwaitization" plan, aimed at reducing the foreign workforce by 100,000 every year over 10 years, might lead to unfair dismissal, discrimination and other human rights violations.<sup>165</sup>

83. CESCR expressed concern at reports of violations of the labour rights of migrant workers, such as payment of very low wages, retention of salaries and long working hours.<sup>166</sup> UNHCR raised similar concerns.<sup>167</sup>

84. CESCR expressed concern at the absence of a comprehensive regulation protecting the rights of domestic workers.<sup>168</sup> CERD was also concerned that amendments to the Labour Law, including the Private Sector Labour Act, did not cover domestic workers and that Ministerial Decree No. 166 of 2007 concerning the Prohibition on Confiscating Travel Documents of Workers in the Private Sector did not apply to domestic workers.<sup>169</sup> CERD and the HR Committee recommended the adoption of specific labour legislation guaranteeing the rights of foreign domestic workers.<sup>170</sup> CESCR also recommended that domestic workers be guaranteed the same conditions as other workers covered by the 2010 Labour Law.<sup>171</sup> The ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) made similar recommendations.<sup>172</sup>

85. CERD was concerned at the abuses suffered by some domestic workers at the hands of police, immigration officials, and their employers. It recommended that Kuwait investigate and prosecute perpetrators of abuses of domestic workers and ensure that victims availed themselves of legal remedies. It also invited Kuwait to amend the law allowing domestic workers to leave their employers only after three years of service.<sup>173</sup>

86. The HR Committee noted that the discriminatory and inhuman treatment suffered by migrant domestic workers was exacerbated by the sponsorship (Kafala) system which made them dependent on particular employers for their authorization to work and to remain in the country.<sup>174</sup> CERD was concerned about the absence of safeguards for the legal protection of domestic workers under the sponsorship system<sup>175</sup> and recommended that Kuwait abolish it.<sup>176</sup> The ILO Committee of Experts raised similar concerns.<sup>177</sup> In 2012, Kuwait reported that the Private Sector Labour Act made a provision for the establishment of a general authority to address workforce issues, particularly in relation to migrant workers. The HR Committee requested information on the establishment of such an authority and the measures Kuwait had taken to eliminate the negative aspects of the sponsorship system.<sup>178</sup>

87. CERD recommended that Kuwait review the system of administrative deportations of domestic workers and refer such cases to courts of law, with possibility of appeal.<sup>179</sup> The HR Committee recommended that Kuwait ensure that persons awaiting deportation were detained only for a reasonable period of time and that judicial remedies were available to review the lawfulness of their detention.<sup>180</sup>

88. CERD, among other treaty bodies, welcomed the establishment in 2010 of the Central Bureau for Illegal Residents aimed at resolving the issue of the Bidoun.<sup>181</sup> CESCR, however, was concerned that the categorization of the Bidoun as "illegal residents" reflected neither their status as stateless persons nor their historical sense of belonging to Kuwaiti society.<sup>182</sup>

89. UNHCR noted the adoption of a bill in late 2013 permitting up to 4,000 qualifying stateless individuals to be granted nationality. Implementation of the bill had been limited, however, with only some 500 individuals having been naturalized since then.<sup>183</sup> The HR Committee remained concerned about reports of the arbitrary application of Kuwaiti nationality law to the Bidoun.<sup>184</sup> It was also concerned that children born in Kuwait to stateless parents might not acquire any nationality.<sup>185</sup> CERD recommended naturalization of the Bidoun, who had lived in Kuwait for a long time, and children born in Kuwait of foreigners and stateless persons.<sup>186</sup>

90. CEDAW was concerned that the issuance and renewal of identity cards for the Bidoun was subject to the requirement that they signed affidavits renouncing any claim to Kuwaiti nationality.<sup>187</sup> CERD recommended that Kuwait consider providing residence permits and temporary legal status to non-citizens, including the unregistered Bidoun who did not have security cards.<sup>188</sup>

