



# General Assembly

Distr.: General  
12 February 2010

Original: English

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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Eighth session**  
Geneva, 3–14 May 2010

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

**Kuwait**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

\* Re-issued for technical reasons.

## I. Background and framework

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

<i>Core universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	15 Oct. 1968 (a)	Yes (art. 22) <sup>3</sup>	Individual complaints (art. 14): No
ICESCR	21 May 1996 (a)	Yes (arts. 2, para. 2, 3, 8, para. 1 (d), and 9) <sup>4</sup>	-
ICCPR	21 May 1996 (a)	Yes (arts. 2, para. 1, 3, 23, and 25 (b)) <sup>5</sup>	Inter-State complaints (art. 41): No
CEDAW	2 Sept. 1994 (a)	Yes (arts. 9, para. 2, 16 (f), and 29, para. 1) <sup>6</sup>	-
CAT	8 March 1996 (a)	Yes (arts. 20 and 30, para. 1) <sup>7</sup>	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): No
CRC	21 Oct. 1991	Yes (arts. 7 and 21) <sup>8</sup>	-
OP-CRC-AC	26 Aug. 2004 (a)	Binding declaration under art. 3: 18 years <sup>9</sup>	-
OP-CRC-SC	26 Aug. 2004 (a)	Yes (art. 5, para. 3) <sup>10</sup>	-

*Core treaties to which Kuwait is not a party: OP-ICESCR<sup>11</sup>, ICCPR-OP 1, ICCPR-OP 2, OP-CEDAW, OP-CAT, ICRMW, CRPD, CRPD-OP and CED.*

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	Yes
Rome Statute of the International Criminal Court	No
Palermo Protocol <sup>12</sup>	Yes
Refugees and stateless persons <sup>13</sup>	No
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>14</sup>	Yes, except Additional Protocol III
ILO fundamental conventions <sup>15</sup>	Yes, except Convention No. 100
UNESCO Convention against Discrimination in Education	Yes

1. In 2004, the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Kuwait to ratify the Optional Protocol to the Convention.<sup>16</sup> In 2004, the Committee on Economic, Social and Cultural Rights (CESCR) recommended that Kuwait consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families<sup>17</sup> and that it ratify the following ILO Conventions: No. 131,<sup>18</sup> 122, 174<sup>19</sup> and 102.<sup>20</sup> The Committee on the Rights of the Child (CRC) recommended that Kuwait consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the 1954 Convention relating to the Status of

Stateless Persons, the 1961 Convention on the Reduction of Statelessness<sup>21</sup> and the Rome Statute of the International Criminal Court.<sup>22</sup>

2. CRC,<sup>23</sup> CESCR,<sup>24</sup> CEDAW<sup>25</sup>, the Human Rights Committee (HR Committee)<sup>26</sup> and the Committee against Torture (CAT)<sup>27</sup> requested that Kuwait withdraw its reservations and/or declarations regarding their respective instruments. CAT recommended that Kuwait consider declaring in favour of articles 21 and 22 of the Convention.<sup>28</sup>

## **B. Constitutional and legislative framework**

3. CRC noted with appreciation Kuwait's indication that OP-CRC-SC has become part of Kuwaiti positive law. Nevertheless, CRC expressed concern that there is limited harmonization between national legislation, notably the Criminal Code, and the provisions of the Optional Protocol.<sup>29</sup>

4. CESCR was concerned about the lack of clarity regarding the primacy of the Covenant over conflicting or contradictory national laws and its direct applicability and justiciability in national courts.<sup>30</sup> A similar concern was raised by CEDAW regarding the CEDAW Convention.<sup>31</sup> CESCR urged that economic, social and cultural rights be incorporated into domestic legislation and made justiciable.<sup>32</sup> CEDAW requested that the primacy, direct applicability and enforceability of the Convention be ensured within the national legal framework.<sup>33</sup>

5. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance noted that the lack of labour legislation guaranteeing the rights of all workers, including foreign workers, was a source of concern and resulted in particular in the exploitation of unskilled and domestic workers. The Special Rapporteur concluded that uniform and unambiguous legislation conforming to the international conventions ratified by Kuwait and guaranteed by an equitable system of justice would make it possible to deal with the situation of foreign workers in a way that would ensure respect for human rights.<sup>34</sup>

## **C. Institutional and human rights infrastructure**

6. As of January 2010, Kuwait does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).<sup>35</sup>

7. While noting the existence, within the National Assembly, of a Standing Committee on Human Rights,<sup>36</sup> CESCR recommended establishing an independent national human rights institution, in conformity with the Paris Principles. It also recommended that the mandate of this institution include economic, social and cultural rights and that Kuwait seek technical cooperation with OHCHR in this regard.<sup>37</sup> Such an institution should be empowered to receive, investigate and effectively address complaints of violations of child rights, according to CRC.<sup>38</sup>

8. While commending the progressive development of the national machinery for the advancement of women, CEDAW was concerned at the lack of clarity regarding the mandate and responsibilities of the existing institutions.<sup>39</sup> It urged Kuwait to ensure that the national machinery involves more women at the decision-making level and is provided with adequate visibility, power and resources.<sup>40</sup>

## D. Policy measures

9. CEDAW recommended developing, adopting and implementing, at the national level, a comprehensive and coordinated plan of action to promote gender equality and to ensure gender mainstreaming at all levels and in all areas.<sup>41</sup>

10. CEDAW in 2008,<sup>42</sup> and CRC in 1998,<sup>43</sup> recommended that Kuwait launch a comprehensive programme of dissemination, education and training on their respective Conventions, in particular for government officials, legislators, judicial officers, including law enforcement officials and the judiciary, as well as civil society and the public at large.

