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## **Report of the Working Group on the Universal Periodic Review\***

### **Kuwait**

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its eighth session from 3 to 14 May 2010. The review of Kuwait was held at the 15<sup>th</sup> meeting, on 12 May 2010. The delegation of Kuwait was headed by the Minister of Social Affairs and Labour, Lieutenant General Dr. Mohamad M. Al-Affasi. At its 17<sup>th</sup> meeting, held on 14 May 2010, the Working Group adopted the report on Kuwait.
2. On 7 September 2009, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Kuwait: Hungary, Indonesia and Madagascar.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Kuwait:
  - (a) A national report submitted in accordance with paragraph 15 (a) (A/HRC/WG.6/8/KWT/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/8/KWT/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/8/KWT/3).
4. A list of questions prepared in advance by Argentina, Belgium, the Czech Republic, Denmark, Germany, Latvia, the Netherlands, Norway, Slovenia, Switzerland, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Kuwait through the troika. Those questions are available on the extranet of the universal periodic review.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The delegation noted with satisfaction the progress achieved by the universal periodic review mechanism. It stressed that the national report had been prepared by a committee composed of relevant State ministries and institutions as well as civil society organizations.
6. The national Constitution adopted by Kuwait in 1962 guaranteed the separation of powers while ensuring cooperation among them, and thus enhanced democracy and ensured human rights and fundamental freedoms. Despite a number of difficulties, including the Iraqi invasion of its territory in 1990 and the widespread destruction suffered by the State's institutions and interests following that invasion, Kuwait had been able to re-establish economic, security and social stability.
7. The delegation indicated that the Constitutional Court represented a constitutional and legal umbrella guaranteeing and strengthening the various aspects of constitutional protection, safeguarding the proper interpretation of the Constitution's provisions and ensuring that these were compatible with national legislation. It stated that many laws had been adopted to consolidate and strengthen human rights, such as the 2005 law granting to women all their political rights, which had paved the way for four women to enter parliament following the 2009 parliamentary elections and to hold some of the highest leadership positions in the State.

8. The delegation stated that Law 6/2010, related to work in the private sector, provided, inter alia, legal protection for all employees, established a minimum wage and prohibited all forms of discrimination. With a view to its implementation, two regulations had been promulgated to set minimum wages and allow employees to change their employers without the prior consent of the latter. The delegation explained that, although domestic labour fell outside Law 6/2010, that law stated that the relevant Minister shall issue a decision regulating the relationship between the domestic workers and the employer, through a binding contract which determines the domestic workers' rights, salary, working hours and break time. In addition, the State had built shelters to provide accommodation for workers in conflict with their employers until their situation had been resolved and their benefits paid.

9. According to the delegation, a number of draft laws related to human rights were among the State's priorities and were expected to be approved by the Majlis Al Ummah (legislative body). These included the draft law to combat human trafficking, which referred to transnational and organized crime and which would impose life imprisonment for perpetrators and long-term sentences for accomplices, while providing full protection to victims. In addition, Law 9/2010 included the State's Development Plan through 2014 and provided for the enactment of a set of laws related to human rights and freedoms, including the law protecting children's rights against violence and exploitation. The Development Plan also covered fields such as social protection, social security, work, health, education, economy, justice and the environment. It also strengthened transparency mechanisms.

10. Kuwait had endeavoured to assist developing and least developed countries and had contributed \$15 billion to more than 100 States through the Kuwait Fund for Economic Development as well as \$300 million to fight disease and poverty in Africa. Furthermore, Kuwait's proposal at the first Arab Economic Summit of 2009 that a \$2 billion fund be established to support and finance small- and medium-sized enterprises had been adopted, with the State of Kuwait making a voluntary contribution of \$500 million. Kuwait's humanitarian assistance exceeded 1.3 per cent of its gross national product.

11. Despite Kuwait's achievements in the field of human rights, some challenges remained, in particular the issue of illegal residents who hid their identities and did not cooperate with the authorities out of fear that they would not be able to acquire Kuwaiti nationality. Nevertheless, Kuwait had provided them with all human services, in particular in the areas of health and education.

12. The delegation reaffirmed Kuwait's commitment to establish an independent human rights institution and formulate draft laws related to the trafficking in persons and children's rights, as well as to prepare and submit on time periodic reports related to human rights instruments.

## **B. Interactive dialogue and responses by the State under review**

13. During the interactive dialogue, 52 delegations made statements. Additional statements that could not be delivered during the interactive dialogue owing to time constraints will be posted on the extranet of the universal periodic review when available<sup>1</sup>. A number of delegations thanked the Government for the comprehensive national report, which had been prepared through a large-scale consultation process, for the comprehensive

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<sup>1</sup> The Democratic People's Republic of Korea, Mexico, Bosnia and Herzegovina, Canada, the United States of America, Germany, the United Kingdom of Great Britain and Northern Ireland, Belarus, Benin, Argentina, Poland, Brunei Darussalam, Sri Lanka, Sweden, Latvia, the Republic of Korea, Thailand, Mongolia, Yemen, Ethiopia, Maldives, Malaysia, Lesotho and Romania.

presentation of its report and for its responses to advance questions, which had allowed for an assessment of Kuwait's human rights promotion and protection efforts. Recommendations made during the dialogue are found in section II of the present report.

14. Saudi Arabia highlighted the constitutional principle whereby international treaties to which Kuwait is a party have equal force with domestic legislation. In order to enforce the human rights enshrined in its legislation, Kuwait had created various bodies such as the Supreme Human Rights Committee, the Women's Affairs Committee and the Supreme Council for Family Affairs. Saudi Arabia made recommendations.

15. Somalia commended Kuwait for the establishment of various institutions, as well as measures to promote the right to free education and the provision of welfare to the elderly and persons with disabilities. Somalia noted that Kuwait had one of the most vocal and transparent media and the highest ranking in the Human Development Index in the Arab world. It made recommendations.

16. Qatar commended Kuwait for progress made in addressing literacy for adults and social services as well as efforts to ensure the rights of and social security benefits for workers, senior citizens, persons with disabilities and other groups. Qatar made recommendations.

17. Egypt highlighted the efforts made to protect human rights and prevent violations against children in terms of abuse, violence and exploitation, and in providing health care, which had contributed to the reduction in the mortality rate. It welcomed information about the means of disseminating human rights information in schools, universities and law enforcement officials and agencies, which had become a curriculum that was included in all security training programmes. Egypt made recommendations.

18. The United Arab Emirates noted that, since its independence, Kuwait had acceded to many core human rights instruments and participated in the development of international human rights mechanisms. It welcomed efforts made concerning the establishment of national human rights institutions and the integration of international standards at the national level. The United Arab Emirates made recommendations.

19. Brazil commended Kuwait for the voluntary pledges made, particularly those relating to accession to international instruments and the enactment of a law on private-sector employment. Brazil asked about steps to ensure the full enjoyment of human rights by stateless persons. It also asked how the new law on private-sector employment would address the issue of the sponsorship (Kafala) system for migrant workers. Brazil made recommendations.