91. CEDAW reiterated its concern about the lack of birth certificates and other identification documents of children of stateless Bidoun women and men married to non-Kuwaitis.<sup>189</sup> CESCR recommended that Kuwait ensure birth registration of children of stateless women irrespective of the nationality of the father.<sup>190</sup> CERD recommended that Kuwait issue civil documents to all persons in its territory.<sup>191</sup>

92. Two treaty bodies were concerned at the absence of an asylum law and the status of asylum seekers and refugees who were not regularized.<sup>192</sup> CERD was concerned that refugees and asylum seekers, who were unable to regulate their status in accordance with the legal framework for the employment of foreigners and the sponsorship system, remained in the country without legal residence.<sup>193</sup>

93. CEDAW recommended the regularization of refugees recognized under UNHCR.<sup>194</sup> UNHCR recommended that Kuwait adopt national asylum legislation and ensure full respect of the principle of non-refoulement.<sup>195</sup>

## **M. Environmental issues**

94. CRC expressed concern about the contamination of water and air pollution caused by industries and oil refineries in several areas. It recommended that Kuwait ensure that industrial companies implement international and national environmental and health standards.<sup>196</sup>

## **N. Human rights and counter-terrorism**

95. CAT requested information on the case of eight persons released from Guantanamo Bay and returned to Kuwait, allegedly arrested and tried in Kuwait upon their return.<sup>197</sup>

## Notes

<sup>1</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Kuwait from the previous cycle (A/HRC/WG.6/8/KWT/2).

<sup>2</sup> The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

<sup>4</sup> Information relating to other relevant international human rights instruments, including regional instruments, may be found in the pledges and commitments undertaken by Kuwait before the Human Rights Council, as contained in the note verbale dated 11 May 2011 sent by the Permanent Mission of Kuwait to the United Nations addressed to the President of the General Assembly.

<sup>5</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, at [www.icrc.org/IHL](http://www.icrc.org/IHL).

<sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138

- concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- <sup>8</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- <sup>9</sup> International Labour Organization Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries; and Convention No. 189 concerning Decent Work for Domestic Workers.
- <sup>10</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, at [www.icrc.org/IHL](http://www.icrc.org/IHL).
- <sup>11</sup> CRC/C/KWT/CO/2, para. 78.
- <sup>12</sup> CAT/C/KWT/CO/2, para. 17, CCPR/C/KWT/CO/2, para. 14 and CRC/C/KWT/CO/2, para. 78.
- <sup>13</sup> CAT/C/KWT/CO/2, para. 29.
- <sup>14</sup> CAT/C/KWT/CO/2, para. 32, CEDAW/C/KWT/CO/3-4, para. 59, CRC/C/KWT/CO/2, para. 78, CERD/C/KWT/CO/15-20, para. 24 and E/C.12/KWT/CO/2, para. 17.
- <sup>15</sup> CAT/C/KWT/CO/2, para. 32, CEDAW/C/KWT/CO/3-4, para. 59 and CRC/C/KWT/CO/2, para. 78.
- <sup>16</sup> E/C.12/KWT/CO/2, para. 34.
- <sup>17</sup> CRC/C/KWT/CO/2, para. 78.
- <sup>18</sup> See A/HRC/15/15, paragraphs 80.1 (Brazil), 80.2 (Spain), 80.5 (Austria), and 80.6 (Kazakhstan).
- <sup>19</sup> CEDAW/C/KWT/CO/3-4, para. 56.
- <sup>20</sup> CAT/C/KWT/CO/2, para. 33.
- <sup>21</sup> CEDAW/C/KWT/CO/3-4, para. 45. CAT/C/KWT/CO/2, paras. 16 and 33; CERD/C/KWT/CO/15-20, para. 11; CRC/C/KWT/CO/2, para. 36; E/C.12/KWT/CO/2, para. 9; UNHCR submission for the UPR of Kuwait, pp. 3 and 5.
- <sup>22</sup> CERD/C/KWT/CO/15-20, para. 16, CEDAW/C/KWT/CO/3-4, para. 41 and E/C.12/KWT/CO/2, para. 18.
- <sup>23</sup> CAT/C/KWT/CO/2, para. 31.
- <sup>24</sup> CERD/C/KWT/CO/15-20, para. 27.
- <sup>25</sup> *Ibid.*, para. 28.
- <sup>26</sup> CCPR/C/KWT/CO/2, para. 7.
- <sup>27</sup> CEDAW/C/KWT/CO/3-4, paras. 13 and 14.
- <sup>28</sup> CRC/C/KWT/CO/2, paras. 7 and 8.
- <sup>29</sup> E/C.12/KWT/CO/2, para. 6. See also paras. 21 and 23.
- <sup>30</sup> CCPR/C/KWT/CO/2, para. 6.
- <sup>31</sup> CERD/C/KWT/CO/15-20, para. 14.
- <sup>32</sup> CRC/C/KWT/CO/2, para. 10.
- <sup>33</sup> CERD/C/KWT/CO/15-20, para. 10. See also CAT/C/KWT/CO/2, para. 27, E/C.12/KWT/CO/2, para. 7, CCPR/C/KWT/CO/2, para. 5 and CRC/C/KWT/CO/2, para. 19.
- <sup>34</sup> CEDAW/C/KWT/CO/3-4, para. 55. See also CERD/C/KWT/CO/15-20, para. 10, CAT/C/KWT/CO/2, para. 27, CCPR/C/KWT/CO/2, para. 5 and E/C.12/KWT/CO/2, para. 7. For the pledge made by Kuwait, see section VIII, p. 24 in A/HRC/WG.6/8/KWT/1. For UPR recommendations that Kuwait accepted in relation to the establishment of NHRI, see paras. 79.13 (Qatar), 79.14 (Algeria), 79.17 (Hungary), 79.18 (Azerbaijan), 79.19 (Iraq), 79.20 (Senegal), and 82.8 (France) in A/HRC/15/15. For Kuwait's position on recommendation 82.8, see A/HRC/15/15/Add.1.
- <sup>35</sup> CAT/C/KWT/CO/2, para. 5, CERD/C/KWT/CO/15-20, para. 6, CEDAW/C/KWT/CO/3-4, para. 9 and CRC/C/KWT/CO/2, para. 4.
- <sup>36</sup> CERD/C/KWT/CO/15-20, para. 6 and CEDAW/C/KWT/CO/3-4, para. 9.
- <sup>37</sup> CEDAW/C/KWT/CO/3-4, para. 23. See also CEDAW/C/KWT/CO/3-4, para. 9 and E/C.12/KWT/CO/2, para. 3.
- <sup>38</sup> CRC/C/KWT/CO/2, para. 14.
- <sup>39</sup> *Ibid.*, para. 12.
- <sup>40</sup> The following abbreviations have been used in the present document:
- |              |   |
|--------------|---|
| CERD         | Committee on the Elimination of Racial Discrimination |
| CESCR        | Committee on Economic, Social and Cultural Rights     |
| HR Committee | Human Rights Committee                                |

