



**International Human Rights  
Instruments**

Distr.: General  
12 December 2018  
English  
Original: Arabic

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**Common core document forming part of the  
reports of States parties**

**Kuwait\***

[Date received: 23 November 2018]

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GE.18-21646 (E) 180119 180119



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## Common core document

1. The core document consists of two parts. The first part (A) provides general information about the State of Kuwait, and the second part (B) describes the general framework for the protection and promotion of human rights.

### A. General information

#### New Kuwait Vision for 2035

2. The objectives are: to convert Kuwait into a financial and commercial centre that attracts investment and in which the private sector steers economic activity; to promote a spirit of competition and increase the efficiency of production under a supportive institutional State apparatus; to promote firmly rooted values, maintain social identity, and achieve human and balanced development; and to build adequate infrastructure, enact advanced legislation and create an encouraging business environment.

#### Demographic, economic and sociocultural characteristics

##### Location and area

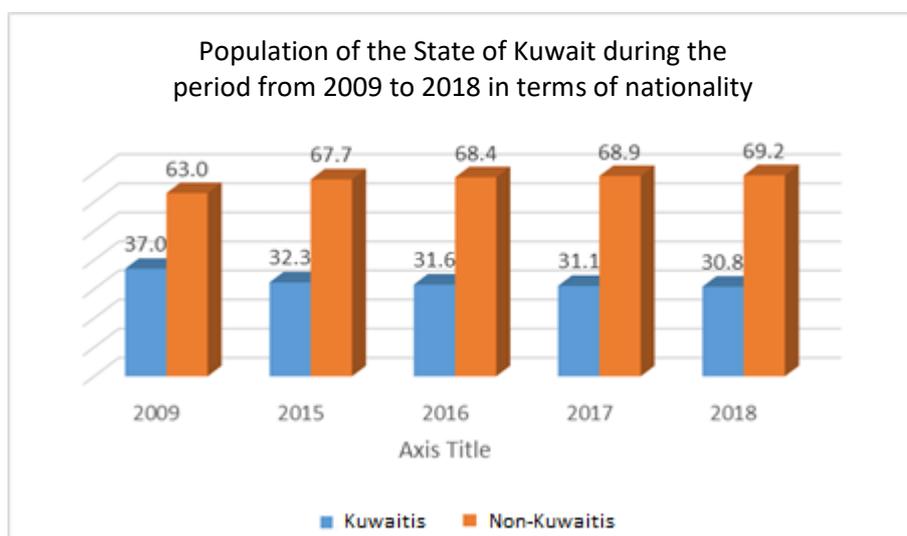
3. The State of Kuwait is located in the north-western corner of the Arabian Gulf between 28°30' and 30°06' north and 46°30' and 48°30' east. It is bordered in the north and north-west by Iraq and in the south and south-west by the Kingdom of Saudi Arabia. It is also bordered by the Arabian Gulf. Its location as a natural passageway in the north-east of the Arabian Peninsula has long enhanced its commercial status. The area of Kuwait is 17,818 square kilometres.

##### Climate

4. As Kuwait is geographically located in a desert region, it has a continental climate characterized by long, hot and dry summers and short temperate winters with occasional rain.

##### Population

5. The population of the State of Kuwait was estimated in 2018 at 4,226,920 inhabitants, of whom Kuwaitis accounted for about 30 per cent and non-Kuwaitis for about 69 per cent.



## Religion

6. Article 2 of the Constitution stipulates that the State religion is Islam and the sharia is the main source of legislation. Article 35 of the Constitution stipulates that freedom of belief is absolute, and that the State protects the freedom to practise religion in accordance with established customs and without prejudice to public order and public morals.

## Education

7. Human capital is recognized as the real wealth of nations and a source of creativity and innovation conducive to enhanced competitiveness. Accordingly, a basic premise of development plans in Kuwait is that investment in human beings is a prerequisite for achievement of the Sustainable Development Goals.

8. Kuwait has devoted particular attention to the right to education. Article 13 of the Constitution stipulates that education is a fundamental prerequisite for the advancement of society and is guaranteed and promoted by the State. Education is free at all levels, from kindergarten to university, and is compulsory at the primary and intermediate levels. Expenditure on public education has increased. It totalled more than 1.7 billion Kuwaiti dinars (KD) in 2016/17 and accounted for about 9 per cent of total government expenditure. The enrolment ratio in primary and intermediate schools reached 100 per cent as a result of action taken to align the number of schools in all governorates of Kuwait with the number of inhabitants. Successful action has also been taken by the State of Kuwait to eradicate illiteracy, which stood at just 3.2 per cent in 2016. Persons with disabilities are provided with a full range of educational services. Some are integrated into regular educational facilities, while others attend special schools.