11. In 2005, Kuwait adopted the Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system.<sup>44</sup>

## II. Promotion and protection of human rights on the ground

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

<i>Treaty body<sup>45</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	1997	March 1999	None	Fifteenth to twentieth reports overdue since 1998, 2000, 2002, 2004, 2006 and 2008, respectively.
CESCR	2002	May 2004	None	Second report due in 2009.
HR Committee	1998	July 2000	None	Second report due in 2004, submitted in 2009.
CEDAW	2002	Jan. 2004	None	Third and fourth reports overdue since 2007.
CAT	1997	May 1998	None	Second and third reports overdue since 2001 and 2005, respectively.
CRC	1996	Sept. 1998	None	Second report overdue since 1998.
OP-CRC-AC	2007	Jan. 2008	None	Information to be submitted in second report under CRC, which is overdue since 1998.
OP-CRC-SC	2007	Feb. 2008	None	Information to be submitted in second report under CRC, which is overdue since 1998.

#### 2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (17-27 November 1996) <sup>46</sup>

*Visits agreed upon in principle*

<i>Visits requested and not yet agreed upon</i>	Special Rapporteur on trafficking in persons, especially women and children (2005, reiterated in 2007) <sup>47</sup>
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<i>Facilitation/cooperation during missions</i>	The Special Rapporteur emphasized that his visit had been carried out in an atmosphere of complete frankness and that it had been facilitated by the willingness of the Kuwaiti authorities to engage in dialogue. <sup>48</sup>
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*Follow-up to visits*

<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, three communications were sent, none of which were replied to by Kuwait. <sup>49</sup>
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<i>Responses to questionnaires on thematic issues</i>	Kuwait responded to 2 of the 21 questionnaires sent by special procedures mandate holders. <sup>50</sup>
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**3. Cooperation with the Office of the High Commissioner for Human Rights**

12. Kuwait contributed financially to OHCHR in 2006, 2007 and 2009.<sup>51</sup>

**B. Implementation of international human rights obligations, taking into account applicable international humanitarian law****1. Equality and non-discrimination**

13. CEDAW, while noting that general principles of equality and non-discrimination are guaranteed in the Constitution and contained in domestic legislation, was concerned at the lack of specific definitions of discrimination against women in national law, in accordance with article 1 of the Convention.<sup>52</sup> It urged Kuwait to design, implement and strengthen comprehensive awareness-raising measures to foster a better understanding of equality between women and men with a view to eradicating traditional stereotypes regarding the role and responsibilities of women and men in the family and society.<sup>53</sup>

14. CESCR was concerned about the persistence of de jure and de facto discrimination against women, particularly in their enjoyment of economic, social and cultural rights.<sup>54</sup> CEDAW expressed concern at the continuing existence of de jure discrimination against women in various laws, including the Nationality Act, the Personal Status Act, the Civil Code and the Private Sector Employment Act. In particular, it was concerned that the Nationality Act allows Kuwaiti women to transfer their nationality to their children only in specific circumstances and that provisions in the Personal Status Act and that the Civil Code establish different rights and responsibilities for women and men in issues related to marriage and family relations, including the minimum age of marriage for women and men; divorce; and guardianship of children.<sup>55</sup>

15. CEDAW called upon Kuwait to undertake a comprehensive review of all existing laws; to amend or repeal discriminatory provisions so as to ensure compliance with the provisions of the Convention;<sup>56</sup> and to raise the minimum age of marriage for women and men to 18 years.<sup>57</sup>

16. CESCR was concerned about discrimination against the “Beduns” due to the fact that they are denied the possibility of becoming Kuwaiti nationals.<sup>58</sup> The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended that priority should be given to finding a definitive, humane and equitable solution and in the meantime, the Bedun should be guaranteed access to social services.<sup>59</sup> CESCR<sup>60</sup> and the HR Committee<sup>61</sup> recommended that Kuwait ensure that all persons in its territory, including Beduns, enjoy Covenant rights. CESCR recommended

expediting their acquisition of Kuwaiti nationality when possible.<sup>62</sup> The HR Committee recommended that Kuwait should confer its nationality on a non-discriminatory basis and refrain from deporting residents based on their classification as Beduns who have failed to regularize their status.<sup>63</sup>

17. In 2009, the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) welcomed the Government's continued efforts to regularize the situation of stateless persons while pointing out that individuals who have been regularized, in addition to residents who remain stateless, may face difficulties in employment and training on account of their national extraction.<sup>64</sup>

18. The HR Committee was concerned that children who are born in Kuwait and whose parents are stateless or whose mother only has Kuwaiti nationality do not acquire any nationality.<sup>65</sup> It recommended that Kuwait ensure that every child has the right to acquire a nationality.<sup>66</sup>

19. In 2009, the ILO Committee of Experts continued to be concerned about the Government's apparent lack of commitment to ensure that no person, including foreign workers, is subjected to discrimination and unequal treatment. It urged the Government to take practical measures to prevent discrimination against all workers on the basis of race, colour and national extraction regarding employment and occupation and to provide information on the progress made in this regard and on any amendments to the Penal Code aimed at including express provisions concerning racial discrimination.<sup>67</sup> In addition to legislative changes, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance recommended measures such as, among others, the creation of a national agency for the recruitment of foreign labour, improved cooperation with countries exporting domestic workers, and the adoption of regulations and practical measures to ensure regular payment of wages.<sup>68</sup>