- CEDAW Committee on the Elimination of Discrimination against Women  
 CAT Committee against Torture  
 CRC Committee on the Rights of the Child  
 CRPD Committee on the Rights of Persons with Disabilities
- <sup>41</sup> CERD/C/KWT/CO/15-20, para. 31.  
<sup>42</sup> CCPR/C/KWT/CO/2, para. 33.  
<sup>43</sup> CCPR/C/KWT/CO/2/Add.1.  
<sup>44</sup> Available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_AFR\\_KWT\\_15866\\_A.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_AFR_KWT_15866_A.pdf).  
<sup>45</sup> Letters from Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 12 November 2012, 2 December 2013 and 28 April 2014, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_12216\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_12216_E.pdf), [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_17220\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_17220_E.pdf).  
<sup>46</sup> CEDAW/C/KWT/CO/3-4, para. 60.  
<sup>47</sup> CAT/C/KWT/CO/2, para. 36.  
<sup>48</sup> Letter from the Committee against Torture to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 1 June 2012, available from [http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/KWT/INT\\_CAT\\_FUR\\_KWT\\_12344\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/KWT/INT_CAT_FUR_KWT_12344_E.pdf).  
<sup>49</sup> For the titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).  
<sup>50</sup> OHCHR Report 2010, pp. 79, 83, 86, 98, and 101.  
<sup>51</sup> OHCHR Report 2011, pp. 125, 126, 129, 131, 158, and 170.  
<sup>52</sup> OHCHR Report 2012, pp. 117, 118, 121, 123, 151, and 163.  
<sup>53</sup> OHCHR Report 2013, pp. 140, and 179.  
<sup>54</sup> Voluntary Contributions to OHCHR as at 30 July 2014, available at <http://www.ohchr.org/Documents/AboutUs/FundingBudget/VoluntaryContributions2014.pdf>.  
<sup>55</sup> E/C.12/KWT/CO/2, para. 8.  
<sup>56</sup> Ibid., para. 10.  
<sup>57</sup> CEDAW/C/KWT/CO/3-4, para. 18.  
<sup>58</sup> CCPR/C/KWT/CO/2, para. 8. See also CEDAW/C/KWT/CO/3-4, para. 28 and CRC/C/KWT/CO/2, para. 29.  
<sup>59</sup> CEDAW/C/KWT/CO/3-4, para. 25. See also CEDAW/C/KWT/CO/3-4, paras. 27 and 29, CCPR/C/KWT/CO/2, para. 8 and CRC/C/KWT/CO/2, para.30.  
<sup>60</sup> See A/HRC/15/15, paras. 79.4 (Kazakhstan) and A/HRC/15/15/Add.1, p. 3.  
<sup>61</sup> CCPR/C/KWT/CO/2, para. 9. See also CEDAW/C/KWT/CO/3-4, para. 19, E/C.12/KWT/CO/2, para. 10 and CRC/C/KWT/CO/2, para. 29.  
<sup>62</sup> CEDAW/C/KWT/CO/3-4, para. 19.  
<sup>63</sup> CEDAW/C/KWT/CO/3-4, para. 20. See also CCPR/C/KWT/CO/2, para. 9, E/C.12/KWT/CO/2, para. 10 and CRC/C/KWT/CO/2, para. 30.  
<sup>64</sup> E/C.12/KWT/CO/2, para. 10.  
<sup>65</sup> CEDAW/C/KWT/CO/3-4, paras. 36 and 37 See also para. 45.  
<sup>66</sup> CCPR/C/KWT/CO/2, para. 12, CERD/C/KWT/CO/15-20, para. 18 and CRC/C/KWT/CO/2, paras. 35 and 36. UNHCR submission for the UPR of Kuwait, p. 5.  
<sup>67</sup> CEDAW/C/KWT/CO/3-4, paras. 50 and 51. See also CRC/C/KWT/CO/2, para. 51.  
<sup>68</sup> CRC/C/KWT/CO/2, para. 52. CCPR/C/KWT/CO/2, para. 9. E/C.12/KWT/CO/2, para. 24.  
<sup>69</sup> CRC/C/KWT/CO/2, para. 51.  
<sup>70</sup> CEDAW/C/KWT/CO/3-4, paras. 52 and 53. See also CRC/C/KWT/CO/2, para. 52.  
<sup>71</sup> CAT/C/KWT/CO/2, para. 26; CCPR/C/KWT/CO/2, para. 13.  
<sup>72</sup> CAT/C/KWT/CO/2, para. 26.  
<sup>73</sup> CRC/C/KWT/CO/2, para. 27. See also CRC/C/KWT/CO/2, paras. 35 and 63, CEDAW/C/KWT/CO/3-4, para. 44 and CERD/C/KWT/CO/15-20, para. 21.  
<sup>74</sup> UNHCR submission for the UPR of Kuwait, pp. 2-3.



