

## **Association of Kuwaiti Social Workers**

### **1- Establishment:**

**The Association of established in 1967 under the publicity resolution No. ( 46 ) registered in the Ministry Of Labor And Social Affairs.**

### **2- Goals:**

- 1. Taking care of the workers' interests in the social domain and promoting their professional levels by all means and developing social occupations to reach is proper position in serving social goals of the society>**
- 2. Participating in providing social care to individuals and groups, who are not allowed due their conditions to benefit from complete governmental services, or who need more specialized care.**
- 3. Working to deliver the social awareness to all categories of society and its classes by all available means in the purpose of achieving a maximum range of social cohesion, stability and integration in cooperation other formal and voluntary authorities.**
- 4. Doing field researches in order to limit the problem volume and social phenomena that hinder the desired social development for our society and propose policies, which assist the concerned authorities to overcome it.**
- 5. Exchanging professional information and experiences with international, Arab, and local authorities, especially the concerned ones in the affaires of social care by all means and techniques and holding arab and international conferences publishing books, magazines, pamphlets, etc.**

### 1-Family and Family Violence:

The global society has defined the domestic violence as violation of the basic human rights, while the International Law of Human Rights has indicated that the essential right of an individual is living a life free of violence. This includes obligating the governments with ensuring remedy when any of such rights is violated.

The global declaration of human rights – in its articles; indicated to the essential right of an individual as represented in living freely off violence and mistreatment; in particular:

- Article 3 which refers " Everyone reserves the right to enjoy with life, freedom and safety as ensured for himself/herself".
- Article 5 which refers " None shall be subject to torture, mistreatment, harsh penalty, non-human, or offending penalties"

#### Throughout our field following up to the problems and phenomena prevailing in the Kuwaiti society; we have noticed the following:

- 1- The prevailing domestic violence and the absence of a national institution competent with handling such type of violence.
- 2- This type of domestic violence is usually treated via calling the call center of emergency police section or filing complain directly at any police station which in return deploys a police officer to review the location where the domestic violence occurred without the presence of any technical cadre competent with handling such situations.
- 3- On occurrence of offence conducted by the husband against the wife or children or vice versa , or any form of the domestic violence that may impede and fail the policemen to enter in the house due to claiming that there is no legal permission to do so. However, the situation may progress to committing a murder or may lead to causing permanent debility that in return requires the urgent immediate interference
- 4- Lack of special law for the family security, while the present laws are confined to different legislative provisions.
- 5- The absence of shelters for reception of the domestic violence's victims whereas the victim sometimes must stay at the police station, if he/she has no relatives or friends –ready to give him/her shelter.
- 6- The rarity of having educational curricula creating awareness for the domestic violence phenomenon with its varied types.
- 7- There are no any official government statistics for the domestic violence – classified based on sex, relationship and the type of violence.
- 8- There are neither laws nor policies or awareness or cultural programs for the phenomenon of domestic violence.
- 9- Lack of role of Higher Council for Family Affairs.

#### Recommendations:

- As applicable to the Article (9) of the Kuwaiti Constitution, which states the following:
- (Family is structure of the society in which its essence is based on religion, morals, and patriotism in which their entities are maintained by law in terms of strengthening its core essences that in return maintains motherhood and childhood".
- Enacting a law dedicated for maintaining the family affairs.
- Activating the role of the Higher Council for Family Affairs.
- To establish a Family Affairs Court.
- Preparing a National Institution or Specialized Program for Quick Psychological Intervention in the emergency cases (domestic violence – family problems).
- Preparing a strategy and national plan for protection against the domestic violence and family conflicts of its varied types.
- Activating the role of National Institutions – concerned with the families for revealing the awareness of this matter and the required culture.
- To develop legal, political, administrative and cultural programs for prevention of the family violence.
- To provide shelters for all age groups and both sexes (males and females).
- To spread concept of the family and its importance and damages of the family violence in the national educational curriculums.
- To activate the role of Family Centers and Society Development Centers under the Government Authorities.
- Protection and support to the victims of family violence.
- To refer the offenders of domestic violence for legal liability and thereafter for psychological rehabilitation.
- Guaranteeing the woman's position and importance of her role in the family.

### 2-Rights of the Handicapped Persons:

The government has offered the handicapped people several many privileges and assistance in different fields, however, there are many of them still encounter difficulty in processing of the governmental formalities, specially their suffering from long term documentary cycle in their government institution "Public Authority for the Handicapped Affairs", while the current Government Apparatus Building, concerned with them, lacks the basic services of the handicaps.

**Recommendations:**

- Creating effective mechanisms for the government formalities and documentary cycle for the handicapped persons.
- To provide a building furnished with all of the services for their government institutions.
- Amending the building law and its procedures to include the (public facilities, commercial and investment complexes) till reaching all statuses and cases of the handicapped persons to all facilities of the building.

**3-Rights of the Old People:**

Several governmental authorities, specifically Ministry of Health, have granted amenities and advantages to the old people, however there yet a brazen failure in the legislations and rights of the old-aged person (Health, social, cultural and economic rights), whereas the current legislations are limited to just different provisions – concerning them.

**Recommendations:**

- It is necessary to enact a law concerned with the old people according to the principles of United Nations in relation to the old people and according to their rights as stipulated in the Article No. (11) of the Kuwaiti Constitution which sets forth
- “The State shall ensure the assistance to the citizens in case of aging , sickness or inability to work, as well as providing them with the social security services, social assistance and health care”.
- Establishing health and treatment spas dedicated for the old people.