20. In 1998, CRC welcomed Kuwait's efforts to mainstream children with disabilities, or who have learning difficulties, within regular classes, while at the same time providing complementary courses catering for the special needs of those children.<sup>69</sup>

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

21. The HR Committee expressed serious concern over the large number of offences for which the death penalty can be imposed, including very vague categories of offences relating to internal and external security as well as drug-related crimes.<sup>70</sup> It recommended that Kuwait should ensure that the provisions of article 6 of the Covenant are strictly observed and that the death penalty is not imposed except for the most serious crimes, following proceedings in which all the guarantees for a fair trial under article 14 of the Covenant are observed. It invited Kuwait to consider the abolition of the death penalty.<sup>71</sup>

22. In July 2008, the Special Rapporteur on extrajudicial, summary or arbitrary executions sent a communication regarding the possible imminent execution of a person on whom the capital punishment had been imposed following conviction of drug trafficking charges. The Special Rapporteur, *inter alia*, urged the suspension or commutation of the death sentence.<sup>72</sup>

23. The HR Committee expressed concern over the many reported cases of persons detained in 1991 who have subsequently disappeared<sup>73</sup> and recommended that Kuwait should adopt concrete measures to clarify each and every case of disappearance.<sup>74</sup>

24. In 1998, CAT noted that Kuwait seems to have in place the necessary legal institutions to combat torture.<sup>75</sup> It was concerned that there is no defined crime of torture in Kuwait<sup>76</sup> and recommended enacting in the Criminal Code a defined crime of torture or, if the Convention applies by incorporation, an independent crime of torture.<sup>77</sup>

25. In 2006, the Special Rapporteur on the question of torture reported on a communication concerning two men who had been arrested and detained at an unknown location. Another man, who had been arrested on the same day within the same police operation, had died in custody.<sup>78</sup>

26. In February 2007, the Special Rapporteur on the question of torture transmitted a communication concerning a foreign national who had been arrested at his home by State security service agents and taken to the State security headquarters under the Ministry of Interior. He had remained at the detention facility for one week and had been beaten repeatedly. Without any judicial procedure, he had then been deported to a third country.<sup>79</sup>

27. In July 2008, the Special Rapporteur on the question of torture sent a communication concerning a person who had been arrested after his vehicle had been violently stopped by police. Numerous armed policemen wearing masks had forced him to leave his car, hit him, blindfolded him and tied his hands and feet. They had then taken him to the premises of the State security service, where he was interrogated, while still blindfolded and with his hands and feet tied. When he was interrogated on the next day, ice-cold water was poured over his body and he was beaten on the soles of his feet. When his feet became swollen, he was forced to run in a long corridor, still blindfolded, after which he was again beaten. He was also threatened and insulted. When the person was presented to the Prosecutor General, he complained about the treatment and showed the traces. However, according to the Special Rapporteur, the Prosecutor refused to register a complaint or order a medical check-up.<sup>80</sup>

28. CEDAW expressed concern at the lack of information about the prevalence and forms of violence against women and girls, including domestic violence, and about programmes and services available to victims of violence.<sup>81</sup> It requested Kuwait to: recognize that violence against women constitutes a violation of the human rights of women; to ensure that all forms of violence against women and girls are prosecuted and punished promptly and that victims have immediate means of redress and protection; to take measures to fully sensitize public officials, especially law enforcement officials, the judiciary and health-care providers, and to train them to handle such situations adequately; and to undertake awareness-raising measures aimed at the public at large to make such violence socially and morally unacceptable.<sup>82</sup>

29. CRC urged Kuwait to enact specific legislation by introducing new amendments to the Criminal Code to ensure that all acts and activities referred to in OP-CRC-SC are fully covered under its criminal law and that such legislation provides equal protection for boys and girls.<sup>83</sup> It recommended taking all appropriate measures, including legislative measures, to prohibit corporal punishment in schools, in the family and other institutions, and in society at large.<sup>84</sup> CRC noted with appreciation that the Kuwaiti Army Act prohibits the involvement of persons under the age of 18 in hostilities and nevertheless regretted the lack of legislation on the issue of child recruitment in order to protect children from recruitment abroad.<sup>85</sup> CRC welcomed steps taken to end the practice of camel racing with children as jockeys.<sup>86</sup> However, it recommended that Kuwait revise its legislation in order to explicitly prohibit, without any exceptions, the use of children in camel racing and other harmful activities.<sup>87</sup>

30. CESCR was concerned about the rising incidence of trafficking in persons, especially women and children, including for the purpose of domestic work.<sup>88</sup> The Committee recommended that Kuwait include the subject of domestic workers in the Labour Code and undertake all the necessary measures to eliminate practices amounting to forced labour. CESCR also recommended that those who violate labour legislation be sanctioned and that the victims be compensated.<sup>89</sup>

31. In 2009, the ILO Committee of Experts noted that the legislation does not contain any specific provision under which the illegal exaction of forced or compulsory labour is punishable as a penal offence, and invited the Government to take the necessary measures, for example by introducing a new provision to that effect in the legislation. In its 2007 General Survey on the eradication of forced labour, the Committee observed that victims of trafficking are often perceived by the Kuwaiti authorities as illegal aliens and indicated that they should be granted permission to stay in the country to defend their rights and should be efficiently protected from reprisals if they are willing to testify. It added that the protection of victims of trafficking may also contribute to law enforcement and to the effective punishment of perpetrators.<sup>90</sup>