- 75 CERD/C/KWT/CO/15-20, para. 8.  
76 Ibid., para. 12.  
77 CCPR/C/KWT/CO/2, para. 14.  
78 CAT/C/KWT/CO/2, para. 17. See also CCPR/C/KWT/CO/2, para. 14.  
79 Ibid., para. 14.  
80 CCPR/C/KWT/CO/2, para. 27.  
81 CAT/C/KWT/CO/2, para. 7. See also CCPR/C/KWT/CO/2, para. 16.  
82 CCPR/C/KWT/CO/2, para. 21.  
83 Ibid., para. 12.  
84 Ibid., para. 19.  
85 CAT/C/KWT/CO/2, para. 9. See also CAT/C/KWT/CO/2, para. 19.  
86 CAT/C/KWT/CO/2, para. 20.  
87 Ibid., para. 10.  
88 CAT/C/KWT/CO/2, para. 10. See also CCPR/C/KWT/CO/2, para. 16.  
89 CAT/C/KWT/CO/2, para. 21. See also CCPR/C/KWT/CO/2, para. 21.  
90 Ibid., para. 11.  
91 CCPR/C/KWT/CO/2, para. 19.  
92 CCPR/C/KWT/CO/2/Add.1, para. 10. See also CAT/C/KWT/CO/2, para. 19.  
93 Letter from the Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 2 December 2013, p. 1, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf).  
94 CEDAW/C/KWT/CO/3-4, paras. 30 and 31.  
95 CEDAW/C/KWT/CO/3-4, para. 31. See also CCPR/C/KWT/CO/2, para. 15, CRC/C/KWT/CO/2, paras. 44 and 46 and CAT/C/KWT/CO/2, para. 23.  
96 CAT/C/KWT/CO/2, para. 23.  
97 CEDAW/C/KWT/CO/3-4, para. 31. See also E/C.12/KWT/CO/2, para. 20.  
98 CRC/C/KWT/CO/2, paras. 45 and 46. See also CEDAW/C/KWT/CO/3-4, para. 51 and CCPR/C/KWT/CO/2, para. 10.  
99 CRC/C/KWT/CO/2, paras. 47 and 48.  
100 Ibid., paras. 41 and 42.  
101 CRC/C/KWT/CO/2, paras. 43 and 44.  
102 E/C.12/KWT/CO/2, para. 12.  
103 CRC/C/KWT/CO/2, paras. 72 and 73.  
104 UNHCR submission for the UPR of Kuwait, p. 5.  
105 CRC/C/KWT/CO/2, para. 3 and E/C.12/KWT/CO/2, para. 3. See also CEDAW/C/KWT/CO/3-4, para. 32 and CERD/C/KWT/CO/15-20, para. 13.  
106 CEDAW/C/KWT/CO/3-4, para. 33.  
107 CAT/C/KWT/CO/2, para. 24.  
108 UNHCR submission for the UPR of Kuwait, pp. 5-6.  
109 CCPR/C/KWT/CO/2, para. 26.  
110 CAT/C/KWT/CO/2, para. 8.  
111 CEDAW/C/KWT/CO/3-4, para. 16.  
112 Ibid., para. 22.  
113 CRC/C/KWT/CO/2, para. 76.  
114 Ibid., para. 72.  
115 Ibid., para. 77.  
116 CRC/C/KWT/CO/2, para. 25. See also CCPR/C/KWT/CO/2, para. 10.  
117 CEDAW/C/KWT/CO/3-4, para. 51. See also E/C.12/KWT/CO/2, para. 24.  
118 CCPR/C/KWT/CO/2, para. 10.  
119 CRC/C/KWT/CO/2, para. 54.  
120 CCPR/C/KWT/CO/2, para. 30. See also CAT/C/KWT/CO/2, para. 25.  
121 CCPR/C/KWT/CO/2, para. 23. See also CERD/C/KWT/CO/15-20, para. 15.  
122 CRC/C/KWT/CO/2, paras. 37 and 38.  
123 CCPR/C/KWT/CO/2, para. 22.  
124 Ibid., para. 24.