20. Algeria paid tribute to Kuwait's efforts to raise the standard of living, which had allowed for the attainment of high development levels bringing it closer to achieving the Millennium Development Goals. It highlighted the assistance that Kuwait contributed internationally, which exceeded 0.7 per cent of gross domestic product (GDP). It welcomed the measures taken to raise the minimum wage for workers and to provide conditions that would protect them against exploitation. It noted the intention of Kuwait to ratify the convention on persons on disabilities. Algeria made recommendations.

21. Tunisia was pleased to note the level of progress and prosperity that Kuwait had achieved while respecting human rights and strengthening the principles of good governance. Tunisia noted the great importance attached by Kuwait to strengthening and protecting the rights of groups such as the elderly and the unemployed, and to providing social assistance and health care. Tunisia acknowledged the role of the Supreme Council for Family Affairs in promoting cohesion and developing capacities. It noted with satisfaction the ratification of CEDAW. Tunisia made recommendations.

22. Bahrain referred to a number of policies to strengthen human rights and fundamental freedoms, as reflected in the national report. Bahrain commended Kuwait for its efforts to provide health services for all, including children and the elderly. It praised Kuwait for providing education free of charge at all levels, as well as opportunities for persons with disabilities. Bahrain made recommendations.

23. The Russian Federation commended Kuwait on its achievements in the field of human rights, including civil and political rights. It noted Kuwait's progress in the 2005 adoption of a law on granting political rights to women and the holding in 2009 of parliamentary elections. It requested further information about the measures taken by Kuwait to combat human trafficking. The Russian Federation made recommendations.

24. Greece noted Kuwait's efforts to promote and protect human rights, in particular in the area of women's rights. It noted, however, that more could be done. It also welcomed recent actions that had led to the disruption of illegal networks exploiting foreign workers, as well as cooperation with ILO in that regard. Greece made recommendations.

25. Bhutan commended Kuwait for its progress in all areas of human development, as reflected by Kuwait's UNDP Human Development Index ranking. Bhutan also commended Kuwait for its 100 per cent enrolment rate for primary and intermediate education and for its inclusion of human rights education in schools in order to disseminate a culture of human rights. Bhutan made recommendations.

26. Kyrgyzstan noted that Kuwait had established national mechanisms for the implementation of the Government's obligation to encourage and protect human rights. It was interested in studying the experience regarding the work of the high commission on human rights and of the national commission on international humanitarian law. Kyrgyzstan made recommendations.

27. Italy commended Kuwait for progress made, as highlighted in the national report. It noted that the role and the freedom of media in Kuwait could be considered a positive example in the region. Italy welcomed the fact that Kuwait had not carried out executions since 2007 and also referred to the situation of migrant domestic workers. Italy made recommendations.

28. Lebanon commended Kuwait for enhancing the structure of human rights in both law and practice and the dynamic parliamentary system in guaranteeing the rights of its citizens, in particular with respect to social and economic rights and freedom of opinion and expression. It referred to the role of Parliament in supervising human rights and monitoring Government actions in that area. It referred to the executive committee established to find solutions for the group who were considered to be residing in the country illegally. Lebanon made recommendations.

29. Switzerland noted that the establishment of concrete measures and cooperation with international mechanisms were essential milestones in the implementation of Kuwait's human rights commitments. Switzerland raised concern about the situation of Beduns and the protection of domestic workers, and asked when the resolution mentioned in article 5 of the new labour law would be adopted. Switzerland made recommendations.

30. Cuba referred to achievements highlighted in the national report. It emphasized progress made in the areas of education and health care, as well efforts regarding persons with disabilities and senior citizens. It noted significant progress made in reducing illiteracy, ensuring access for women to higher education and reducing maternal and infant mortality. Cuba made recommendations.

31. The Syrian Arab Republic noted that Kuwait had made progress in all fields, particularly the development and protection of human rights for all. Kuwait's report emphasized Kuwait's human rights priorities, which were in line with its cultural and

religious specificities. Kuwait had developed positive interaction with all human rights mechanisms. The Syrian Arab Republic made recommendations.

32. Austria noted that the Committee on the Elimination of Discrimination against Women had expressed concern about several provisions of the Nationality Act, the Personal Status Act and the Civil Code, as well as the lack of a clear definition of discrimination against women in Kuwaiti legislation. It asked whether the Government was considering the abolition of the death penalty and what plans Kuwait had made to resolve the issue of the undefined status of the so-called Beduns. Austria made recommendations.

33. Jordan commended Kuwait for its progress in terms of democracy, social rights and the protection of political and civil rights. Jordan commended Kuwait for reforming its legislation and strengthening the independence of the judiciary and for undertaking new initiatives to implement action plans and establish new bodies, particularly the Women's Affairs Commission and the Supreme Human Rights Committee. Likewise, it noted the initiatives to strengthen ties between humanitarian assistance and work aimed at development and assistance. Jordan made recommendations.

34. Responding to questions, the delegation stressed that Kuwait was party to the main international and ILO instruments related to human rights. Those ratified conventions were an integral part of Kuwait's law under article 70 of the Constitution and were implemented by the judiciary unless they required the adoption of supplementary procedures. Kuwait implemented the conventions through specialized committees. It resorted to reservations only in a most restrained manner and only regarding texts that ran counter to the Constitution or to public order. Reservations were withdrawn once the reasons for having made them no longer existed.

35. As stipulated in the Constitution, Kuwait had committed to providing health-care services as a human right to all residents, without discrimination and with the highest possible quality. These services were provided to citizens free of charge, while residents paid token fees. All children of citizens, as well as the children of illegal residents and non-Kuwaiti children, were covered by governmental health-care services. Medical treatment in the event of emergencies and in cases of HIV/AIDS and cancer was provided to all children free of charge. Life expectancy at birth was 78.6 years, one of the highest in the region.

36. The law required physicians to report all cases of physical, sexual and psychological mistreatment of children under 18. In addition, committees had been established in all parts of the country to monitor such cases and ensure the medical supervision of the victims, together with the prosecution of the cases. Awareness-raising programmes had been strengthened to ensure appropriate prevention.

37. The Constitution stipulated that education was a fundamental right provided for by the State. Education in primary and intermediate schools was compulsory and was free of charge at all stages. In 1958, Kuwait had begun its pioneering plan to combat illiteracy, which stood at 3.5 per cent of the population in 2009. That figure applied mainly to persons older than 60. In order to ensure education for all, Kuwait had taken steps to integrate persons with disabilities into public education and build special schools for them, and to promote the education of women, including study abroad. At present, the percentage of women in education was 52 per cent. Kuwait had diversified secondary education and had established 13 universities offering all specializations, in addition to 6 private universities. Kuwait has also allowed for foreign residents to receive education in accordance with the systems of their countries of origin.

38. As for human rights education, Kuwait had played a leading role in the drafting of the Arab action plan for human rights education. Moreover, human rights were taught in secondary school and the university, and the curriculums were based on the precepts of the

Islamic religion, the Constitution, the legislative framework and the universality of human rights principles.