### 3. Administration of justice, including impunity, and the rule of law

32. The HR Committee was concerned about the fact that a detained person may be held in police custody for a period of four days before being brought before an investigating official and noted that this period can be extended.<sup>91</sup> It stressed that the period of police custody before a detained person is brought before a judge should not exceed 48 hours and recommended that Kuwait ensure that anyone arrested or detained on a criminal charge is brought promptly before a judge or other officer authorized by law to exercise judicial power; that all other aspects of its law and practice are harmonized with the requirements of article 9 of the Covenant; and that detained persons have immediate access to counsel and contact with their families.<sup>92</sup>

33. CRC noted that the Criminal Code provides for jurisdiction over offences that occur abroad as long as their effects extend to the State or if the alleged perpetrator is a Kuwaiti national and the act is defined as an offence in both Kuwait and in the State in which it was committed. However, CRC was concerned that the exercise of this extraterritorial jurisdiction is dependent on the condition of double criminality and that it does not cover all the offences and situations referred to in OP-CRC-SC.<sup>93</sup> CRC recommended that Kuwait take all necessary measures to establish its jurisdiction over all the offences and situations referred to in OP-CRC-SC<sup>94</sup> and revise its legislation in order to establish extraterritorial jurisdiction 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 Kuwait.<sup>95</sup>

34. In 2006, the Special Rapporteur on the independence of judges and lawyers enquired about the outcome of a case instituted against a lawyer and member of an organization working to defend civil and political rights in Kuwait, in relation to which an urgent appeal had been sent by the said Special Rapporteur jointly with the Special Representative of the Secretary-General on the situation of human rights defenders.<sup>96</sup>

35. The HR Committee was concerned about the number of persons detained under prison sentences handed down in 1991 by the Martial Law Courts in trials which did not meet the minimum standards. It recommended that these cases should be reviewed by an independent and impartial body, and compensation should be paid, where appropriate.<sup>97</sup>

36. CRC was concerned at the situation of the administration of juvenile justice and recommended that Kuwait consider taking additional steps to reform the system of juvenile justice in the spirit of the Convention and of other United Nations standards. CRC added that particular attention should be paid to: considering deprivation of liberty only as a measure of last resort and for the shortest possible period of time; the protection of all the rights of children deprived of their liberty; and, when appropriate, to encouraging alternatives to the processing of cases through the regular penal system.<sup>98</sup>



#### 4. Freedom of movement

37. The HR Committee was concerned that many Beduns long resident in Kuwait who left the country during the occupation by a neighbouring country in 1990/91 were not permitted to return to Kuwait<sup>99</sup> and noted that the right to remain in one's own country and to return to it must be scrupulously respected.<sup>100</sup>

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

38. The HR Committee was concerned that the legal consequence of a conversion from Islam to another religion may result in the loss of Kuwaiti nationality.<sup>101</sup>

39. The HR Committee recommended ensuring that every person can enjoy his or her rights under article 19 of the Covenant without fear of being subjected to harassment, and also recommended that the Press and Publications Law and the Penal Code should be brought into harmony with article 19 of the Covenant. Any restriction on the rights under article 19 must be in strict conformity with paragraph 3 of that article.<sup>102</sup>

40. A 2007 UNFPA report indicated that Kuwait is seeking to strengthen and enlarge the role of civil society organizations, to become effective partners in national development. Some of these organizations are already involved in environmental protection, advocacy of rights of disadvantaged groups, enhancing wider participation in the political process, combating corruption and addressing the issues of violence against women.<sup>103</sup>

41. In 2009, the ILO Committee of Experts referred to Legislative Decree No. 65 of 1979 concerning public meetings and gatherings, which establishes a system of prior authorization (which may be refused without giving reasons) and provides for a penalty of imprisonment involving, by virtue of the Penal Code, an obligation to work. The Committee stressed the importance for the effective observance of the legal guarantees of the ILO Convention concerning the Abolition of Forced Labour respecting the right of assembly and the direct bearing that a restriction of this right can have on the application of the Convention.<sup>104</sup>

42. The HR Committee was concerned about the absence of political parties in Kuwait<sup>105</sup> and recommended taking appropriate measures to ensure the right of Kuwaitis to establish such parties.<sup>106</sup>

43. In 2009, the ILO Committee of Experts requested the Government to consider revising the draft Labour Code so as to eliminate the total ban on the political activities of workers' and employers' organizations.<sup>107</sup>

44. A 2009 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament increased from 1.5 per cent in 2006 to 3.1 per cent in 2009.<sup>108</sup>

#### 6. Right to work and to just and favourable conditions of work

45. A 2007 UNFPA report highlighted that unemployment is high among youth and university graduates owing to structural imbalances in the labour market. The private sector prefers to resort to the employment of foreigners, despite the strong incentives to private companies for the employment and training of nationals.<sup>109</sup> CEDAW expressed concern at the lack of diversified employment opportunities for women despite the high level of education attained by girls and women; at restrictions on women's employment and at protective employment legislation, policies and benefits for women.<sup>110</sup> In 2009, the ILO Committee of Experts noted that certain laws appeared to rule out the possibility of women working in certain posts in the military, the police, the diplomatic corps, the Administration

of Justice Division and the Department of Public Prosecutions.<sup>111</sup> CEDAW urged Kuwait to increase efforts towards accelerating the achievement of de facto equal opportunities for women and men in employment including through the use of temporary special measures.<sup>112</sup>

46. CESCR urged Kuwait to establish a minimum wage in the private sector that will enable workers and their families, especially non-Kuwaiti citizens, to enjoy a decent standard of living and apply the minimum wage in the public sector without discrimination to both Kuwaiti and non-Kuwaiti citizens.<sup>113</sup>

