



Introduction:

Support law firm is a non- governmental institute which is specialized in doing legal work, social responsibility by adopting pro-bono, issuing several studies and programs for the implementation of human rights principles in Kuwait, so as to promote awareness of international human rights instruments.

This report is presented to highlight recent updates regarding human rights situation

We will try through this report to address the most important issues related to Human rights as following:

1- women rights situation

Although the Kuwaiti Constitution has been stated in Article (29) states that: (People are equal in human dignity, and they are equal before the law in all rights and duties, with no discrimination on the bases of gender, origin, language or religion). However, the reality reflects a huge discrimination by Kuwaiti legislator, including the citizenship Act, the Penal Code, the Law on Housing, and the family law.

THE RECOMMENDATION:

1. grant Kuwaiti women the right to pass on their citizenship to children and spouse without restriction or condition.
2. reformulating the family law to
 - grant women right to divorce to become equal to men and to
 - legalize civil marriage in Kuwait.
 - criminalize marital rape .
3. support law firm recommends the need to harmonize national legislation with the Convention on the Elimination of All Forms of Discrimination against Women.
4. Grant Kuwaiti women the opportunity to receive a governmental equal housing loan same as loans received by the Kuwaiti man, without restriction or condition and without discrimination by social status. And to grants Kuwaiti women children who are not Kuwaitis the right to inherit properties [real estate's]
5. implement (the quota) as a special procedure and temporary mechanism to expand women's chances of political participation and decision-making.





6. Urge the government to continue in promote and facilitate the representation of women in parliament and in ministerial positions and appointed the position of judge and remove discriminatory decisions against it to start its work as agents on behalf of, and increase the level of representation in the diplomatic missions abroad.

2- Human Trafficking:

Kuwait approved Law 91/2013 on fighting human trafficking to compact smuggling people, but the law is not enforced as required due to the spread of residency dealers. Migrant workers and domestic helpers also face different right breaches because of Sponsor “Kafeel” System .

Through our work we see that Kuwait did not consider the minimum standards to compact human trafficking as there’s no studies or analysis to fully address the human trafficking situation in Kuwait

Recommendations:

1. To find law enforcement mechanism so as to ensure full enforcement of HT law
2. a study issued by support law firm stated that more than 91% of Kuwaiti citizens who hired domestic workers, take the passport from the worker so [Holding a workers passport should be taken as a sign to human trafficking] long working hours and low rates should be considered as a sign of human Trafficking.
3. raising awareness about the danger of this crime through media campaigns in languages that migrant workers and domestic helpers speak as well as raising awareness amongst targeted individuals such as migrant workers, particularly domestic helpers to help them avoid these crimes.
4. Providing legal, medical, psychological and rehabilitation assistance to victims of human trafficking.

3- FREEDOM OF OPINION AND EXPRESSION:

Freedom of opinion and expression have fallen a lot lately, as the Kuwaiti authorities chased a number of bloggers across social networking sites who criticized the government and asked for political comments are not up to the level of incitement to violence and the government filed lawsuits against a group of them who have expressed see them claim to allow freedom of speech and writing, has also been withdrawn citizenship from a number of them.

Also a penal code criminalize any act that is considered as an insult to religions or the Amir , still this code is conflicted itself as there was no [explanatory





memorandum] to explain what is considered as an insult and what is only criticism , a lot of Kuwaiti asylum seekers worldwide are convicted with this unexplained code .

RECOMMENDATIONS:

1. The government is required to raise the ceiling of freedoms of opinion and expression through the granting of independence to media organizations.
2. to reformulate penal code act so as to explain or specify the means of insultment and not to minimise the freedom of expression.
3. The government is required to abide by the treaties and international conventions ratified by Kuwait, which guarantees freedom of opinion and expression for all.

4 – discriminatory laws against men

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| Housing laws Divorced or widowed | The government provides women who are divorced but don't have children , or widowed , non married and reached the age of 40 [they're provided with a proper housing with cheap rental prices] <u>men are not provided with such</u> |
| Eligibility age [criminal law – sexual offenses] | An exception to the age of eligibility stated by the criminal law women who commit sexual crimes and are below the age of 21 are always considered as victims even if they have <u>victimized males</u> |

RECOMMENDATIONS :

- 1- an urgent LAW reformulation IS NEEDED TO PROTECT males from being accused of a sex offense while they actually being victimised .
- 2- to combat crimes by insuring no -illogical exception is legalized to commit a crime
- 2- to provide housing facilities and rights to males who are divorced , widowed and not married but reached the age of 40 , equally to women .

Freedom of religion :





It is stated in the constitution of Kuwait that the freedom of religion is granted to everyone , still the actual application to this code reflects discriminatory treatments with other religions than Muslims

- 1- Christians face difficulty to establish churches as there are only few churches in Kuwait [less than 5] meanwhile in every city in Kuwait , every block there's a mosque or two , [when applying a request to establish a church it won't be accepted]
- 2- When Bahai'ies want to apply inheritance conditions, there's no governmental department in the country that accept to grant them their Inheritance so they're forced to file lawsuits in courts to have judgments granting them their right to inheritance.
- 3- Lack of social acceptance to different religions and believes

Recommendations:

- 1- Promote social acceptance and respect to people with different believes and religions
- 2- Legalize right to inheritances according to the conditions of the bahaii religion
- 3- Allow religions such as Bahaii and Christians to establish their house of worship.