Table No. 1

### Number of schools and colleges in 2016/17

<i>Data</i>	<i>Schools</i>	<i>Classes</i>	<i>Students</i>	<i>Teachers</i>
Overall data for public governmental and religious education	827	15 851	385 338	67 603
Private schools	31	240	1 815	1 201
Overall data for private education	527	8 696	263 429	15 784

## Health

9. The State of Kuwait is committed to providing health care at every stage as a human right, in accordance with articles 10, 11 and 15 of the Constitution. Health-care services are provided on a fair and equal basis to all, including citizens, foreign residents, older persons, children, persons with special needs, women, young people and workers.

10. As a result, the cost of providing health-care services in the country has increased. Budgetary allocations totalled about KD 1.7 billion in 2014/15 (which is equivalent to about 8 per cent of government expenditure allocations for that year). According to the draft budget for 2014/15, average health-care expenditure amounted to KD 426 per person. It should be noted that the proportion of government expenditure on health-related services during the period from 2011/12 to 2015/16 increased from about 6.7 per cent to about 9.8 per cent.

11. Public hospitals are evenly distributed among health districts. Each district has a general hospital as well as specialized hospitals. There were 18 hospitals in 2016, namely 6 general hospitals and 12 specialized hospitals, and there were also 95 primary health-care centres.

12. The State enacted a law on the establishment of health-insurance companies (a social security system), which provide a range of health-care services for non-Kuwaiti men and women, including a number of health-insurance hospitals. There is also an insurance plan known as "Afia", which is run by a health-insurance company on behalf of retired Kuwaiti men and women, who are provided with treatment services.

Table No. 2

**Number of hospitals, beds and medical equipment in 2016**

<i>Data</i>	<i>Governmental sector</i>	<i>Private sector</i>	<i>Oil companies</i>
Hospitals (general and specialized)	18	12	3
Primary health-care centres (general medicine)	95	-	-
Beds	7 098	1 071	240
Doctors	8 434	1 120	237
Dentists	1 859		

**Employment**

13. The steadily increasing growth in the Kuwaiti economy has led to the emergence of a multitude of diverse employment opportunities and hence an increased demand for labour, among both Kuwaiti nationals and expatriates, to meet employment needs in various fields.

Table No. 3

**Employees in the public and private sectors in 2017**

<i>Sector</i>	<i>Kuwaitis</i>				<i>Non-Kuwaitis</i>			
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Percentage</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Percentage</i>
Public sector	124 620	169 702	294 322	74.3%	59 085	42 858	101 943	25.7%
Private sector	35 185	36 053	71 238	4.3%	1 440 153	126 629	1 566 782	95.6%

Table No. 4

**Key indicators in the 2016/17 labour force survey**

<i>Indicator</i>	<i>Kuwaiti</i>	<i>Non-Kuwaiti</i>	<i>Total</i>
Rate of participation in the labour force	39.5%	82.2%	73.8%
Unemployment rate	6.4%	1.7%	2.2%
Ratio of public-sector employees to the total labour force	89.9%	10.6%	18.6%

**National income and expenditure**

14. The current development plan is based on seven pillars, including a comprehensive pillar aimed at building a diversified and sustainable economy based on diverse productive foundations. It seeks to support and encourage the private sector and small and medium-sized enterprises with a view to achieving economic growth in areas other than the oil sector, and positive growth rates that preserve and sustain living standards, while continuing to develop the oil sector, increase its productive capacity and expand the value-added chain of related industries, especially petrochemicals. As a result, Kuwaiti citizens continue to enjoy a high standard of living, as demonstrated by the average gross domestic product (GDP) per capita of US \$35,000, and steady prices during the past five years despite fluctuations in oil prices.

15. The development plan for the years 2015/16 to 2019/20 aims to increase the real GDP growth rate to 5.9 per cent once the plan's projects are implemented. The target rate will increase real per capita income based on the assumption of an annual rate of growth in the Kuwaiti population of 2.6 per cent.

**Loans provided by the State of Kuwait to groups of countries**

16. The State of Kuwait has endeavoured since its independence and throughout its history to provide humanitarian assistance to countries throughout the world through activities and large-scale contributions in various sectors to groups who have been

adversely affected by natural disasters or other crises. Humanitarian action has been a feature and cornerstone of its political and economic action abroad. In recognition thereof, His Highness the Amir was proclaimed a Humanitarian Leader and the State of Kuwait was named a Humanitarian Centre in 2015.

