



الجمعية الكويتية لحقوق الإنسان  
KUWAIT SOCIETY FOR HUMAN RIGHTS

# **A REPORT ON THE STATE OF KUWAIT'S COMMITMENT TO THE INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION**

To be Submitted to the Committee on the Elimination  
of Racial Discrimination for its 93<sup>rd</sup> Session

**From Kuwait Society for Human Rights**

July 2017

## INTRODUCTION:

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Kuwait Society for Human Rights (KSHR) works to disseminate culture of respect for human rights, raise awareness about international human rights conventions and defend all individuals whose human rights are breached. KSHR submits, through this report, the significant remarks and recommendations about commitment of the State of Kuwait to implementing international conventions for eliminating all forms of racial discrimination until the date of issuing this report. KSHR also calls for a number of reforms, in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), such as amending and scrutinizing national legislations to harmonize with international conventions. This report has been prepared according to the following criteria:

- The concluding remarks that were submitted to the Kuwaiti Government during the 80th Session of the Committee on the Elimination of Racial Discrimination.
- International Conventions on the Elimination of All Forms of Racial Discrimination.
- The National Report of the State of Kuwait that was submitted to the Committee on the Elimination of Racial Discrimination in 2016.
- Harmonization of domestic laws with the Convention on the Elimination of All Forms of Racial Discrimination.
- Recommendations of workshops carried out by KSHR.
- Complaints received by KSHR.
- Violations monitored by observation teams of KSHR.
- Studies and researches conducted by KSHR.

In this report, we will highlight the most important issues related to racial discrimination as follows:

## 1 | Implementing CERD under the Umbrella of National Legislation:

Article 70 of the Kuwaiti Constitution stipulates that “The Amir approves conventions by a decree and refers them to National Assembly immediately and then conventions will have the force of law after publishing them in the Official Gazette”. Through this constitutional principle the conventions get a national must and conventions` provisions get effective in legislation system and national judiciary. However, in terms of practical practices on the ground, we find that the Kuwaiti judiciary depends in most of its sentences on national legislation. As a result, we rarely find a sentence issued according to CERD. This reflects the shortage of implementing provisions of international conventions ratified by Kuwait in general and CERD in particular.

Harmonizing national legislation with CERD especially several national legislations namely the Kuwaiti Constitution stipulated fighting racial discrimination, but they did not define racial discrimination to match article 1 of CERD. The relevant national legislations also were not amended to harmonize with the Convention particularly labor laws such as law 6/2010 concerning work at private sector. It didn't ban direct and indirect discrimination based on reasons mentioned by International Labor Organization (ILO) Convention No. 111/1958 about discrimination in employment and occupation in respect of all aspects of work, particularly prohibition of sexual harassment and discrimination on multiple grounds like Sponsor “Kafeel” System, non-obtaining social securities by female migrant workers and the shortage of providing an appropriate mechanism to help them get their legal rights.

The above-mentioned law hasn't been amended since enacting it in 2010 with respect to discrimination in employment, occupation and the Sponsor's System & its mechanisms. Civil Service Law No. 15/1979 hasn't been amended to prohibit discrimination in employment according to gender, origin, language and religion. Moreover, a number of regulations and administrative decisions restrict the rights stipulated in certain laws like Law No. 15/1979. Article (2) of this law defines the employee as anyone who holds a civil job at a government authority regardless of the nature of his/her job, title, being citizen or migrant worker. Non-Kuwaiti employees and migrant workers are usually appointed by contracts according to Circular No. 6/1979 concerning the rules and provisions of temporary appointment. Such contracts restrict the rights granted to them by the Civil Service Law wherein the salary for the same qualification varies between citizens and migrant workers as well as leaves, allowances, upgrade and supervisory positions and many other benefits. For example, migrant teachers are appointed according to the second contract (B), therefore the salary is fixed based on Item B of Article 4 of Circular No. 6/1979. So, the salary will not be raised periodically and there is no upgrade to supervisory positions.

The allowances also differ, annual leave is one month a year and maternity leave for migrant female worker is one month while the Kuwaiti female employee and the female employee that married to a Kuwaiti man is entitled to two months' maternity leave. She is also entitled to a four-month maternity leave with half the salary. The third contract, Contract (C), for hiring experts and senior professionals includes similar provisions to the second contract and it doesn't provide an indemnity for experts and professionals, too.