39. Kuwait, as an Islamic State, applied the death penalty, among other punishments. It was applied in the most restrained and restricted manner and only for the most heinous and dangerous crimes. It was considered a deterrent to such crimes and was aimed at ensuring the safety of society. It was applied only after respect for all the guarantees and safeguards of due process of law and fair trial had been ensured at all levels. The death sentence was not applied to persons younger than 18 or women who had just given birth. Capital punishment was carried out only after the ratification of the Emir of Kuwait, who had the right to commute the sentence. The last death sentence carried out in Kuwait had been in 2007.

40. Venezuela (Bolivarian Republic of) acknowledged important efforts to promote and protect human rights, in particular in the areas of health care and sanitation, through a well-developed network of public hospitals and specialized medical centres. It noted the important allocation of resources from its general budget for health care. Venezuela made a recommendation.

41. Morocco paid tribute to the Government for its efforts to advance human rights and achieve social prosperity for the people of Kuwait. It noted efforts to promote and protect economic and social rights as well as democracy and highlighted the importance of the efforts made in providing assistance to other countries, which exceeded the internationally agreed percentage of its Gross Domestic Product. It commended Kuwait's cooperation with Morocco and welcomed the establishment of the Fund for supporting small and medium-sized enterprises. Morocco made recommendations.

42. Pakistan made reference to the inclusive process for the preparation of the national report. Pakistan emphasized the important role of an independent judiciary in advancing the human rights agenda, and indicated that it was encouraging to note that the courts in Kuwait were playing an important role in guaranteeing the observance and protection of human rights. Pakistan greatly appreciated the Kuwaiti contribution to the sustainable development agenda at the international level. Pakistan made recommendations.

43. Hungary commended Kuwait for being a party to many core human rights treaties, but noted that there had been delays in the country's collaboration with treaty bodies. Hungary welcomed Kuwait's adoption of the new Labour Code, which provided more transparent regulations regarding the treatment of foreign workers. Hungary commended Kuwait for its plans to overhaul the current "sponsorship" system with the assistance of, inter alia, ILO experts. Hungary made recommendations.

44. China noted with appreciation that, in recent years, Kuwait had acceded to most international human rights instruments and actively participated in the drafting of the 2000-2014 Arab education plan. It also noted that, according to the 2009 report of UNDP, Kuwait was a pioneer in education among the Arab States. China made recommendations.

45. Azerbaijan believed that the establishment of the Women's Affairs Committee, the Supreme Human Rights Committee and the National Standing Committee on International Humanitarian Law would further contribute to the promotion and protection of human rights. Azerbaijan asked about achievements and challenges in the implementation of the National Plan for Human Rights Education. It encouraged Kuwait to address concerns raised by some treaty bodies, such as the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child. Azerbaijan made recommendations.

46. Kazakhstan noted that Kuwait could take further steps to elevate and promote the social and political status of women. It welcomed the fact that Kuwait had acceded to most



international human rights instruments. It asked for further information about the role of the Environment Public Authority in guaranteeing the right to health and an adequate environment. It also commended Kuwait for its humanitarian assistance to the victims of natural disasters. Kazakhstan made recommendations.

47. The Sudan referred to efforts made by Kuwait to protect foreign workers, women, children and the elderly. It welcomed the establishment of a high-level authority to address the issue of persons with disabilities. It encouraged Kuwait to continue its efforts to establish a Family Court. The Sudan paid tribute to Kuwait for its efforts in the area of development assistance. The Sudan made recommendations.

48. Norway noted that the ratification of many human rights treaties had provided a good legal basis for continuing to improve Kuwait's human rights standards and indicated that a constructive dialogue with the United Nations treaty bodies was also essential to that end. Norway remained concerned about the fact that Kuwaiti laws continued to discriminate against women in several areas, as well as about the vulnerable situation of female domestic workers. It made recommendations.

49. Armenia acknowledged that the advancement of the human rights agenda in recent decades had been well-grounded in the newly created institutions, policies and practices. Thus, Kuwait's achievements in promoting political rights seemed to be laying a solid foundation for further progress. Armenia encouraged Kuwait to continue its efforts to ensure full freedom of belief and association, and to strengthen the capacities of the World Centre of Mediation. Armenia made recommendations.

50. Israel noted that women were finally afforded civil and political rights in the electoral process in 2005 and that four women were elected in parliament four years later. Israel welcomed recent victories in the area of women's rights. However, it expressed concern at the instances of grave human rights violations against women, children, foreign workers, Beduns and other minorities that had continued within Kuwait's borders. Israel made recommendations.

51. Palestine noted the measures taken to strengthen human rights in various areas and welcomed Kuwait's role in ensuring human development. It praised the important role of women in Kuwait. It stressed the role of Kuwait in supporting the inalienable rights of the Palestinian people and in establishing their State and the right to return for refugees. It noted the support provided to Al-Quds by maintaining the resiliency of its citizens and keeping its Arabic, historical, Islamic status and its status as the capital of Palestine. Palestine made a recommendation.

52. The Libyan Arab Jamahiriya noted that many articles of Kuwait's 1962 Constitution covered human rights and freedoms and were in line with international principles. Libya noted that the 2009 Human Development Report showed that Kuwait had succeeded in obliterating illiteracy, which stood at only 3.5 per cent. Libya commended Kuwait for its efforts to integrate persons with disabilities into the educational system and into their communities. The Libyan Arab Jamahiriya made recommendations.

53. Oman acknowledged the issue of the development and strengthening of human rights, which had become a Government priority, based on its Constitution and in line with its international law obligations. It noted the developments regarding constitutional guarantees and legislation and the practice on the ground in protecting and respecting human rights and in the creation of a culture of human rights. Oman made recommendations.

54. Bangladesh was pleased to know that Kuwait was poised to achieve almost all of the Millennium Development Goals and noted with appreciation that family cohesion and unity and mothers and children were protected and safeguarded by the law. Bangladesh also

noted that, as a host country to many migrant workers, Kuwait had pledged to improve the situation of foreign workers. It made recommendations.

55. Spain expressed satisfaction at the possibility that Kuwait would soon accede to the Convention on the Rights of Persons with Disabilities. Spain noted that the death penalty had not been applied since 2007 and applauded Kuwait for three pardons granted in the past two years. It congratulated Kuwait on its efforts towards the adoption of a new law on the rights of women. Spain made recommendations.

56. Uzbekistan welcomed the consistent efforts of Kuwait to strengthen the national human rights mechanisms and lauded the positive results achieved in the development and strengthening of civil society institutions. It asked what follow-up measures were being taken at the national level to implement recommendations of treaty bodies and what efforts were being made to train judges, police officers, prosecutors and lawyers in order to support and strengthen their activities.

57. India noted steps taken to enhance the role of civil society as a partner in national development. It praised Kuwait for its commitment to environmental protection and human rights education. India referred to Kuwait's pledge to establish a national human rights institution and encouraged it to expedite the formation of such a body in full compliance with the Paris Principles. It encouraged Kuwait to continue to strengthen measures to ensure gender equality.