47. In 2009, the ILO Committee of Experts expressed concern about the conditions under which domestic servants can leave their employment and their possibility to have recourse to courts if necessary.<sup>114</sup> The Committee noted that the Government requested assistance with regard to the difficulty in extending the draft Labour Code's provisions to domestic workers since, as domestic workers are considered members of the family, it was difficult for the labour inspection department to enter private households to verify the application of the Code.<sup>115</sup>

48. CESCR noted with concern the limitations regarding the right to join trade unions for non-national workers, and the restrictive legal limitations on the right to strike.<sup>116</sup> It strongly recommended that Kuwait liberalize the limitations on the right to strike and extend the right to join trade unions to all workers, including migrant workers.<sup>117</sup>

49. In 2009, in the absence of any information from Kuwait on sexual harassment and discrimination based on sex, the ILO Committee of Experts requested the Government to indicate measures taken to prevent and combat (both quid pro quo and hostile environment) sexual harassment in employment and occupation.<sup>118</sup>

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

50. CRC found commendable the extensive social welfare services available to citizens at either no cost or at only a fraction of the real cost.<sup>119</sup> A 2007 UNFPA report indicated that Kuwait has virtually eliminated economic poverty among Kuwaitis. However, there are persisting problems, in particular severe weaknesses in human and social development, ineffective delivery of public services, unemployment and structural disparities in the labour market, and environmental degradation. It was also observed in the report that the reduction of government subsidies and the need to promote privatization policies constitute major challenges in a society used to and expecting continuing welfare support.<sup>120</sup>

51. CESCR was concerned that abortion is allowed only when the life of the mother is endangered<sup>121</sup> and recommended that the legislation on abortion include other motives for performing legal abortion with a view to preventing illegal abortion and that Kuwait develop a comprehensive sexual and reproductive health program.<sup>122</sup> CRC was concerned at the lack of comprehensive data and information on the health status of adolescents in general, especially with regard to drug and substance abuse, sexually transmitted diseases and HIV/AIDS, teenage pregnancy, violence and suicide among young people, and by the lack of treatment and rehabilitation services.<sup>123</sup>

## **8. Right to education**

52. CESCR was concerned that Kuwait does not provide free compulsory education to non-Kuwaiti children as a right enshrined in the Covenant<sup>124</sup> and urged it to adopt the necessary measures to ensure that non-Kuwaiti children living in Kuwait have access to free compulsory education. It recommended that Kuwait provide disaggregated data in this regard.<sup>125</sup>

**9. Minorities and indigenous peoples**

53. In 2000, the HR Committee mentioned that it could not accept the statement of Kuwaiti delegation that there were no minorities in Kuwait. It added that given the wide diversity of persons in Kuwait's territory and subject to its jurisdiction, it was clear that, in fact, there were persons in Kuwait who belong to ethnic, religious and linguistic minorities whose rights under article 27 of ICCPR should be ensured and protected.<sup>126</sup>

**10. Migrants, refugees and asylum-seekers**

54. The ILO Committee of Experts continued to raise concerns regarding the absence of legal measures or practical steps taken to address discriminatory treatment against migrant domestic workers. The Committee recalled the particular vulnerability of (migrant) domestic workers to multiple forms of discrimination due to the individual employment relationship, lack of legislative protection, stereotyped thinking about gender roles and undervaluing of this type of employment. Women, both nationals and migrant workers, are particularly affected.<sup>127</sup>

55. A 2009 UNDP report quoted a returning migrant who worked in a hospital in Kuwait stating that many employers—either themselves or their sons or relatives—sexually abuse their domestic workers.<sup>128</sup>

56. CRC was concerned that Kuwait did not have specific domestic legislation for determining the status of and protecting refugees, including children, and that it is currently not a party to any of the main treaties on statelessness or refugees. It recommended reviewing domestic legislation to include provisions for determining the status of and protecting refugees, including children, especially regarding access to education, health and other social services.<sup>129</sup>

**III. Achievements, best practices, challenges and constraints**

57. CESCR noted the consequences of the war with a neighboring country in 1991 which has affected the full enjoyment of economic, social and cultural rights.<sup>130</sup>

58. A 2007 United Nations Population Fund (UNFPA) report indicated that Kuwait is poised to achieve almost all Millennium Development Goals (MDGs). Maternal and infant mortality have dropped and nearly all births are attended by skilled personnel. Literacy rates are nearly universal among 15-24 year-olds. The gross primary school enrolment rate is 97 per cent for boys and 96 per cent for girls, while secondary school rates are 87 per cent and 91 per cent respectively.<sup>131</sup> The 2008 annual report of the Resident Coordinator stressed that gender equality and labour issues are key areas where Kuwait needs support to achieve the MDGs by 2015.<sup>132</sup>

**IV. Key national priorities, initiatives and commitments**

N/A

**V. Capacity-building and technical assistance**

59. A 2008 annual report of the Resident Coordinator discussed a joint programme in the gender thematic area, undertaken in partnership with key civil society groups to co-sponsor the highly visible Family Law Awareness campaign. Following up on this joint programme, the United Nations Country Team (UNCT) established for the first time in

Kuwait an inter-agency Gender Thematic Group, which seeks to share information on gender issues and establish coordinated support mechanisms.<sup>133</sup>

60. The 2008 annual report of the Resident Coordinator indicated that the UNCT agencies in Kuwait engaged in a second joint programme in 2008, namely, a humanitarian reporting workshop for journalists. The workshop succeeded in familiarizing journalists with the international humanitarian system, provided reference points and suggestions for possible stories and stimulated debate about the United Nations and the media's role in humanitarian crises, particularly those in the region.<sup>134</sup>

## Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

<sup>2</sup> The following abbreviations have been used for this 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
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 the Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> “In acceding to the said Convention, the Government of the State of Kuwait takes the view that its accession does not in any way imply recognition of Israel, nor does it oblige it to apply the provisions of the Convention in respect of the said country.