## RECOMMENDATIONS:

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1. Urging the Kuwaiti Government to implement CERD at courts through the framework of administrative procedures.
2. Urging the Government to harmonize national legislations with CERD.
3. Urging the Government to add a clear definition for racial discrimination to national legislations in accordance with article 1 of CERD.
4. Urging the Government to add a comprehensive provision to labor law concerning private sector in order to prohibit direct and indirect discrimination according to ILO Convention No. 111/1958 with regard to all aspects of work especially the prohibition of sexual harassment and discrimination on different grounds such as sponsor system, non-obtaining social securities by female migrant workers and the shortage of providing an appropriate mechanism to help them get their legal rights.
5. Urging the Government to include in Civil Service Law No. 15/1979 clear prohibition of discrimination in employment based on gender, origin, language and religion.
6. Urging the Government to grant Kuwaiti and non-Kuwaiti employees, who are appointed in the public sector by contracts according to Circular No. 6/1979 concerning the rules and provisions of temporary appointment, all privileges and rights provided by Law No. 15/1979 without discrimination.

## 2 | An Independent National Human Rights Institution:

Establishing an independent national human rights institution, in accordance with Paris Principles, is a fundamental requirement for civil society organizations because of its positive impact on the promotion and protection of human rights in Kuwait. The establishment of this institution complements the role of relevant civil society organizations and enhances coordination between government and civil society.

In 2015, Law No. 67 was enacted for establishing National Bureau for Human Rights, but after the lapse of above a year and until the date of issuing this report, the executive draft of bureau has not been issued. The bureau still doesn't exist as an entity. KSHR also expressed reservations on many articles of the law as they don't concur with the Principles of Paris such as the way of appointing the Members of the Board, being subsidiary of the cabinet and marginalizing civil society. In this regard, the Parliamentary Human Rights Committee held a number of meetings recently with representatives of civil society including KSHR, Kuwait Lawyers Society and Kuwait Association for Basic Elements of Human Rights. They have submitted a proposal to amend some articles of Law 67 in accordance with Paris Principles in terms of the necessity of representing the organizations of protecting and enhancing human rights in civil society while establishing the bureau. The bureau should also be an independent institution financially and administratively.

## RECOMMENDATIONS:

7. Amending the articles of Law No. 67/2015 concerning establishment of a national human rights institution in line with Paris Principles about national human rights institutions, 1993, and representation of social forces in civil society that interest in promotion and protection of human rights.
8. Urging the Government to activate Law 67/2015 for establishing a national institution for human rights which is independent financially and administratively and open to civil society, after amending the law articles.

### 3 | Woman:

The Kuwaiti Constitution stipulates through the Article (29) that all people are equal before the law in terms of rights and duties without discrimination according to gender, origin, language, or religion. Kuwait has also signed a number of international agreements including CERD by Law No. 33/1968 and the Convention on the Elimination of All Forms of Discrimination against Women by Amiri Decree No. 24/1994. But discrimination still exists due to certain laws that enacted by Kuwaiti legislators as the very laws discriminate between men and women according to gender like citizenship law No. 15/1959. It stipulates in article (2) that:

each new born is Kuwaiti if he/she was born in Kuwait or abroad to a Kuwaiti father, excluding the Kuwaiti woman from naturalizing her sons or her foreign husband like the Kuwaiti man who can naturalize his foreign wife. Penal Code through Article (153) discriminates between men and women in terms of committing murder crime for adultery although such crimes are very few in Kuwait, the law belittled the case from a criminal act into misdemeanor for men. If the woman commits the same crime for adultery purpose, against her husband, then she faces murder crime sentence that reflects discrimination between men and women. Law 47/1993 about housing welfare, some of its provisions amended by law 2/2011, includes discriminatory provisions against the Kuwaiti divorced woman, widows or the Kuwaiti women that married non-Kuwaiti husbands. Article (28 duplicate) of the same law, amended by law 2/2011, stipulates that Savings and Credit Bank assumes the responsibility of providing convenient low cost housing service in accordance with the provisions of the decree mentioned in article (28 duplicate B) of this law to the following categories:

- Kuwaiti women married to non-Kuwaiti husband and has children.
- Kuwaiti women married to non-Kuwaiti husband residing in Kuwait and doesn't have children, provided that they spent at least 5 years with each other.
- Kuwaiti divorced woman and widow who don't have children as well as single Kuwaiti women aged 40 years, provided setting aside housing service for two female relatives of first, second or third degree in the same residential unit.