58. The Islamic Republic of Iran noted that, by having acceded to most international human rights instruments, Kuwait had demonstrated its willingness to engage with the international community and to take commensurate steps to remove impediments to the improvement of the human rights situation in the country. Iran acknowledged the challenges and limitations in reconciling international human rights obligations with domestic laws and obligations. It made recommendations.

59. Indonesia noted with appreciation provisions contained in the Constitution which were relevant and important in addressing discrimination against and empowerment of women. Indonesia indicated that it was encouraged by the strong commitment of Kuwait to protecting the rights of foreign workers, which had resulted in, inter alia, improved arrangements relating to employment contracts and the regular review of the minimum wage. Indonesia made recommendations.

60. Iraq was particularly satisfied at the fact that human rights had been included in a number of national laws without overlooking the international scope of those rights. It also noted the efforts made to give the judiciary an independent role, as well as the establishment of a national commission on international humanitarian law and efforts to protect persons with disabilities by providing them with regular income. Iraq made a recommendation.

61. The delegation of Kuwait noted that the State continued its efforts and policies to protect women and children from violence through the amendment of national legislation to bring it into line with international human rights standards, including CRC, which had been ratified by Kuwait in 1991. It had also enacted a number of laws to protect children against violence, including the law on custody, the law on the protection of minors and the bill on the organization of kindergarten. In addition, the decision to establish a high council for family affairs had been made through a ministerial decree in 2007.

62. To protect women from domestic violence, a number of administrations had been put in place, including the social police authority, the family counselling authority, the domestic violence center and the minors' protection authority. The establishment of family courts was planned for the future. There was no discrimination against women in terms of

assuming decision-making positions in the country, and women had been appointed as ministers, ambassadors, military police and managers in various ministries.

63. The rights of persons with disabilities were covered by the Constitution, and Kuwait had established a legal umbrella for their protection, which was reviewed and updated to ensure that it was in line with the most advanced legislation as well as international standards. Law 8/2010 translated into reality the terms of the Convention on the Rights of Persons with Disabilities and was aimed at strengthening the rights of persons with disabilities and protecting their dignity and well-being through their integration into and full participation in society. The law provided for welfare for persons with disabilities in terms of education, health, training and rehabilitation, as well as a number of financial and other benefits. The law also required employers to provide adequate work opportunities for persons with disabilities. Moreover, persons with disabilities contributed effectively to the work of the higher council for disability affairs. The promulgation of the law had coincided with the Government's decision to accede to the Convention on the Rights of Persons with Disabilities, and the necessary measures were being taken to that end.

64. Lao People's Democratic Republic commended Kuwait for having acceded to most international human rights treaties. Laos recognized that Kuwait had maintained its practice of supporting infrastructure projects in more than 100 developing and least developed countries through its Fund for Economic Development, which had provided more than \$14.5 billion in assistance since 1961. It made a recommendation.

65. Chile valued the voluntary pledges reflected in the national report, in particular with regard to the possibility of acceding to international treaties and instruments to which Kuwait was not yet a party, as well as efforts to harmonize domestic legislation on children's rights with the provisions of the Convention on the Rights of the Child. Chile commended Kuwait for progress made thus far in achieving the Millennium Development Goals. Chile made recommendations.

66. The Netherlands asked the Government of Kuwait to elaborate on measures taken to address the situation of stateless Beduns and requested its views regarding the need to ensure that women were represented in Kuwait's judiciary. The Netherlands also expressed concern about the persistence of discrimination against women in various laws and about the situation of foreign domestic workers. The Netherlands made recommendations.

67. Slovakia expressed concerns over the conditions of domestic servants and welcomed the amendments to the labour law. It referred to the Nationality Law, adopted in 1959, and noted that a substantial part of the country's population had been left stateless and had been often subjected to various forms of discrimination, unlike regular citizens. Slovakia commended Kuwait for its recent steps regarding stateless persons. Slovakia made recommendations.

68. Belgium noted with satisfaction the voluntary commitments undertaken by Kuwait, in particular to changing the law on labour in the private sector. Belgium asked what measures were envisaged to improve the status of migrant workers and, in particular, domestic workers, and was interested to know about the process and the characteristics of the law being prepared in the National Assembly. Belgium was also concerned about the situation of Beduns. It made recommendations.

69. Nepal referred to the achievements accomplished in the areas of, inter alia, education and children's and maternal health. Nepal noted with appreciation Kuwait's cooperation with developing and least developed countries through the Kuwait Fund for Economic Development. It encouraged Kuwait to continue its efforts to ensure that migrant workers, including domestic workers, enjoyed their fundamental right to protection from any form of discrimination or exploitation.

70. Djibouti noted with satisfaction the measures taken by Kuwait to facilitate the implementation of principles relating to human rights, particularly in the field of justice. It welcomed the priority accorded to women and children and noted the efforts made to protect the rights of persons with disabilities, including the renewed commitment to accede to CPD. Djibouti noted that Millennium Development Goals had been achieved before the deadline of 2015 and praised Kuwait's commitment to providing general and effective aid to developing countries.

71. Slovenia referred to reports regarding the legality of corporal punishment and recommendations made by the Committee on the Rights of the Child and other relevant actors in that regard. It also noted that no data existed on the prevalence of violence against women, which had made it difficult to ascertain the magnitude of the problem or the effectiveness of the Government response. It also noted that Kuwait still retained the death penalty in the statute books and in practice. Slovenia made recommendations.

72. Turkey asked whether Kuwait planned to establish a national institution to address all human rights matters. It also congratulated Kuwait on strengthening the role of civil society. Turkey inquired about the legal procedures that had been instituted for enacting a new law on the private sector regarding the minimum wage. It also asked about the draft law on the well-being of persons with disabilities, aimed at guaranteeing their rights in various areas. Turkey asked about the efforts to prepare legislation to combat human trafficking. Turkey made no recommendations.

73. Senegal was pleased by the positive achievements accomplished in the efforts to promote social and economic rights, in particular in combating poverty and in the field of health and education. Senegal also noted with appreciation efforts made to ensure the effective enjoyment of civil and political rights, in particular the good cooperation with civil society and the constant improvement of the situation of foreigners. Senegal made recommendations.

74. France noted with satisfaction Kuwait's plans to establish a national human rights institution. While referring to reforms in favour of migrant workers, France expressed concern about the situation of domestic workers in particular. France made reference to difficulties and discrimination faced by stateless persons, in particular Beduns, indicating that while Kuwait had taken measures to address their situation, the essential issue of their status had not been clarified. France made recommendations.