**4-National Organization for Human Rights:**

Kuwait still lacks the presence of an Independent National Institution for Human Rights, as per the principles related to the National Institutions Center for Enhancement and Protection of Human Rights (Paris Principles – General Assembly Resolution No.48/134).

**Recommendations:**

- It is necessary to focus seriously on establishing a national institution for the human rights according to the Paris Principles in which this institution shall be ideal cultural and human presentation of the State. The following shall be considered in establishing such institution:
  - It shall contain provisions regulating the structuring of the national organization for human rights and selecting its members based on honest and clear procedures regarding election, nomination, and termination.
  - Ensuring guardianship for its members according to the provisions regulating the organization structure.
  - The provisions shall contain financial regulations that may enable the organization to achieve entire independence in which such independence shall be in form of independent budget run and governed by the organization fully.
  - The provisions shall include the policy of open path/door for all categorizes of the society and its civilian institutions.
  - Open for the civil society.

**5-Sponsor System:**

Kuwait is still working on the Foreign Laborers’ Sponsor System, despite the problems and infringements and the government bureaucracy and obstructions - to which the foreign laborer is exposed and the citizens and employers suffer from this system, further to the human traffickers who recruit foreign workers for the money agreed between the two parties under the table, in spite of the government actions, which are usually against the worker alone, and limited to temporary closure of the employer’s file, who resume, after some time, the business of human trafficking through the present Sponsor System.

**Recommendations:**

- It is necessary to cancel the Sponsor regulation and shall be replaced by civilized regulation for employing the foreign manpower according to the international standards.
- To activate the role of Authority for Working Force.
- To enhance the inspectors’ power for surveillance of any infringements of labor rights.

**6-Domestic Manpower:**

Despite the good habits that the Kuwaiti Society is qualified with and the good heartedness, kindness, kindness and tolerance and good treatment with all on the equal footing, but there are some, in small faction, who mistreat the domestic manpower, specifically keeping in view that the present domestic manpower strength exceeds 750,000 male and female workers, which is equal to about one fourth of Kuwait population, and therefore it is difficult that all of them may enjoy a safe and health working environment, specially in lack of the legislations which regulate the relation between the domestic manpower recruitment offices, laborer and employer.

**Recommendations:**

- We recommend for implementation of recommendations of the Human Rights Committee, concerning the economic, social and cultural rights – passed on 18/12/2013, whatever related to the domestic manpower.

**7-Right to Housing:**

Every man has the right of getting a suitable accommodation, as mentioned in article (25) of the World Declaration for Human Rights and International Institute for Economic, Social and Cultural Rights of (1966) which in article 11 sets forth that the states parties must

guarantee right of every person for a living standard sufficient for him and his family, providing that fulfill their needs of eating....and shelter and his right for continuous improving of his living conditions.

We feel, with severe anxiety, that as state which has very high financial surpluses, like state of Kuwait and the Kuwaiti citizens strength about one million person, has more than 110,000 families waiting for getting a housing provided by the State, while an option for buying a housing directly from the real estate market is not possible for the majority, due to getting houses with reasonable prices, while the average price of a simple house exceeds the level of US\$ one million, due to scarcity of the offer vis-à-vis the severity of demand and average waiting period for getting a government house – may reach to 15 years

We feel, with severe anxiety, the increasing high cost of monthly rent of the housing and flats – to sky rocketing amounts, due to scarcity of the offer vis-à-vis the demand and lack of an executive rule – controlling the prices.

**Recommendations:**

- to provide lands suitable for housing and find out a methodology permitting Kuwait Oil Company, to release the lands good for the housing in order to erect net reconstruction complexes and congregations.
- Erection of new cities and reconstruction expansions.
- To provide housing / accommodations to all categories of the society, and for all living standards, and specifically to the low income peoples.
- To lay down rules and laws – regulating the activities of leasing and to put price limits for them.

**8- The unidentified nationality people (Bedoon) :**

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However, there are many advantages , services, and facilities provided by the Central Authority for Fixing the Situations of the Illegal Expatriates in the human, social, and civil fields; the un-identified nationalities holders (Bedoon) who are located in the State of Kuwait with the population numbering 110,000 individuals approximately, those people still encounter many sufferings ; in particular in relation to their legal status and their being worried about their future prospects.

**Recommendations:**

- Expediting the remedial process of the situations.
- We recommend for implementation of recommendations of the Human Rights Committee, concerning the economic, social and cultural rights – passed on 18/12/2013, whatever related to the stateless persons.
- We recommend for implementation of recommendations of the Anti Racial Discrimination Committee – passed on 9/3/2012, whatever related to the stateless persons.

**9-National Unity and Speech of Hatred:**

The Kuwait Government has ratified the law No. (19/2012) for protection of the national unity, and the law was passed through the necessary decree, and the law is aimed at protection of the Kuwaiti society structure and national solidarity from the disturbances and troubles which were raised by some trouble makers through audio, readable and video media of information and through internets and websites and emails, and we feel, through our contact with the Kuwaiti masses, of severe fear of occurrence of sectarian or clan or family irritation, due to multitude of information speeches in their different forms which touch and ingrain in the racial idea – violating the laws' provisions, and we notice a clear selectivity, by the Ministry of Information (Competent Authority under Division of Information), of referring the violation cases to the Public Prosecution.

**Recommendations:**

- To get rid of selectivity, by the Ministry of Information, of referring the violation cases of National Unity Law, to the legal authorities and to transfer all of the transgressors without exception.
- To amend the law No. 61/2007 about the audio and video information and add articles that incriminate speech of hatred.
- To propagate the concept of National Unity and its importance and damages of speech of hatred to the society, in the national educational curriculums.
- To work out a national strategy and plan for protection of National Unity.

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