Kuwaiti divorced women and widow who have Kuwaiti or non-Kuwaiti children are entitled to a loan of no more than seventy thousand dinars. Therefore, we note that the law discriminated between women according to their social status, and did not equalize between them as citizens. It is very hard for women to obtain the housing loan and the value of the housing loan is determined

according to the square of the house that the woman will buy. The square of the house should be at least 100 square meters in order to obtain a loan worth 70 thousand dinars. In case the square of the house is less than 100 square meters then she gets only 45 thousand dinars, while the male citizen procedures for obtaining the loan are much easier.

As for the Kuwaiti women with disabilities who are married to non-Kuwaiti and have children, the last item of Article (14) of Law No. 47/1993 stipulates that this category is exempted from the provisions of the first article. However, the first article stipulates that housing welfare is provided according to the priority of registration. KSHR extols such a government step for easing procedures for disabled women.

Kuwaiti Personal Status Law 51/1984 did not give women the right of guardianship and custody over their children wherein Article (209) asserts that:

- A- Guardianship belongs to the father then grandfather according to inheritance system, provided that guardianship goes to first degree relative.
- B- If there are more than one guardian then the court selects the best one.
- C- If there is no guardian then the court appoints any good one.

Kuwaiti civil law 67/1980 asserts such points through Article (110), which stipulates:

- The guardianship over funds of minor goes to the father then grandfather, if not available, then it goes to a guardian appointed by the court, with consideration to provisions of Article (112).
- The father or grandfather is not allowed to refuse guardianship unless he submits an acceptable excuse.

Therefore, women do not have the right of guardianship over their children only following a sentence of the court. Furthermore, many internal regulations do not give women the right of guardianship over their children for managing their public affairs.

Discrimination on basis of social gender influenced the rate of female participation in leading positions in the government, where the participation is limited and does not exceed one female minister or two since the first access of woman to the cabinet in 2005. Female presence in Public Prosecution and judiciary positions is also very limited. In 2013, a judiciary sentence was issued and granted women the right to hold the position of Public Prosecutor then they will be qualified to hold the position of judge. In 2014, 22 women were accepted to hold the position of Prosecutor at Public Prosecution, but this step was suspended later on. Judiciary Supreme Council indicated that such a suspension is temporary to assess female prosecutors` performance within a year to make sure if they are qualified to these positions. This is discrimination as female prosecutors subject to assessment while male prosecutors don't. The Kuwaiti woman didn't hold the position of judge till now as well.

## **RECOMMENDATIONS:**

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9. Empowering the Kuwaiti women to naturalize their children without any restrictions or conditions.

10. Urging the Government to amend article 153 of the Penal Code which reduces liability for men, through imposing equal penalties against both men and women when the same offense is committed.
11. Enabling Kuwaiti women to obtain a housing loan equal to that of men, without restrictions or conditions and without discrimination according to social status besides urging the government to facilitate women's procedures for obtaining housing loans.
12. Urging the Government to remove all discriminatory provisions from the Housing Welfare Law.
14. Urging the Government to implement quotas as a form of positive discrimination in favor of women and adopting a temporary mechanism to expand women's political participation to facilitate the process of social change and women's acceptance in decision-making positions.
15. Asking the Government to continue encouraging and facilitating the representation of women in the Parliament, ministerial positions, appointing them as judges and removing discriminatory decisions against them in the positions of prosecutors as well as raising their representation in diplomatic missions abroad.
16. Requesting the Government to amend the laws regulating work of NGOs, unions and federations to include quota that ensures women's participation in the boards of directors of such organizations.

## 4 | Banning Human Trafficking:

Kuwait approved Law 91/2013 on fighting human trafficking and smuggling migrants, but the law is not activated as required due to the spread of residency dealers. Migrant workers and domestic helpers also face different breaches because of Sponsor "Kafeel" System in which most complaints KSHR receives are from migrant workers and domestic helpers that reflect the big number of breaches they face. Despite enactment of Law 68/2015 about domestic helpers in Kuwait, which is a positive step that we highly appreciate, we declared reservations on some of its articles as they are not effective as required for protecting helpers against abuse, harassment and violence. However, Law 68 bans, through Article (5), recruitment offices from publishing advertisements in a way that humiliates domestic helpers. Article (10) of the same law stipulates that charging helpers with dangerous works are prohibited as well as any other works that may affect health or offend human dignity. The Domestic Helpers Department specialized in following up claims of helpers and if they submit a clear evidence, then the recruitment office will be banned from issuing visas for new domestic helpers for a certain period determined by the executive draft of the law issued by ministerial decision 2194/2016 through article (20). The period is six months and if the office commits the same violation again then the 6-month-period will be doubled. Therefore, there is no effective penalty against such violations in order to protect domestic helpers.