75. The delegation noted that the definition of stateless persons in Kuwait had no legal basis, as they were called "illegal residents" and that the law had set criteria for acquiring Kuwaiti nationality. During the invasion of Kuwait, many of the 240,000 people claiming to be stateless had left the country. After the establishment in 2006 of a special committee to follow up on their situation, 23,000 had regularized their situation. There were currently 93,334 illegal residents in Kuwait. The State offered a number of services to illegal residents, including health care, education, housing and social security services. Furthermore, all the necessary official documents requested by those residents had been provided to them, and some of them worked in the public and private sectors. In addition, illegal residents enjoyed the right to gain access to courts, to state their opinions and to be provided with passports for religious, medical or education purposes. They were also covered by the law on disabilities.

76. Kuwait attached great importance to foreign workers, as reflected by the enactment of legislation to promote and protect their rights and regulate their conditions of work. Ministerial Decree 1182/2010 had made it compulsory that employment agencies and employers draw up a contract with the domestic worker to provide a wide range of legal protections for his or her rights. The Office for Domestic Workers had been established to issue authorizations to employment agencies and monitor their work to ensure that they did

not exploit such workers. The Office had registered more than 1,624 complaints from domestic workers in 2009. A centre had been set up to shelter domestic workers who were in conflict with their employers, and offered them a wide range of services.

77. Law 6/2010 had been promulgated following consultations with trade unions and employer representatives. It required employers to provide employees with accommodation and transportation in remote areas and guaranteed the right of all workers to join trade unions. The law prohibited forced labour as well as all forms of mistreatment of employees, who could leave their work by their own will and without informing the employer, while retaining their financial benefits.

78. The delegation stressed that the penal code included sanctions against any kind of physical violence as well as sexual violence against women. The code also contained provisions related to mistreatment committed by public officials against individuals and specified the sanctions for crimes that could amount to torture. Any confession obtained under coercion or torture was not accepted before the courts.

## **II. Conclusions and/or recommendations**

79. **The recommendations formulated during the interactive dialogue and listed below have been examined and enjoy the support of the State of Kuwait:**

79.1. **Ratify the International Convention on the Rights of Persons with Disabilities and its Optional Protocol (Chile);**

79.2. **Ratify the Convention on the Rights of Persons with Disabilities (Islamic Republic of Iran);**

79.3. **Submit the CEDAW report overdue since 2007 (Austria);**

79.4. **Adopt a comprehensive national action plan to promote and protect women's rights (Kazakhstan);**

79.5. **Look into the possibility of acceding to those conventions to which it is not yet party (Oman);**

79.6. **Consider reviewing and withdrawing the many and extensive reservations to the human rights treaties to which it is State party (Norway);**

79.7. **Further strengthen policies and measures to combat discrimination and violence against women, in particular by considering specific legislation on domestic violence (Brazil);**

79.8. **Adopt a comprehensive law to protect the environment (Bhutan);**

79.9. **Continue its efforts to adapt the law on combating human trafficking and the smuggling of the labour force in accordance with the international convention against transnational organized crime and its protocol (Kyrgyzstan);**

79.10. **Take appropriate measures and introduce legislation which would prohibit corporal punishment of children (Slovenia);**

79.11. **Work towards amending national legislation to bring it into line with international human rights instruments to which it is a party (Morocco);**

79.12. **Continue its efforts to harmonize national laws with international treaties (Kazakhstan);**

- 79.13. Continue its efforts to look into the establishment of a national human rights institution in accordance with the Paris Principles (Qatar);
- 79.14. Proceed with the establishment of a National Human Rights Commission (Algeria);
- 79.15. Continue its efforts to strengthen its institutional human rights infrastructures, in particular those aimed at the establishment of a family court in order to deal with resolving family disputes (Egypt);
- 79.16. Continue its efforts to establish a family court in order to deal with resolving family disputes, thus preserving Kuwaiti social structure (Sudan);
- 79.17. Establish an independent national human rights institution in conformity with the Paris Principles to deal with all human rights matters, including the rights of the child (Hungary);
- 79.18. Establish an independent national human rights institution in conformity with the Paris Principles (Azerbaijan);
- 79.19. Establish a national human rights institution to complete and complement the excellent national efforts made so far (Iraq);
- 79.20. Complete the process of establishing a national human rights institution in conformity with the Paris Principles (Senegal);
- 79.21. Clarify the mandate and responsibilities of the national machinery for the advancement of women, as well as provide it with adequate visibility, power and resources (Hungary);
- 79.22. Continue the successful policy on the development of human potential (Russian Federation);
- 79.23. Identify, in an exhaustive manner, the conditions of application of international law, as well as the efforts made for the effective integration of the international obligations of the country (Switzerland);
- 79.24. Intensify collaboration with international mechanisms, and specify the concrete means for the implementation of its international commitments (Switzerland);
- 79.25. Continue to cooperate with the United Nations and other international organizations to strengthen human rights and exchange its best practices with other United Nations member countries (Lao People's Democratic Republic);
- 79.26. Submit to human rights treaty bodies those reports which are overdue within one year (Hungary);
- 79.27. Improve its cooperation with the United Nations treaty bodies by submitting overdue reports as a matter of priority (Norway);
- 79.28. Intensify efforts to submit due reports to treaty bodies (Spain);
- 79.29. Submit its overdue reports and follow up responses to United Nations treaty bodies as soon as possible (Netherlands);
- 79.30. Consider issuing a standing invitation to all United Nations human rights special procedures (Brazil);
- 79.31. Consider issuing a standing invitation to United Nations human rights special procedures (Norway);

- 79.32. Consider extending a standing and open invitation to special procedures mandate holders of the United Nations human rights system (Chile);<sup>2</sup>
- 79.33. Continue the efforts to further enhance human rights according to the universal human rights standards as well as to the social and religious specificities of the Kuwaiti society (Algeria);
- 79.34. Continue its remarkable efforts to promote the rights of the child and to ensure adequate protection to women, children and victims of human rights violations (United Arab Emirates);
- 79.35. Continue its efforts in strengthening, protecting and guaranteeing human rights and fundamental freedoms (Palestine);
- 79.36. Continue its efficient role in promoting women's rights and ensuring that women enjoy all fundamental freedoms (Tunisia);
- 79.37. Continue in the positive policy of granting Kuwaiti women more rights, in particular the right to participate in political life, which contribute to getting more women in leading positions in society (Lebanon);
- 79.38. Continue to promote the participation of women in policy making and improve the status of women in the society (Bangladesh);
- 79.39. Achieve further progress in the advancement of the role of Kuwaiti women in the public sphere (Indonesia);
- 79.40. Continue with its efforts to improve the status of women and empower them (Jordan);
- 79.41. Promote women's rights and their role in the family institution and society in line with its national and cultural particularities as well as its international obligations (Islamic Republic of Iran);
- 79.42. Continue to strengthen the protection of the rights of women and improve the social status of women in accordance with relevant international treaties (China);
- 79.43. Develop and adopt a plan of action for the promotion of gender equality (Azerbaijan);
- 79.44. Ensure the strict observance of its legislation; in particular, effectively guarantee the equality of treatment of men and women at work, as well as equality in access to employment (France);
- 79.45. Enact domestic legislation to ensure equality in rights and equal opportunities between men and women (Libyan Arab Jamahiriya);
- 79.46. Ensure the full compliance of Kuwaiti legislation with CEDAW and the effective implementation of the rights enshrined in the Convention (Austria);
- 79.47. Continue its efforts to preserve the rights of future generations through its Future Generation Fund (Bhutan, Islamic Republic of Iran);