- <sup>125</sup> CCPR/C/KWT/CO/2, para. 25. See also Letters from Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 12 November 2012, 2 December 2013 and 28 April 2014, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_12216\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_12216_E.pdf), [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_17220\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_17220_E.pdf).
- <sup>126</sup> UNESCO submission for the UPR of Kuwait, para. 17.
- <sup>127</sup> E/C.12/KWT/CO/2, para. 32.
- <sup>128</sup> UNESCO submission for the UPR of Kuwait, para. 19.
- <sup>129</sup> *Ibid.*, para. 27.
- <sup>130</sup> CCPR/C/KWT/CO/2, para. 28.
- <sup>131</sup> *Ibid.*, para. 29.
- <sup>132</sup> CCPR/C/KWT/CO/2, para. 8. See also CEDAW/C/KWT/CO/3-4, para. 27.
- <sup>133</sup> CEDAW/C/KWT/CO/3-4, para. 35. See also CCPR/C/KWT/CO/2, para. 8.
- <sup>134</sup> CEDAW/C/KWT/CO/3-4, para. 8; CRC/C/KWT/CO/2, para. 3. See also CRC/C/KWT/CO/2, para. 70.
- <sup>135</sup> E/C.12/KWT/CO/2, para. 22.
- <sup>136</sup> *Ibid.*, para. 21.
- <sup>137</sup> *Ibid.*, para. 11.
- <sup>138</sup> *Ibid.*
- <sup>139</sup> *Ibid.*, para. 15.
- <sup>140</sup> *Ibid.*
- <sup>141</sup> *Ibid.*, para. 23.
- <sup>142</sup> *Ibid.*, para. 25.
- <sup>143</sup> CEDAW/C/KWT/CO/3-4, paras. 42 and 43.
- <sup>144</sup> CRC/C/KWT/CO/2, paras. 59 and 60.
- <sup>145</sup> CEDAW/C/KWT/CO/3-4, para. 43.
- <sup>146</sup> *Ibid.*, para. 49.
- <sup>147</sup> E/C.12/KWT/CO/2, para. 26.
- <sup>148</sup> CEDAW/C/KWT/CO/3-4, para. 43. See also CRC/C/KWT/CO/2, para. 62.
- <sup>149</sup> CEDAW/C/KWT/CO/3-4, para. 42. See also CRC/C/KWT/CO/2, para. 61.
- <sup>150</sup> CRC/C/KWT/CO/2, para. 62.
- <sup>151</sup> CEDAW/C/KWT/CO/3-4, paras. 46 and 47.
- <sup>152</sup> E/C.12/KWT/CO/2, para. 28.
- <sup>153</sup> CERD/C/KWT/CO/15-20, para. 21.
- <sup>154</sup> CRC/C/KWT/CO/2, para. 64.
- <sup>155</sup> UNESCO submission for the UPR of Kuwait, para. 24 (iii).
- <sup>156</sup> E/C.12/KWT/CO/2, para. 28.
- <sup>157</sup> CEDAW/C/KWT/CO/3-4, paras. 38 and 39. See also CRC/C/KWT/CO/2, paras. 63 and 64.
- <sup>158</sup> CRC/C/KWT/CO/2, para. 55. See also CRC/C/KWT/CO/2, para. 3.
- <sup>159</sup> CRC/C/KWT/CO/2, para. 55.
- <sup>160</sup> *Ibid.*, para. 56.
- <sup>161</sup> CRC/C/KWT/CO/2, paras. 55 and 56.
- <sup>162</sup> E/C.12/KWT/CO/2, para. 13.
- <sup>163</sup> CCPR/C/KWT/CO/2, para. 31.
- <sup>164</sup> E/C.12/KWT/CO/2, para. 30.
- <sup>165</sup> *Ibid.*, para. 14.
- <sup>166</sup> E/C.12/KWT/CO/2, para. 17.
- <sup>167</sup> UNHCR submission for the UPR of Kuwait, p. 5.
- <sup>168</sup> E/C.12/KWT/CO/2, para. 18. See also CERD/C/KWT/CO/15-20, para. 16.
- <sup>169</sup> CERD/C/KWT/CO/15-20, para. 16. See also CCPR/C/KWT/CO/2, para. 18.
- <sup>170</sup> CERD/C/KWT/CO/15-20, para. 16. See also E/C.12/KWT/CO/2, para. 18. CCPR/C/KWT/CO/2, para. 18. See also CCPR/C/KWT/CO/2/Add.1, para. 5.
- <sup>171</sup> E/C.12/KWT/CO/2, para. 18.