In 2014, Public Authority for Manpower at Ministry of Social Affairs and Labor referred 51 accused persons of exploiting workers in illegally tasks and forcing them to execute heavy duties to Public Prosecution. In 2015, it also referred 34 accused persons of human trafficking to the Public Prosecution but these cases were classified as trespass on individuals' freedom, not as forcing individuals to perform tasks against their desire. Therefore, other laws such as Private

Sector Labor Law and Penal Code used to settle these case rather than Law No. 91/2013 on human trafficking and smuggling of migrants.

In 2016, the human trafficking cases referred to public prosecution estimated 5, in which accused persons sentenced to 15 years in jail in one of these cases. It also led to deporting 32 Zimbabwean women who have been deceived by recruitment offices in their country that sent them to work in Kuwaiti hospitals and hotels with salaries up to \$ 700. When they arrived in Kuwait, they have found the owners of recruitment offices waiting for them and then distributed them to work at houses as domestic helpers. Although some recruitment offices in Kuwait exploited some of them to work as prostitutes, they were deported without penalizing recruitment offices and even without conducting effective investigation to ensure applicability of criteria of Law 91/2013 on such cases.

## **RECOMMENDATIONS:**

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17. We recommend the Kuwaiti Government to activate Law 91/2013 on human trafficking and smuggling migrants, redouble the efforts of investigation and prosecution to ensure punishing all those who commit crimes.
18. We urge the Government to boost the skills of judges, prosecutors, investigators and police officers to deal with human trafficking cases well, through training, holding conferences and workshops.
19. We urge media means to play a pivotal role in 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.
20. Providing legal, medical, psychological and rehabilitation assistance to victims of human trafficking crimes.

## **5 | Bedoons (Stateless People):**

The problem of “Bedeons” stateless people, who are called by the Kuwaiti government “Illegal Residents”, is one of the most complicated problems that affect political, economic, social and humanitarian aspects of the country. The number of Bedoons estimated around 120,000 while the number of Bedoons eligible to the Kuwaiti citizenship according to the Nationality Law No. 15/1959, estimated about 35,000. It seems until now that there is no serious and practical solution for this problem.

The government still delays the solution of this issue through transferring applications submitted by the Bedoon to a various administrative committees & authorities, which have avoided settling these requests for decades. The last authority of these is Central Apparatus for Illegal Residents’ Affairs. The apparatus grants only personal cards to applicants to complete their civil and official transactions and obtain certain services like passports and driving licenses. Bedoons who are

not registered in the apparatus are deprived from obtaining personal cards and other basic civil rights, too.

We do not deny that the government provided some services to the Bedoon such as providing health care services to those who hold personal cards issued by the Central Apparatus in addition to education services to the sons of individuals of Ministry of Defense and employees of Ministry of Education. It also allowed them to register births and obtain marriage contracts and death certificates. But, there are still some administrative obstacles and these procedures do not make effective progress towards resolving their cause and ending their suffering especially officials of Ministry of Interior stated that 70% of Bedoon are completely excluded from the possibility of obtaining the Kuwaiti citizenship. A number of Bedoon activists called in 2014 for peaceful demonstrations, but the security forces suppressed them, which indicates that the government doesn't like to naturalize Bedoon.

## **RECOMMENDATIONS:**

21. We call the Government to take urgent measures to improve the humanitarian and legal status of Bedoon in order to pave the way for granting them all their rights as soon as possible.
22. We recommend that the Government to give Bedoons all civil and political rights in accordance with the principle of justice and equality.
23. The Government should adopt a gradual action plan with clear steps to solve permanently the cause of Bedoons.

## **6 | Political and Civil Practices:**

The Constitution of the State of Kuwait enshrines the principle of equality of all through Article 29. The provisions of Law No. 35/1962 concerning National Assembly "Parliament" elections and its amendments regulate the right to vote for Kuwaitis and determine the age of 20-year for citizens who obtained the Kuwaiti citizenship for voting, nominating to the parliament, municipal council or holding ministerial positions. This is inconsistent with the provisions of article 5 of CERD on basic rights especially the right of voting, nomination, participating in administrating the public affairs of the country and equality in holding public positions. Kuwait has complied with the Convention and it has become part of national legislation according to Law No. 33/1968. Article 44 of the Constitution also guaranteed the right of peaceful gatherings for all, but Law No. 65/1979, concerning public gatherings stipulated in article 12 banning participation of non-Kuwaitis in demonstrations and gatherings. It also provided obtaining a prior permission from authorities that violates the provisions of the Constitution and the Convention, especially Article 5 that guarantees the right of all people without discrimination based on race, color, or national or ethnic origin. The very article stipulates equality before the law and asserts the right of all people to organize peaceful gatherings, establish associations and getting members of such peaceful associations, too.