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<sup>2</sup> The recommendation as read during the interactive dialogue: "Extend a standing and open invitation to special procedures mandate holders of the United Nations human rights system" (Chile)

- 79.48. Cooperate with regard to sharing expertise and experiences in the area of providing welfare to older persons, so that this pioneering experience is benefited from (Tunisia);
- 79.49. Continue its efforts in the area of providing welfare to older persons (Sudan);
- 79.50. Continue efforts made to promote and protect the rights of persons with disabilities (Bahrain);
- 79.51. Continue efforts to protect the rights of vulnerable groups of the population, and in particular, in materializing the planned draft legislation regarding children and persons with disabilities (Russian Federation);
- 79.52. Continue its effective policy to ensure the rights of persons with disabilities through instruments that are in line with international treaties, as well as the development and implementation of programmes at the national level (Kyrgyzstan);
- 79.53. Continue ongoing efforts to guarantee the rights of persons with disabilities, including through the enactment of a new law that would broaden existing guarantees, as noted in the national report (Cuba);
- 79.54. Respect, as long as it maintains the death penalty, at least minimum standards related to the death penalty, in particular ensuring that the death penalty is only imposed for the most serious offences (Belgium);
- 79.55. Establish care centres for victims of domestic violence (Syrian Arab Republic);
- 79.56. Create accessible complaints mechanisms for reporting sexual and domestic violence, while ensuring that these complaints are thoroughly investigated and the perpetrators prosecuted (Slovenia);
- 79.57. Embark on a policy to combat domestic violence against women, in particular by ensuring the protection of victims and enabling their access to justice (France);
- 79.58. Adopt and establish all the necessary legal and institutional framework to protect and shelter victims of all forms of exploitation and harassment (Greece);
- 79.59. Work towards setting up programmes to rehabilitate juvenile offenders, and update legislation concerning juveniles (Qatar);
- 79.60. Continue its efforts to enact legislation to combat human trafficking in accordance with the international convention against transnational organized crime (United Arab Emirates);
- 79.61. Continue to support efforts aimed at setting up a legal framework for prohibiting trafficking in persons and other forms of exploitation (Morocco);
- 79.62. Make efforts to address victims of human trafficking (Bangladesh);
- 79.63. Continue to establish centres for the reconciliation of families (Somalia);
- 79.64. Continue its efforts to preserve freedom of religion and belief and to ensure respect for all religions under the umbrella of law (Bhutan);
- 79.65. Continue its efforts to preserve freedom of religion and ensure respect for all religions under the umbrella of the law (Islamic Republic of Iran);



- 79.66. Adopt further measures, including in the field of education, to reinforce the protection and promotion of religious freedom, particularly in order to ensure the effective freedom of worship of religious minorities (Italy);
- 79.67. Strengthen its labour laws, and improve living and working conditions of foreign workers (Pakistan);
- 79.68. Enact specific labour legislation concerning foreign and domestic workers which guarantees their rights according to international human rights standards (Netherlands);
- 79.69. Ensure that the envisaged law protecting domestic workers will be adopted as soon as possible (Hungary);
- 79.70. Continue its efforts aimed at enacting a new labour law for the private sector to ensure balance between protecting the rights of workers and preserving the interests of employers (Sudan);
- 79.71. Investigate and prosecute abuses against domestic workers (Italy);
- 79.72. Ensure by law that employers leave passports in the possession of the workers themselves (Italy);
- 79.73. Enact and implement the necessary regulations to protect expatriated domestic workers, in particular foreign female domestic helpers, as one of the most vulnerable segments in Kuwaiti society, from exploitation, violence and abuse, and to prevent human trafficking (Austria);
- 79.74. Continue its efforts in combating narcotics and psychotropic agents, and work towards protecting youths from them (Syrian Arab Republic);
- 79.75. Continue efforts to strengthen health indicators and to provide health services to all segments of the society (Bahrain);
- 79.76. Continue the strengthening of ongoing sound health-care policies with a view to fully satisfying and preserving the health of its people (Venezuela);
- 79.77. Prepare progressively the national charter for the environment in order to coordinate the efforts of all sectors in this area, including civil society, and to frame the work of the existing Environment Public Authority (Morocco);
- 79.78. Adopt an integrated law to protect the environment (Pakistan);
- 79.79. Adopt a comprehensive law on environmental protection to provide the necessary basis for continued sustainable development (Armenia);
- 79.80. Remove all anti-personnel mines and explosive remnants of war to prevent the falling of new casualties (Pakistan);
- 79.81. Carry on its efforts in strengthening the links between higher education and the labour market (Bhutan);
- 79.82. Continue ongoing efforts to fully eradicate illiteracy (Cuba);
- 79.83. Continue to strengthen its cooperation and exchanges with international organizations in the field of education (China);
- 79.84. Promote further good practices of social protection and the realization of the right to education through cooperation and experience-sharing with relevant international organizations and countries advanced in the education sphere (Armenia);

- 79.85. Continue to enhance its efforts to disseminate a culture of human rights at all levels, in particular in the educational institutions (Saudi Arabia);
- 79.86. Continue to support the programmes aimed at enhancing human rights education and training, and consider integrating this subject into primary education (Morocco);
- 79.87. Continue the efforts and successes achieved by Government institutions in raising human rights awareness among its civil servants, and enhance the level of judicial and legal training studies within the framework of international treaties (Saudi Arabia);
- 79.88. Strengthen its cooperation with OHCHR to organize training sessions in order to raise awareness and education in human rights (Oman);
- 79.89. Put in place a systematic awareness-raising campaign so as to achieve an even better dissemination of a human rights culture in the society (Greece);
- 79.90. Launch an intensive national programme for human rights awareness-raising and education in order to protect and enhance human rights (Libyan Arab Jamahiriya);
- 79.91. Strengthen human rights education (Jordan);
- 79.92. Continue its efforts to protect the rights of all foreign workers and members of their families (Senegal);<sup>3</sup>
- 79.93. Take further measures for the fulfilment of social, economic and cultural rights for all (Islamic Republic of Iran);<sup>4</sup>
- 79.94. Continue to improve the conditions of foreign workers (Bangladesh);<sup>5</sup>
- 79.95. Take further necessary measures to protect the rights of foreign workers in general and domestic workers in particular (Indonesia);<sup>6</sup>
- 79.96. Adopt a law meeting generally admitted international standards in the area of the status of domestic workers in order to give legal status to domestic workers, including minimum wages, limited working hours, periods of rest and vacation, medical costs coverage, respect for privacy and physical integrity, as well as the freedom to renegotiate or break an employment contract (Belgium);
- 79.97. Address concerns of the ILO Committee of Experts about the conditions under which domestic servants can leave their employment and their possibility to have recourse to courts if necessary, in accordance with international standards (Slovakia);
- 79.98. Duly investigate and prosecute all allegations of abuse of domestic workers and provide victims efficient access to justice (Slovakia);

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<sup>3</sup> The recommendation as read during the interactive dialogue: “Continue its efforts to protect the rights of all migrant workers and members of their families” (Senegal).