- <sup>172</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, observation concerning ILO Forced Labour Convention, 1930 (No. 29) – Kuwait, adopted in 2012, published 102nd ILC session (2013), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3064274:YES](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3064274:YES).
- <sup>173</sup> CERD/C/KWT/CO/15-20, para. 23. See also E/C.12/KWT/CO/2, para. 18, CAT/C/KWT/CO/2, para. 22, CCPR/C/KWT/CO/2, para. 18 and CEDAW/C/KWT/CO/3-4, para. 40.
- <sup>174</sup> CCPR/C/KWT/CO/2, para. 18. See also CEDAW/C/KWT/CO/3-4, para. 40, CCPR/C/KWT/CO/2/Add.1, paras. 2, 3 and 6 and Letters from the Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 12 November 2012 and 2 December 2013, p. 1, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_12216\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_12216_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf).
- <sup>175</sup> CERD/C/KWT/CO/15-20, para. 19.
- <sup>176</sup> See also CEDAW/C/KWT/CO/3-4, para. 41, E/C.12/KWT/CO/2, para. 17, CCPR/C/KWT/CO/2, para. 18 and Letter from the Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 2 December 2013, p. 1, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf).
- <sup>177</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, observation concerning ILO Forced Labour Convention, 1930 (No. 29) – Kuwait, adopted in 2012, published 102nd ILC session (2013), available from [http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3064274:YES](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3064274:YES).
- <sup>178</sup> CCPR/C/KWT/CO/2/Add.1, para. 6 and Letters from the Human Rights Committee to the Permanent Mission of Kuwait to the United Nations Office and other international organizations in Geneva, dated 12 November 2012 and 2 December 2013, p. 1, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_12216\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_12216_E.pdf) and [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT\\_CCPR\\_FUL\\_KWT\\_15867\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KWT/INT_CCPR_FUL_KWT_15867_E.pdf).
- <sup>179</sup> CERD/C/KWT/CO/15-20, para. 19.
- <sup>180</sup> CCPR/C/KWT/CO/2, para. 20.
- <sup>181</sup> CERD/C/KWT/CO/15-20, para. 6, CRC/C/KWT/CO/2, paras. 27 and 35, CCPR/C/KWT/CO/2, para. 13, CEDAW/C/KWT/CO/3-4, para. 9; E/C.12/KWT/CO/2, para. 3.
- <sup>182</sup> E/C.12/KWT/CO/2, para. 9.
- <sup>183</sup> UNHCR submission for the UPR of Kuwait, p. 2.
- <sup>184</sup> CCPR/C/KWT/CO/2, para. 13.
- <sup>185</sup> CCPR/C/KWT/CO/2, para. 12. See also CRC/C/KWT/CO/2, paras. 35 and 36.
- <sup>186</sup> CERD/C/KWT/CO/15-20, para. 17.
- <sup>187</sup> CEDAW/C/KWT/CO/3-4, paras. 36 and 37.
- <sup>188</sup> CERD/C/KWT/CO/15-20, para. 17.
- <sup>189</sup> CEDAW/C/KWT/CO/3-4, para. 44.
- <sup>190</sup> E/C.12/KWT/CO/2, para. 9. See also CRC/C/KWT/CO/2, para. 36 and CEDAW/C/KWT/CO/3-4, para. 45.
- <sup>191</sup> CERD/C/KWT/CO/15-20, para. 17.
- <sup>192</sup> CEDAW/C/KWT/CO/3-4, para. 44; CRC/C/KWT/CO/2, para. 68.
- <sup>193</sup> CERD/C/KWT/CO/15-20, para. 20.
- <sup>194</sup> CEDAW/C/KWT/CO/3-4, para. 45. See also CRC/C/KWT/CO/2, para. 69.
- <sup>195</sup> UNHCR submission for the UPR of Kuwait, p. 3.
- <sup>196</sup> CRC/C/KWT/CO/2, paras. 23 and 24.
- <sup>197</sup> CAT/C/KWT/CO/2, para. 13.