In recent years, we have witnessed many demonstrations that have started since the appearance of the one-vote decree in the parliamentary elections, which has not been accepted by a large

segment of society. Many peaceful demonstrations have been organized by Bedoon activists to support their cause, but Bedoon demonstrations were suppressed and a number of demonstrators were arrested on charges of participating in unlicensed demonstrations and attacking security forces. Political forces opposing the government, including the Islamic Constitutional Movement and Popular Action Movement organized several peaceful rallies in the Square of Will near the headquarters of National Assembly. The last one was organized in March 2015. These opposition blocs have adopted several demands, including non-restricting freedoms and releasing political prisoners. After that, Interior Ministry banned gatherings only after obtaining prior authorization.

Law 24/1962 concerning clubs and NGOs grants the right to establish civil society institutions, but it gives such rights only to Kuwaiti citizens not migrant workers or Bedoons. The very law also stipulates obtaining prior approval from Ministry of Social Affairs and Labor for registering clubs and NGOs besides the complicated routine and the long period that procedures require. The law permits ministry to reject or accept requests without permitting applicants to refer the rejected request to the court. The law also gives Ministry of Social Affairs and Labor wide powers on civil society institutions

## RECOMMENDATIONS:

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24. We recommend the Government to grant the right of voting and nomination to all citizens equally as well as the right of holding ministerial positions.
25. Urging the Government to take all necessary measures to ensure the right of peaceful gatherings for all without discrimination.
26. Urging the Government to amend Law No. 24/1962 to allow establishing civil society institutions for every person and entity, including women, youth, persons with disabilities, vulnerable groups, non-Kuwaitis and human rights activists.
27. Facilitating procedures that precede registering civil society institutions and granting applicants the right to appeal in case of rejection.

## 7 | Migrant Workers:

Migrant workers in Kuwait constitute around 63% of the population, about 2 million. However, the current Sponsor System and its implications, still creates clear violations of human rights in Kuwait. Migrant workers, especially in recent times, have been attacked by some Members of the Parliament (MPs) through racial statements, asking the Government to take every possible action to modify demography by imposing financial pressures on migrant workers via doubling health care and residency fees. Furthermore, some MPs asked for queer things such as forcing migrant workers to pay fees for using roads under the pretext of decreasing traffic jam. The current Minister of Health unveiled that his ministry assesses the process of raising health fees, adding that health fees has already been raised for foreigners who visit Kuwait. Previous statements of the minister were published by newspapers, saying that Jaber Hospital will be allocated to Kuwaitis after opening the hospital and handing it to Ministry of Health.

Residency Affairs General Department issued a special regulation for family visas especially

father, mother, brother and sister. It included difficult procedures besides raising fees. On 16 June 2017, the Kuwaiti newspaper Al-Rai published a draft bill which Ministry of Interior referred to Fatwa and Legislation Department for approval in order to implement the draft on only migrant workers. The draft stipulates raising the fees of issuing driving licenses for migrant workers up to KD 500 against KD 10 for Kuwaitis. It also raises annual renewal fees from KD 1 to KD 50 for migrant workers. The proposal also calls for increasing fees of car ownership transfer for migrant workers. Ministry of Interior declared that such procedures aim to solve the traffic problems.

The Government announced in 2013 its intention to reduce the number of migrant workers by half. Since then, the government has adopted mechanisms to allow the illegal and rapid deportation. The Government admitted through the State of Kuwait Report which was submitted to Committee against Torture on 10 June 2015 that the number of deportees to their home country reached (88430) in addition to the release of 87 people and the resettlement of 16 people in other countries between 1/1/2013 and 10/6/2015, i.e. within about two years and a half. This big number reflects that migrant workers face serious breaches.