“The Government of the State of Kuwait does not consider itself bound by the provisions of article 22 of the Convention, under which any dispute between two or more States Parties with respect to the interpretation or application of the Convention is, at the request of any party to the dispute, to be referred to the International Court of Justice for decision, and it states that, in each individual case, the consent of all parties to such a dispute is necessary for referring the dispute to the International Court of Justice.”

<sup>4</sup> Interpretative declaration regarding article 2, paragraph 2, and article 3:

Although the Government of Kuwait endorses the worthy principles embodied in article 2, paragraph 2, and article 3 as consistent with the provisions of the Kuwait Constitution in general and of its article 29 in particular, it declares that the rights to which the articles refer must be exercised within the limits set by Kuwaiti law.

Interpretative declaration regarding article 9:

The Government of Kuwait declares that while Kuwaiti legislation safeguards the rights of all Kuwaiti and non-Kuwaiti workers, social security provisions apply only to Kuwaitis.

- Reservation concerning article 8, paragraph 1 (d):  
The Government of Kuwait reserves the right not to apply the provisions of article 8, paragraph 1 (d).
- <sup>5</sup> Interpretative declaration regarding article 2, paragraph 1, and article 3:  
Although the Government of Kuwait endorses the worthy principles embodied in these two articles as consistent with the provisions of the Kuwait Constitution in general and of its article 29 in particular, the rights to which the articles refer must be exercised within the limits set by Kuwaiti law.
- Interpretative declaration regarding article 23:  
The Government of Kuwait declares that the matters addressed by article 23 are governed by personal-status law, which is based on Islamic law. Where the provisions of that article conflict with Kuwaiti law, Kuwait will apply its national law.
- Reservations concerning article 25 (b):  
The Government of Kuwait wishes to formulate a reservation with regard to article 25(b). The provisions of this paragraph conflict with the Kuwaiti electoral law, which restricts the right to stand and vote in elections to males.  
It further declares that the provisions of the article shall not apply to members of the armed forces or the police.
- <sup>6</sup> Article 9, paragraph 2:  
The Government of Kuwait reserves its right not to implement the provision contained in article 9, paragraph 2, of the Convention, inasmuch as it runs counter to the Kuwaiti Nationality Act, which stipulates that a child's nationality shall be determined by that of his father.
- Article 16(f):  
The Government of the State of Kuwait declares that it doesn't consider itself bound by the provision contained in article 16(f) inasmuch as it conflicts with the provisions of Islamic Shari'a, Islam being the official religion of the State.
- Article 29, paragraph 1:  
The Government of the State of Kuwait declares that it does not bound by the provision contained in article 29, paragraph 1.
- <sup>7</sup> Reservation:  
"With reservations as to article (20) and the provision of paragraph (1) from article (30) of the Convention."
- <sup>8</sup> *Upon signature:*  
Reservation  
"[Kuwait expresses] reservations on all provisions of the Convention that are incompatible with the laws of Islamic Shari'a and the local statutes in effect."  
*Upon ratification:*  
Declarations:  
Article 7:  
The State of Kuwait understands the concepts of this article to signify the right of the child who was born in Kuwait and whose parents are unknown (parentless) to be granted the Kuwaiti nationality as stipulated by the Kuwaiti Nationality Laws.
- Article 21:  
The State of Kuwait, as it adheres to the provisions of the Islamic Shari'a as the main source of legislation, strictly bans abandoning the Islamic religion and does not therefore approve adoption.
- <sup>9</sup> Declaration:  
"... the Government of the State of Kuwait is committed to maintaining the minimum age for voluntary service in the Kuwaiti armed forces at 18 years of age, and to prohibiting the forced conscription of any persons under the age of 18, pursuant to article 3, paragraph 2 of the aforementioned Protocol."
- <sup>10</sup> Declaration:  
"....with a reservation in respect of paragraph 5 of article 3 of the second protocol."
- <sup>11</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that "The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant".
- <sup>12</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