<sup>4</sup> The recommendation as read during the interactive dialogue: “Take further measures for fulfilling of social, economic and cultural rights in particular for refugees and migrants” (Islamic Republic of Iran).

<sup>5</sup> The recommendation as read during the interactive dialogue: “Continue to improve the conditions of migrant workers” (Bangladesh).

<sup>6</sup> The recommendation as read during the interactive dialogue: “Take further necessary measures to protect the rights of migrant workers in general, and domestic workers in particular” (Indonesia).

- 79.99. **Extend the benefits of the labour legislation to domestic workers, and ensure that abuses by employers are systematically prosecuted and punished (France);**
- 79.100. **Continue its efforts to ensure the necessary protection of the rights of foreign workers and find the appropriate solutions to the illegal residents (Algeria);**
- 79.101. **Search for appropriate solutions to the problem of illegal residents on the basis of the legal framework and in line with Kuwait’s admirable respect for human dignity (Somalia);**
- 79.102. **Continue its efforts to find humane solutions for the “illegal residents”, including granting nationality to those who fulfil the applicable conditions and criteria (Lebanon);**
- 79.103. **Take measures to improve the legal and social situation of the illegal residents, in particular by granting them residency, issuing them personal documents, and enabling them access to the public health and education system (Austria);<sup>7</sup>**
- 79.104. **Consider sharing its experience and best practices in its efforts to strengthen the human rights values in the society through relevant United Nations mechanisms (Bhutan);**
- 79.105. **Continue to work towards informing interested countries about the experience of Bait al-Zakat in the humanitarian field, which aims at reducing the suffering of persons and families in need (Qatar);**
- 79.106. **Continue to fulfil its pioneering role in providing humanitarian assistance in cases of natural disasters so as to assist the victims, in particular in the developing and least developed countries (Egypt);**
- 79.107. **Continue its laudable approach in the area of providing development assistance and supporting infrastructure projects for developing and least developed countries through the Kuwaiti fund for economic development (Egypt);**
- 79.108. **Continue to support its initiative to establish the special fund for small and medium development projects, which was adopted at the latest Arab Economic Summit (Egypt);**
- 79.109. **Continue efforts to activate the Decent Life Fund to finance research in the agricultural sector and help the worst affected countries by world crises (Morocco);**
- 79.110. **Continue to support economic development in the poor and the least developed countries and to contribute to the attainment of sustainable development in those countries (Algeria);**
- 79.111. **Continue to support other developing countries, especially the least developed countries, in their development efforts and thus help them realize their economic, social and cultural rights (Bangladesh);**

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<sup>7</sup> The recommendation as read during the interactive dialogue: “Take measures to improve the legal and social situation of the Beduns, in particular by granting them residency, issuing them personal documents, and enabling them access to the public health and education system” (Austria)

79.112. Continue its efforts within its international initiatives to strengthen economic development and raise the standard of living (Oman);

79.113. Continue to support its policy to promote dialogue among religions and civilizations through strengthening the role of the World Centre for Mediation and reinforcing the culture of tolerance and coexistence in the world (Morocco);

79.114. Cooperate closely with civil society and NGOs in the follow-up to this review (Austria).

80. The recommendations below did not enjoy the support of the State of Kuwait:

80.1. Accomplish progressively human rights voluntary goals, as set up by Human Rights Council resolution 9/12, including the ratification of the Optional Protocol to CEDAW (Brazil);

80.2. Sign and ratify the Optional Protocol to ICESR; the Optional Protocol to ICCPR; the Optional Protocol to CEDAW; and the Optional Protocol to CAT; and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

80.3. Ratify pending international human rights instruments, particularly the two Optional Protocols to ICCPR and the Optional Protocol to CAT (Chile);

80.4. Consider signing and ratifying the Second Optional Protocol to ICCPR (Spain);

80.5. Ratify the Optional Protocol to CEDAW (Austria);

80.6. Ratify the Optional Protocol to CEDAW (Kazakhstan);

80.7. Withdraw reservations to CAT and accede to its Optional Protocol (Switzerland);

80.8. Review and amend its laws to ensure gender equality in all its legislation, amongst others, in the Nationality Law, and guarantee that all Kuwaiti women are able to transfer nationality to their children and ensure to all Kuwaiti women equal access to their social and economic rights (Netherlands);

80.9. Consider modifying or repealing discriminatory legislation, including discriminatory provisions in the Personal Status Law and the Nationality Law (Norway);

80.10. Adopt a moratorium on the use of the death penalty with a view to its abolition (Italy);

80.11. Consider abolishing the death penalty (Austria);

80.12. Eradicate the death sentence once and for all from its legal system (Hungary);

80.13. Abolish the death penalty or establish a moratorium (Chile);

80.14. Establish a moratorium on executions with a view to abolishing the death penalty (Netherlands);

80.15. Prolong a moratorium on the death penalty with a view to abolishing capital punishment entirely (Slovakia);

- 80.16. Adopt, as soon as possible, a de jure moratorium on executions with a view to the abolition of the death penalty (Belgium);
- 80.17. Reconsider its position and abolish the death penalty, if necessary by initially establishing a moratorium on executions, which would be in line with General Assembly resolution 63/168, on the moratorium on the use of the death penalty (Slovenia);
- 80.18. Abolish definitively the death penalty, in continuation of the de facto moratorium on executions applied since 2007 (France);
- 80.19. Consider decriminalizing same-sex relations between consenting adults, with a view to ensuring the rights to privacy and non-discrimination (Brazil).
81. The following recommendations did not enjoy the support, since the State of Kuwait considers they are inaccurate and/or factually incorrect:
- 81.1. Abrogate de jure and de facto discrimination against women, by amending or repealing national legislation that discriminates against women, such as the Nationality Act, the Personal Status Act, the Civil Code and the Private Sector Employment Act, and implement measures to penalize violence against women and girls in all forms, including domestic violence and marital rape (Israel);
- 81.2. Prohibit the treatment of formerly trafficked women and children remaining in Kuwait as in violation of national immigration laws, and grant permission for them to remain in the country to defend their rights (Israel);
- 81.3. Develop appropriate legal frameworks for the enjoyment of the right to work and to just and favourable conditions of work to all migrant workers, especially domestic workers (Brazil);
- 81.4. Recognize the right to Kuwaiti nationality of those persons who have been left stateless due to the nationality law in 1959, and provide for the same enjoyment of their human rights as to other citizens (Slovakia);
- 81.5. Improve the situation of the “Beduns” by considering the possibility of acceding to the Convention on refugees and its protocol, as well as to the conventions dealing with statelessness (Switzerland);
- 81.6. End all de jure and de facto discrimination against “Beduns” by affording en masse all Beduns equal protection under law, and in particular by conferring Kuwaiti nationality on a non-discriminatory basis and allowing for the use of social services to such persons (Israel).
82. The following recommendations will be examined by the State of Kuwait, which will provide responses in due time, but no later than the fifteenth session of the Human Rights Council, in September 2010. The response of Kuwait to these recommendations will be included in the outcome report adopted by the Human Rights Council at its fifteenth session:
- 82.1. Ratify the Rome Statute (Chile);
- 82.2. Ratify the Convention relating to the status of stateless persons and the Convention relating to the reduction of statelessness (Netherlands);
- 82.3. Accede to the 1954 Convention on the Status of Stateless Persons (France);
- 82.4. Ratify the Rome Statute of the International Criminal Court (Austria);