Administrative deportation or what is known as compulsory exit is taking an administrative decision to deport a migrant worker from Kuwait and banning him/her from returning back without subjecting this decision to judicial control, and without allowing the deported worker to appeal against the decision. This caused a nightmare for a lot of migrant workers in Kuwait. This gives Ministry of Interior wide powers under the concept of (the public interest) without determining real criteria to regulate such matter and to make sure if there is a real threat to public interests. KSHR has been monitored recently through complaints received from a big number of migrant workers that workers were deported without clear reasons. Some of them were deported just because they were accused without having real evidence. Some workers were deported as their employers filed absconding cases against them; others were deported because of traffic violations or because of violating regulations of Municipality such as barbecue in public parks, or violating regulations of the Ministry of Commerce and Industry like working without holding a commercial or industrial license. They have been deported without giving them the right to appeal, too.

It should be noted that the Kuwaiti Government has taken some positive steps such as allowing certain workers (who have spent three years with their employer) to transfer their residency to other employers without the employers approval under Ministerial Decision No. 842/2015, as well as enacting Law No. 109/2013 concerning the establishment of the Public Authority for Manpower. It regulates the labor force, especially migrant workers, nevertheless KSHR considers that these decisions insufficient and do not meet the minimum limit but they still represent a glimmer of hope for serious steps that can be taken in the next phase.

Domestic helpers Law No. 68/2015, which regulates their affairs, is an important step because it is the first time that domestic workers are granted accessible rights. It also represents a legislative and fundamental rule for protecting the rights of domestic workers as it gives them a day off a week and one-month annual paid leave. It also determined work hours a day with 12 hours including a break and indemnity equals an entire month for each year at the end of the contract in addition to other benefits. The law still needs to focus on certain aspects to achieve further protection as Labor Law No. 6/2010, concerning work at private sector, assigns 48 work hours a week or 8 hours a day besides one-hour break after every 5 work hours, but domestic helper still need to work 12 hours a day and it didn't determine the break duration. Labor Law also determines sick leave, in article 69, with 15 paid days a year, but the Domestic Helpers Law only stipulates that employer provides medicine to the helper.

The law also lacks implementation mechanisms such as labor inspections to ensure providing appropriate housing, the assigned work hours and other matters especially many helpers fear to file a complaint against employers. Although the new law prohibits employers from confiscating helpers' passports, which is a frequent violation, it does not provide any penalty or sanctions against those who do not commit to the law and it does guarantee the right of workers to establish unions.

## RECOMMENDATIONS:

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- 28- Calling the Government to cancel sponsor's system and adopt an alternative system that protects the rights of all.
29. Adding preventive penalties to Law 68/155, in case of breaching the rights that the law stipulates.
30. Requesting the relevant authorities to cancel administrative deportation and urge the Government to activate the role of judiciary through making it the sole authority to consider the issue of administrative deportation. Providing all necessary guarantees including the right to appeal and explaining the reasons behind deportation.

## 8 | Child:

The efforts of the State of Kuwait are still limited and insufficient due to the existence of discrimination against children in different fields such as education since public schools receive only Kuwaiti students and provide them with free education. They receive other categories like sons of Kuwaiti women who are married to non-Kuwaiti husbands, the sons GCC citizens, sons of diplomats, sons of captives & martyrs, sons of teachers of Ministry of Education, sons of the teaching staff at Kuwait University & the Public Authority for Applied Education and sons of Bedoon Military individuals. The other categories are deprived from teaching their children in public schools. Thus other categories need to teach their sons at private schools with high tuition fees.

Regarding implementation of the circular that was issued by the Civil Service Commission about some employment provisions included in law 21/2015, concerning child rights, it referred to Article 55 of the law which stipulates that the female employee that breastfeeds her child, during two years following the date of delivery, deserves two hours off a day to breastfeed her child without any reduction in pay. Although the circular indicated that reducing work hours is a must and the law did not discriminate between Kuwaiti and non-Kuwaiti female employees, some government authorities implement this just for the Kuwaiti female employee. Moreover, Law No. 8/2010 concerning disabled people grants certain facilities just for Kuwaiti disabled persons or disabled sons of the Kuwaiti woman that married to non-Kuwaiti husband, excluding disabled people of the other categories.

## RECOMMENDATIONS:

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31. Calling the Government to make education compulsory and free for all without discrimination.
32. Urging the Government to contribute to reducing tuition fees at private schools and to improve the level of education.
33. Amending Law No. 8/2010 to include all disabled persons in order to help them obtain all necessary needs without discrimination.
34. Urging the Government to implement the circular issued by the Civil Service Commission, about some employment provisions included by Law No. 21/2015 concerning the rights of child, for all without discrimination.

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\*Kuwait Society for Human Rights appreciates and thanks the team, headed by the legal researcher Saleh Al Hassan, for preparing this report

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