17. Kuwait contributes, through the Kuwait Fund for Arab Economic Development, to the relief efforts of Arab States and developing countries through loans aimed at financing relief projects and training national staff, thereby promoting partnerships and building bridges of fraternity and international cooperation. The following table shows the key components of international assistance:

<i>Groups of countries</i>	<i>2015</i>			<i>2016</i>		
	<i>Number of loans</i>	<i>Millions of Kuwaiti dinars</i>	<i>Millions of US dollars</i>	<i>Number of loans</i>	<i>Millions of Kuwaiti dinars</i>	<i>Millions of US dollars</i>
Arab States	342	3 145	10 695	345	3 231	10 985
African States	295	991	3 370	301	1 022	3 476
Asian and European States	232	1 340	4 553	233	1 354	4 604
Latin American and Caribbean States	46	176	598	47	180	612
<b>Total</b>	<b>915</b>	<b>5 652</b>	<b>19 216</b>	<b>926</b>	<b>5 787</b>	<b>19 677</b>

### **Housing**

18. Kuwait takes a special interest in housing in view of its status as a right and its impact on Kuwaiti family life. The Government has adopted development plans based on its policy of providing appropriate housing units for Kuwaiti families. Since 1954 Kuwait has set up housing units based on different options, including public-sector houses, apartments or the distribution of vouchers to citizens based on specific mechanisms and regulations that guarantee fairness in the granting of access to housing. The Kuwait Credit Bank also provides housing loans with the same end in view.

19. The Public Authority for Housing Welfare was established by Act No. 47 of 1993 with the aim of providing housing for its beneficiaries through various options. The Authority is the executing agency for the Government's housing policies.

### **The environment**

20. The environment is a mainstay of comprehensive development, and protection of the environment is a key global and national objective. Many bodies working in Kuwaiti health care, industrial, scientific, engineering and other areas have begun to focus on environmental studies and data.

21. The Environment Public Authority was established by Act No. 21 of 1995, which was amended by Act No. 16 of 1996. Its priorities include the development and implementation of the Kuwaiti environmental protection policy, and the elaboration and monitoring of the implementation of an integrated plan of action covering all short-term and long-term aspects of environmental protection, and a comprehensive plan specifying the measures required to address environmental disasters.

### **The constitutional, political and legal structure of the State**

22. Kuwait is an independent and fully sovereign Arab state. Its religion is Islam, its official language is Arabic and its system of government is democratic. The explanatory note to the Constitution states that this democratic system represents a middle way between a parliamentary system and a presidential system, and embodies truly democratic principles. Thus, the system of governance in Kuwait is based on the constitutional principle of the separation of powers and cooperation among them.

23. One entire part of the Kuwaiti Constitution, subdivided into five chapters, is devoted to those powers. The first chapter begins by stating that legislative authority is vested in the Amir and the National Assembly in accordance with the Constitution. Executive authority is vested in the Amir, the Council of Ministers and the ministers in their respective capacities, while judicial authority is vested in the courts, which exercise their powers in the name of the Amir and within the limits set by the Constitution.

24. The second chapter specifies the powers of the Head of State:

(a) He exercises his authority through his ministers and he appoints and may dismiss the Prime Minister;

(b) He is the Commander-in-Chief of the Armed Forces;

(c) He issues regulations for the implementation of laws, as well as the regulations required for the organization of the State's public services and departments;

(d) He appoints civil and military officials and political representatives to other States.

25. The Amir has other powers in addition to those listed above:

(a) **The legislature:** Pursuant to article 79 of the Constitution, legislative power is vested in the Amir and the National Assembly, which is composed of 50 members who are directly elected by a universal secret ballot for a four-year term. The National Assembly is mandated by the Constitution to enact legislation. Provisions relating to the legislature are set forth in the third chapter of the Constitution.

(b) **The executive:** Executive authority is vested in the Amir and the Council of Ministers. The Council administers departments of State, formulates general government policy, oversees its implementation and supervises the smooth running of the State's administrative bodies. Each minister supervises the affairs of his own ministry, implements general government policy, formulates ministerial directives and supervises their implementation.

(c) **The judiciary:** Judicial authority is vested in the courts, which exercise their powers in the name of the Amir. Judicial independence is guaranteed by the Constitution and by law on the basis of the principle that the honour of the judiciary and the integrity and impartiality of judges are the bedrock of governance and a guarantee of rights and freedoms. Judges are subject to no authority in their administration of justice and the law guarantees the independence of the judiciary and provides safeguards and special provisions for judges. The Constitution guarantees the independence of the judiciary.

