



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Sixty-fourth session

16 September–4 October 2013

Item 4 of the provisional agenda

### Consideration of reports of States parties

## List of issues in relation to the second periodic report of Kuwait (CRC/C/KWT/2)

**The State party is requested to submit in writing additional, updated information, if possible before 1 July 2013.**

*The Committee may take up all aspects of children's rights contained in the Convention and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography during the dialogue with the State party.*

### Part I

**In this section, the State party is requested to submit its responses to the following questions (30 pages maximum).**

1. Please provide information on the concrete measures taken in order to:
  - (a) Adopt a comprehensive children's code;
  - (b) Establish a body in the State party with the mandate and authority to effectively coordinate the implementation of the children's rights under the Convention and its Optional Protocols across relevant sectors and institutions and to monitor such implementation systematically throughout the country;
  - (c) Establish a comprehensive policy and strategy for children;
  - (d) Establish a comprehensive data collection system covering all the areas of the Convention on the Rights of the Child and its Optional Protocols;
  - (e) Establish an independent national human rights institution in conformity with the principles relating to the status of national institutions (Paris Principles) to deal with all human rights matters, including the rights of the child;
  - (f) Strengthen the dissemination of the Convention and its Optional Protocols among professionals working for and with children and among the public at large.

2. Please inform the Committee of the measures taken to implement its previous recommendation (CRC/C/15/Add.96/para.15) to raise the legal minimum age for marriage for girls up to at least the same age as that set for boys.
3. Please indicate whether the State party has taken measures to amend laws that discriminate directly or indirectly against girls. Please also indicate whether a proactive and comprehensive strategy has been adopted to eliminate discrimination faced by girls, children with disabilities, Bidoun and immigrant children.
4. Please indicate if the Central System to Resolve the Illegal Residents' Status has been endorsed. In this regard, please indicate if all children, including Bidoun and immigrant children on the State's territory have been granted birth certificates in accordance with the Convention.
5. Please indicate if the State party considers revising its domestic legislation with the view to guaranteeing equal right for men and women to pass on Kuwaiti nationality to their children and to ensuring that children of a Bidoun mother married to a non-Kuwaiti do not remain stateless.
6. With regard to the Law 9/2010 which provided for the enactment of the law protecting children's rights against violence and exploitation, please indicate if corporal punishment of children has been prohibited by law in all settings, including in the home, schools, penal institutions, and alternative childcare settings.
7. Please indicate the specific measures taken to implement the Committee's previous recommendation (CRC/C/15/Add.96, para. 23) with regard to children born out of wedlock. In particular, please indicate whether teenage mothers or couples are obliged to give up their children and if single mothers can transmit their name to their children.
8. Please provide detailed information on the protection and assistance provided to girls above 15 years and boys above 10 years who are deprived of a family environment and can no longer stay in Children's Homes. In particular, please indicate which authority is responsible for the care of these children and for monitoring their situation.
9. Please provide updated and detailed information concerning the measures taken to promote inclusive education and inclusion into society of children with all forms of disabilities and to ensure that they effectively attend inclusive schools.
10. Please provide information, including data, on the health status of adolescents, in particular on sexually transmitted diseases and HIV/AIDS and teenage pregnancy and on sexual and reproductive health services available for adolescents.
11. Please indicate if the draft Law against Trafficking in Persons and the Smuggling of Migrants to prohibit and punish trafficking has been enacted. Furthermore, please indicate what concrete measures have been taken to ensure that children are not trafficked into the State party to carry out forced labour, particularly the worst forms of child labour and to ensure that Bidoun children, especially those who do not have access to education or drop out from school, are not forced into labour.
12. Please comment on the information that children have recently been arrested for political reasons and have been subjected to maltreatment in detention. Please indicate what steps have been taken in order to reform the Juvenile Justice system and bring it into conformity with the Convention in particular as concerns the protection of children up to 18 years. Please also indicate whether the State party has taken measures to raise the minimum legal age for criminal responsibility which has been set at the low age of seven years.
13. In light of the absence of information in the State party's report on the implementation of the Committee's recommendations on the report submitted under the Optional Protocol to the Convention on the sale of children, child prostitution and child

pornography (CRC/C/OPSC/KWT/CO/1), please briefly inform the Committee on progress made and indicate if:

- (a) All acts and activities referred to in the Optional Protocol have fully been incorporated in the criminal law;
- (b) Extraterritorial jurisdiction has been established in the cases referred to in article 4, paragraph 2 of the Optional Protocol;
- (c) Legislation has been brought into conformity with article 5 of the Optional Protocol relating to extradition;
- (d) Measures have been taken to protect the rights and interests of child victims in the criminal justice system and specify them;
- (e) A 3-digit, toll-free, 24-hours national helpline for children to make complaints relating to violations of the provisions of the Optional Protocol has been established;
- (f) The use of children in camel racing has been explicitly prohibited without exception.

14. Given the absence of information on steps taken to implement the Committee's recommendations on the report submitted under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/KWT/CO/1) please provide information on progress made and indicate if:

- (a) Human rights education, and in particular peace education, has been provided for all children in schools at all levels and whether teachers have been trained accordingly;
- (b) The recruitment and involvement of children in hostilities has been explicitly criminalized;
- (c) If extraterritorial jurisdiction has been established for crimes regarding the recruitment and involvement of children in hostilities when they are committed by or against a person who is a citizen of or has other links with the State party;
- (d) If explicit reference has been made in extradition agreements to the possibility of extraditing persons who have committed offences under the Optional Protocol;
- (e) If protection, recovery and reintegration programmes specific to the areas covered by the Optional Protocol have been created;
- (f) If international assistance and cooperation programmes have a component on the implementation of the Optional Protocol.

## Part II

**In this section the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:**

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing; and
- (d) Recent ratifications of human rights instruments.

## Part III

### Data, statistics and other information, if available

1. Please provide consolidated budget information for the last five years on budget lines regarding children and social sectors, by indicating the percentage of each budget line in terms of the total national budget and GNP and geographic allocation.
2. Please provide data, disaggregated (by age, sex, socio-economic status, ethnic origin and geographic location) for the last three years on the number and percentage of:
  - (a) Children born out of wedlock separated from their mothers;
  - (b) Reported cases of child victims of abuse, including sexual abuse, and of incest;
  - (c) Reported cases of child victims of sexual exploitation, in particular prostitution, pornography and sex tourism;
  - (d) Children suffering from malnutrition, in particular obesity;
  - (e) Bidoun children with access to education, health and social services;
  - (f) Migrant workers living in Kuwait with their children;
  - (g) Reported cases of child victims of economic exploitation, including the number of child domestic workers;
  - (h) Reported cases of child victims of trafficking;
  - (i) Child victims who have had access to social rehabilitation and reintegration services, specifying the type of service and the legal proceedings instituted against the perpetrators of such offences and the outcomes of such proceedings during the reporting period;
  - (j) Children living or working on the street, and among those, the number in social rehabilitation programmes.
3. With reference to children in care, please provide data, disaggregated (by sex, age, reason for placement and type of care), for the last three years on the number of children deprived of a family environment and placed in institutions, Kafalah and in paid foster care, as well as children kept in hospitals, and specify the average length of placement.
4. Please specify the number and percentage of children with disabilities disaggregated by age, sex, ethnic origin and geographical location and type of disability for the last three years, regarding children:
  - (a) Living with their families;
  - (b) In institutions;
  - (c) Attending regular schools;
  - (d) Attending special schools;
  - (e) Not attending schools.
5. Please provide data, disaggregated (by age, sex, ethnic origin, socio-economic situation and geographical location) for the last three years on children deprived of their liberty, including those in pretrial detention, specifying the offences for which children have been convicted, their sentences and place of detention and the number of children who have benefitted from alternatives to deprivation of liberty.

6. Please provide the Committee with an update of any data in the report which may have been outdated by more recent data collected or other new developments.
  7. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention and its Optional Protocols on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.
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