- <sup>13</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>14</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); Convention relative to the Treatment of Prisoners of War (Third Convention); 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); 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 Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- <sup>15</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. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; 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>16</sup> CEDAW, *Official Records of the General Assembly, Fifty-ninth session, Supplement No. 38* (A/59/38), para. 81.
- <sup>17</sup> Concluding observations of the Committee on Economic, Social and Cultural Rights (E/C.12/1/Add.98), para. 32.
- <sup>18</sup> *Ibid.*, para. 34.
- <sup>19</sup> *Ibid.*, para. 35.
- <sup>20</sup> *Ibid.*, para. 40.
- <sup>21</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.96), para. 29.
- <sup>22</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/OPAC/KWT/CO/1), para. 14 (c).
- <sup>23</sup> *Ibid.*, para. 22; CRC/C/15/Add.96, para. 9.
- <sup>24</sup> E/C.12/1/Add.98, paras. 9 and 28.
- <sup>25</sup> A/59/38, para. 61.
- <sup>26</sup> A/55/40, paras. 456 and 457.
- <sup>27</sup> A/53/44, para. 228.
- <sup>28</sup> *Ibid.*, para. 229.
- <sup>29</sup> Concluding observations of the Committee on the Rights of the Child (CRC/C/OPSC/KWT/CO/1), para. 7; see also CRC/C/OPSC/KWT/CO/1, para. 8.
- <sup>30</sup> E/C.12/1/Add.98, para. 8.
- <sup>31</sup> A/59/38, para. 62.
- <sup>32</sup> E/C.12/1/Add.98, para. 27.
- <sup>33</sup> A/59/38, para. 63.
- <sup>34</sup> E/CN.4/1997/71/Add.2, para. 67.
- <sup>35</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.
- <sup>36</sup> E/C.12/1/Add.98, para. 11.
- <sup>37</sup> *Ibid.*, para. 30; see also A/55/40, para. 496.
- <sup>38</sup> CRC/C/OPSC/KWT/CO/1, para. 14.
- <sup>39</sup> A/59/38, para. 68.
- <sup>40</sup> *Ibid.*, A/59/38, para. 69.
- <sup>41</sup> *Ibid.*, A/59/38, paras. 68 and 69.
- <sup>42</sup> *Ibid.*, A/59/38, para. 63.

<sup>43</sup> CRC/C/15/Add.96, para. 14.

<sup>44</sup> See General Assembly resolution 59/113 B and Human Rights Council resolution 6/24. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, available from <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>.

<sup>45</sup> The following abbreviations have been used for this 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

<sup>46</sup> E/CN.4/1997/71/Add.2.

<sup>47</sup> E/CN.4/2006/62, para. 2; A/HRC/4/23, para. 2.

<sup>48</sup> E/CN.4/1997/71/Add.2., para. 4.

<sup>49</sup> The communications referred to relate to alleged human rights violations concerning three individuals.

<sup>50</sup> The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2006 and 31 January 2010. Responses counted for the purposes of this section are those received within the relevant deadlines, relating to the following questionnaires: (a) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation, 2005; (b) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs, 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons, 2006; (d) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants, 2006; (e) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities, 2006; (f) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (g) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people, 2007; (h) report of the Working Group on the use of mercenaries (A/62/301), questionnaire on measures adopted and envisaged, including legislation, regarding mercenaries, 2007; (i) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation, 2007; (j) report of the Special Rapporteur on violence against women (A/HRC/7/6), questionnaire on indicators on violence against women, 2007; (k) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations, 2007; (l) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/10/16 and Corr.1), questionnaire on trafficking in persons, 2008; (m) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the Council (A/HRC/11/9), questionnaire on Cash Transfer Programmes, 2008; (n) report of the Special Rapporteur on the right to education, (A/HRC/11/8), questionnaire on the right to education for persons in detention, 2009; (o) report of the Special Rapporteur on violence against women (A/HRC/11/6), questionnaire on violence against women and political economy, 2008; (p) report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences (A/HRC/12/21), questionnaire on national legislation and initiatives addressing the issue of bonded labour, 2009; (q) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), questionnaire on measures to prevent and combat online child pornography, 2009; (r) report of the Special Rapporteur on the right to food (A/HRC/12/31), questionnaire on world food and nutrition security, 2009; (s) report of the Working Group on

- Arbitrary Detention (A/HRC/13/30), questionnaire on the detention of drug users, 2009; (t) joint study on global practices in relation to secret detention in the context of countering terrorism (A/HRC/13/42), questionnaire on secret detention, 2009; (u) report of the Special Rapporteur on the situation of human rights defenders (A/HRC/13/22), questionnaire on the security and protection of human rights defenders, 2009.
- <sup>51</sup> OHCHR Report of Activities and Results 2007, pp. 147 and 166; OHCHR Report of Activities and Results 2009.
- <sup>52</sup> A/59/38, para. 64.
- <sup>53</sup> *Ibid.*, paras. 70 and 71.
- <sup>54</sup> E/C.12/1/Add.98, para. 14.
- <sup>55</sup> A/59/38, para. 66; see also CRC/C/15/Add.96, para. 20.
- <sup>56</sup> A/59/38, para. 67.
- <sup>57</sup> *Ibid.*, para. 67; see also CRC/C/15/Add.96, para. 15 and E/C.12/1/Add.98, para. 33.
- <sup>58</sup> E/C.12/1/Add.98, para. 12.
- <sup>59</sup> E/CN.4/1997/71/Add.2, para. 69.
- <sup>60</sup> E/C.12/1/Add.98, para. 31.
- <sup>61</sup> A/55/40, para. 478; see also concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/304/Add.72), para. 16.
- <sup>62</sup> E/C.12/1/Add.98, para. 31.
- <sup>63</sup> A/55/40, para. 480.
- <sup>64</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 092009KWT111, third paragraph.
- <sup>65</sup> A/55/40, para. 481.
- <sup>66</sup> *Ibid.*, para. 482.
- <sup>67</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009KWT111, second paragraph.
- <sup>68</sup> E/CN.4/1997/71/Add.2, para. 69 (c), (d) and (e).
- <sup>69</sup> CRC/C/15/Add.96, para. 6.
- <sup>70</sup> A/55/40, para. 464.
- <sup>71</sup> *Ibid.*, para. 465.
- <sup>72</sup> A/HRC/11/2/Add.1, p. 256.
- <sup>73</sup> A/55/40, para. 469.
- <sup>74</sup> *Ibid.*, para. 470.
- <sup>75</sup> A/53/44, para. 223.
- <sup>76</sup> *Ibid.*, para. 227.
- <sup>77</sup> *Ibid.*, para. 230.
- <sup>78</sup> E/CN.4/2006/6/Add.1, para. 130.
- <sup>79</sup> A/HRC/7/3/Add.1, para. 120.
- <sup>80</sup> A/HRC/10/44/Add.4, para. 129.
- <sup>81</sup> A/59/38, para. 78; CRC/C/15/Add.96, para. 21.
- <sup>82</sup> *Ibid.*, para. 79; *Ibid.*
- <sup>83</sup> CRC/C/OPSC/KWT/CO/1, paras. 17 and 18.
- <sup>84</sup> CRC/C/15/Add.96, para. 21.
- <sup>85</sup> CRC/C/OPAC/KWT/CO/1, para. 13.
- <sup>86</sup> CRC/C/OPSC/KWT/CO/1, para. 31.
- <sup>87</sup> *Ibid.*, para. 32.
- <sup>88</sup> E/C.12/1/Add.98, para. 21.
- <sup>89</sup> *Ibid.*, para. 37.
- <sup>90</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Forced Labour Convention, 1930 (No. 29), 2009, Geneva, doc. No. (ILOLEX) 062009KWT029, fourth paragraph.
- <sup>91</sup> A/55/40, para. 471.
- <sup>92</sup> *Ibid.*, para. 472.
- <sup>93</sup> CRC/C/OPSC/KWT/CO/1, para. 19.