## **B. General framework for the protection and promotion of human rights**

26. The State of Kuwait has acceded to the following international human rights instruments:

1. The Slavery Convention of 1926;

2. The Protocol amending the Slavery Convention of 1926;

3. The Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions;

4. The International Convention on the Elimination of All Forms of Racial Discrimination;

5. The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;

6. The International Convention on the Suppression and Punishment of the Crime of Apartheid;

7. The Convention on the Rights of the Child and the Optional Protocols thereto;

8. The Convention on the Elimination of All Forms of Discrimination against Women;
  9. The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity;
  10. The Convention on the Prevention and Punishment of the Crime of Genocide;
  11. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
  12. The International Covenant on Civil and Political Rights;
  13. The International Covenant on Economic, Social and Cultural Rights;
  14. The International Convention against Apartheid in Sports;
  15. The International Labour Organization (ILO) Minimum Age Convention (No. 138) of 1973;
  16. The ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182) of 1999;
  17. The Arab Charter on Human Rights, pursuant to Act No. 84 of 2013;
  18. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, pursuant to Act No. 5 of 2006 promulgated on 27 March 2006;
  19. The Convention on the Rights of Persons with Disabilities, pursuant to Act No. 35 of 2013.
27. The Kuwaiti Constitution may be regarded as a political and legal umbrella for the general rules governing human rights in Kuwait. A number of Kuwaiti laws were enacted prior to the promulgation of the Constitution with the aim of ensuring justice for persons in Kuwait. Those laws include the Criminal Code and the Code of Criminal Procedure, both of which were promulgated in 1960.
28. Article 70 of the Constitution stipulates that: “The Amir shall conclude treaties by decree and transmit them forthwith to the National Assembly with the appropriate statement. A treaty shall acquire the force of law after it has been signed, ratified, and published in the Official Gazette.”
29. In view of the importance of human rights, most of the constitutional provisions enshrine the internationally recognized principles in that regard which are set forth in international instruments. The establishment of the Constitutional Court pursuant to Act No. 14 of 1973 has further served to safeguard these rights and freedoms and ensure their effective application. Rights and freedoms figure prominently in the Kuwaiti Constitution, most of the articles of which contain explicit provisions relating thereto. They include:
- Article 6, which states that the people are the source of all the nation’s authority and sovereignty;
  - Article 7, which refers to justice, equality and freedom;
  - Articles 9 and 10, which guarantee protection for the family, motherhood, childhood and young people;
  - Article 11, which stipulates that care and social security shall be provided for all citizens who are older persons, unwell or unable to work;
  - Article 13, which guarantees free State education;
  - Article 14, which promotes science and the arts and encourages scientific research;
  - Article 15, which guarantees the right to health care.

### High Committee for Human Rights

30. Within the regulatory framework of human rights and with a view to establishing general principles, a Ministerial Decree was issued in 2008 providing for the establishment of a High Committee for Human Rights, the functions of which were:

- (a) To raise awareness of human rights through the various media, to organize seminars and lectures, and to undertake human rights studies;
- (b) To provide for the incorporation of basic human rights concepts into the curricula for general and higher education.

31. Following the promulgation of Act No. 67/2015 on the National Human Rights Authority, all responsibilities of the High Committee were transferred to the National Human Rights Authority.

### Civil society organizations in the State of Kuwait

32. Kuwait attaches great importance to civil society organizations and their role in the development of society. Civil society organizations in Kuwait fall into different categories. Some are professional and charitable organizations and others engage in specialized activities, for instance in health-related, social and economic fields.

33. Kuwait provides support for some civil society organizations that were established prior to 1985. The support ranges from KD 12,000 to KD 120,000 per month, depending on the organization's activities. Support is also provided for conferences held within the country or abroad. Most organizations established after 1985 are not provided with support.

Table No. 6

#### Number of civil society organizations during the period from 2012 to 2016

<i>Association</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
Public interest associations	87	88	105	114	116
Charitable associations	10	10	10	16	27
Charitable foundations	85	91	88	85	87

34. The State of Kuwait has also enacted a number of laws that contribute to the promotion of human rights:

- Act No. 35 of 2013 on accession to the Convention on the Rights of Persons with Disabilities;
- Act No. 84 of 2013 concerning the Arab Charter on Human Rights;
- Act No. 91 of 2013 on Combating Trafficking in Persons and Smuggling of Migrants;
- Act No. 21 of 2015 on the Rights of the Child;
- Act No. 111 of 2015 promulgating the Juveniles Act;
- Act No. 12 of 2015 promulgating the Family Court Act;
- Act No. 67 of 2015 concerning the National Human Rights Authority;
- Act No. 68 of 2015 concerning Domestic Employment.