- 82.5. Ratify the Rome Statute of the International Criminal Court, including the accession to the Agreement on Privileges and Immunities (Slovakia);
- 82.6. Base the adoption of the resolution mentioned in article 5 of the new labour law on the broadest negotiation level possible (Switzerland);
- 82.7. Promote the principle of equality in the broadest sense possible, including with regard to nationality, foreign issues and in the areas of work, during the development of the new law on the rights of women (Spain);
- 82.8. Establish promptly a national human rights institution in accordance with the Paris Principles, which presumes that it is independent and open to civil society (France);
- 82.9. Issue a standing invitation to the special procedures and respond in a reasonable period of time to treaty bodies' requests, whether with regard to submitting periodic reports or to responding to communications, as the case may be (France);
- 82.10. Extend a standing and open invitation to all special procedures (Spain);
- 82.11. Respond favourably to the requests of the Special Rapporteur on trafficking in persons, especially women and children, to visit the country (Israel);
- 82.12. Take further action and measures in order to further promote women's participation in the judiciary and all other sectors of life in the country (Greece);
- 82.13. Ensure equal employment opportunities for women, and enhance women's participation in the workforce by recruiting qualified women for expert and supervisory positions in all ministries, diplomatic corps and the judiciary (Netherlands);
- 82.14. Prepare and implement a national plan of action to promote gender equality and ensure the incorporation of a gender perspective into all levels and spheres, in accordance with the recommendation from CEDAW (Chile);
- 82.15. Undertake all efforts to create legislation against human trafficking and the smuggling of migrants for purposes of sexual exploitation and forced labour, in line with the United Nations Convention against Transnational Organized Crime and the Protocols thereto, and as pledged in the national report (Israel);
- 82.16. Extend the new labour law for the private sector to cover all groups, including domestic workers (Norway);
- 82.17. Include domestic workers in the new draft labour law for the private sector, and ensure comprehensive protection, including a weekly rest day, timely payment of wages in full and limits to working hours (Italy);
- 82.18. Replace the current sponsorship system with domestic worker residency permits overseen by the Government (Italy);
- 82.19. Revoke the current sponsorship system (Kafala) and replace it with regulations in accordance with international standards (Norway);
- 82.20. End all discriminatory provisions in Kuwait's housing programme (Norway);

83. All conclusions and/or recommendations set out in the present report reflect the positions of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

### **III. Voluntary pledges and commitments**

84. The State of Kuwait's voluntary pledges are set out in its national report to the universal periodic review (A/HRC/WG.6/8/KWT/1, under Section VIII: Voluntary pledges and commitments).

## Annex

### Composition of the delegation

The delegation of Kuwait was headed by the Minister of Social Affairs and Labour, H.E. Lieutenant General Dr. Mohamad M. AL-AFFASI, and was composed of the following members:

- H.E. Dharar A. RAZZOOQI, Ambassador, Permanent Mission of the State of Kuwait- Geneva;
- H.E. Khalid Mohammad ALMAGAMIS, Ambassador, Director of the Coordination & Follow-Up Department;
- H.E. Najeeb AL-BADER, Ho-Chi Min City Consul general;
- Dr. Bader GH ALZAMANAN, Under Secretary Assistant, Legal Affairs- Ministry of Justice;
- Mr. Mohamad BUZUBAR, Under Secretary Assistant, Ministry of Defense;
- Mr. Abdulkarim ALKANDARI, Under Secretary Assistant, Ministry of Health;
- Mr. Sadiq MARAFI, Counsellor, Permanent Mission of the State of Kuwait- Geneva;
- Mr. Talal ALMUTAIRI, First Secretary, Permanent Mission of the State of Kuwait- Geneva;
- Ms. Jawaher AL-SABAH, Third Secretary, Permanent Mission of the State of Kuwait- Geneva;
- Mr. Jarrah ALSABAH, Third Secretary, Permanent Mission of the State of Kuwait- Geneva;
- Mr. Nawaf NAMAN, Attaché, Permanent Mission of the State of Kuwait- Geneva;
- Colonel Jaber ALENEZI, Ministry of Interior;
- Lieutenant Colonel Mohammad ALWUHAIB, Ministry of Interior;
- Lieutenant Mohammad ALMUTAIRI, Ministry of Interior;
- Mr. Naser ALGHANIM, First Secretary, Ministry of Foreign Affairs;
- Mr. Mohammad ALROUMI; Diplomatic Attaché, Coordination & Follow-Up Department, Ministry of Foreign Affairs;
- Mrs. Amina Ghazi JAWHAR, Legal Expert, Under Secretary Office, Ministry of Social Affairs and Labour;
- Mr. Zaki Salah ALSULAIMI, Legal Expert, Under Secretary Office, Ministry of Social Affairs and Labour;
- Mr. Saud ALSAEEDI, Second Secretary, Legal Department, Ministry of Foreign Affairs;
- Mr. Saud ALHARBI, Ministry of Education;
- Mr. Ahmed ALBUAIJAN, Diplomatic Attaché; Ministry of Foreign Affairs;



- Mr. Zakaria ALANSARI, Director of the International Relations Department, Ministry of Justice;
  - Mrs. Abrar ALMAIAN, Legal Researcher, Legal Department, Ministry of Foreign Affairs;
  - Mrs. Iqbal ALRUMAIDREEN, Ministry of Social Affairs and Labour;
  - Mr. Rashed ALAZEMI, Ministry of Health;
  - Dr. Nada ALTARKEET, Ministry of Health;
  - Mr. Khaled ALOTAIBI, Ministry of Awqaf and Islamic matters;
  - Mr. Jamal ALDOSARI, Assistant of the Under secretary of Legal Affairs, Ministry of Social Affairs and Labour;
  - Mrs. Nawal ALGHAYEB, Ministry of Social Affairs and Labour;
  - Mr. Hamoud AL HAMAD, Ministry of Social Affairs and Labour;
  - Mr. Thamer ALMOTIRI, Ministry of Social Affairs and Labour;
  - Mr. Issa ALMUTAIRI, Ministry of Social Affairs and Labour;
  - Mr. Fayez ALDAYHANI, Ministry of Social Affairs and Labour;
  - Dr. Ahmad ASHATI;
  - Mr. Rashed ALENEZI;
  - Judge Mohamad ALSAANA.
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