- <sup>94</sup> Ibid., para. 20.
- <sup>95</sup> CRC/C/OPAC/KWT/CO/1, para. 16.
- <sup>96</sup> E/CN.4/2006/52/Add.1, para. 135.
- <sup>97</sup> A/55/40, paras. 468 and 469.
- <sup>98</sup> CRC/C/15/Add.96, para. 32.
- <sup>99</sup> A/55/40, para. 477.
- <sup>100</sup> Ibid., para. 478.
- <sup>101</sup> Ibid., para.483.
- <sup>102</sup> Ibid., para.488.
- <sup>103</sup> DP/DCP/KWT/1, para. 17.
- <sup>104</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Abolition of Forced Labour Convention, 1957 (No. 105), 2009, Geneva, doc. No. (ILOLEX) 062009KWT105, first paragraph.
- <sup>105</sup> A/55/40, para. 493.
- <sup>106</sup> Ibid., para. 494.
- <sup>107</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 2009, Geneva, doc. No. (ILOLEX) 062007KWT087, eighth paragraph; see also second through seventh paragraphs.
- <sup>108</sup> United Nations Statistics Division coordinated data and analyses, available from <http://mdgs.un.org/unsd/mdg>.
- <sup>109</sup> DP/DCP/KWT/1, para. 4.
- <sup>110</sup> A/59/38, para. 72; see also A/55/40, paras. 462 and 463.
- <sup>111</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009KWT111, first paragraph.
- <sup>112</sup> A/59/38, para. 73.
- <sup>113</sup> E/C.12/1/Add.98, para. 34.
- <sup>114</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Forced Labour Convention, 1930 (No. 29), 2009, Geneva, doc. No. (ILOLEX) 062009KWT029, first paragraph; see also second paragraph.
- <sup>115</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), 2007, Geneva, doc. No. (ILOLEX) 062007KWT087, fifth paragraph.
- <sup>116</sup> E/C.12/1/Add.98, para. 18.
- <sup>117</sup> Ibid., para. 38.
- <sup>118</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 092009KWT111, sixth paragraph.
- <sup>119</sup> CRC/C/15/Add.96, para. 5.
- <sup>120</sup> DP/DCP/KWT/1, paras. 3 and 4.
- <sup>121</sup> E/C.12/1/Add.98, para. 23.
- <sup>122</sup> Ibid., para. 43.
- <sup>123</sup> CRC/C/15/Add.96, para. 27.
- <sup>124</sup> E/C.12/1/Add.98, para. 26.
- <sup>125</sup> Ibid., para. 46.
- <sup>126</sup> A/55/40, para. 475.
- <sup>127</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Discrimination (Employment and Occupation) Convention, 1958 (No. 111), 2009, Geneva, doc. No. (ILOLEX) 062009KWT111, third paragraph; see also CERD/C/304/Add.72, para. 16.
- <sup>128</sup> UNDP Bangladesh and Ovivashi Karmi Unnayan Program (OKUP), *HIV Vulnerabilities faced by Women Migrants, From Bangladesh to the Arab States* (2009), p. 48, available from [http://data.unaids.org/pub/Report/2009/200911\\_undp\\_bangladesh\\_en.pdf](http://data.unaids.org/pub/Report/2009/200911_undp_bangladesh_en.pdf).
- <sup>129</sup> CRC/C/15/Add.96, para. 29.
- <sup>130</sup> E/C.12/1/Add.98, para. 7.

<sup>131</sup> See [www.unfpa.org/webdav/site/global/shared/CO\\_Overviews/Kuwait\\_B2\\_9.23.doc](http://www.unfpa.org/webdav/site/global/shared/CO_Overviews/Kuwait_B2_9.23.doc).

<sup>132</sup> Resident Coordinator, Annual Report 2008, p. 2, available from [www.undg.org/RCAR/2008/finalized/pdfs/RCAR\\_2008\\_KUW\\_NAR.pdf](http://www.undg.org/RCAR/2008/finalized/pdfs/RCAR_2008_KUW_NAR.pdf).

<sup>133</sup> Ibid., p. 1.

<sup>134</sup> Ibid.

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