

KUWAIT 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Kuwait is a constitutional, hereditary emirate ruled by the Al-Sabah family. While there is also a democratically elected parliament, the emir holds ultimate authority. The 2013 parliamentary elections were generally free and fair, although some opposition groups boycotted them. Authorities maintained effective control over the security forces.

Principal human rights problems included limitations on citizens' ability to change their government; restrictions on freedom of speech and assembly, especially among foreign workers and stateless Arabs (called "bidoon"); and trafficking in persons within the foreign worker population, especially in the domestic and unskilled service sectors.

Other human rights problems included reports of security force members abusing prisoners and protesters, most with no reported punishment for their actions; arbitrary arrest and extrajudicial deportation of foreign workers; limitations on freedoms of press, association, and religion; and restrictions on freedom of movement for certain groups, including foreign workers and bidoon. Women, bidoon, and other noncitizens faced social and legal discrimination. Domestic violence against women remained persistent, particularly against noncitizen domestic workers. There were limitations on workers' rights.

The government took steps in some cases to prosecute and punish officials who committed abuses, whether in the security services or elsewhere in the government. Impunity was sometimes a problem in corruption cases.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated long-term disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and the law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, but there were reports some police and members of other security forces abused detainees. Police and security force members were more likely to inflict such abuse on noncitizens, particularly non-Gulf Arabs and Asians. Security forces occasionally detained, harassed, and abused transgender persons.

Several persons reported being beaten, either by police or Kuwait State Security (KSS) force members, while stopped at police checkpoints or while detained. During one instance on July 7, a member of Frontline Defenders accused a senior official at the Ministry of the Interior of beating him at a checkpoint. Frontline Defenders--an international nongovernmental organization (NGO) that monitors the rights of human rights activists--released a statement claiming the arrest of the activist was connected to his human rights advocacy work. While the activist was arrested and charged with assaulting the senior official, there were no reports of investigations or prosecutions of this incident or many other alleged abuses by security forces.

Amnesty International criticized the government over the case of lawyer and human rights activist Sulaiman al-Jassem, who was monitoring a rally in April 2013 as a member of the National Committee for Monitoring Violations. While walking to his car after the rally, al-Jassem was arrested, allegedly shot with rubber bullets, and punched in the face and head during the arrest. On October 19, al-Jassem was sentenced to one month in prison for “participating in an illegal gathering” and “failing to obey police orders to disperse.” Authorities dismissed the investigation into his allegations of torture by police due to a lack of evidence to identify the police officers, who wore hoods during the arrest.

Observers reported instances of rape and sexual abuse during arrest or detention. In June the courts sentenced a lance corporal in the General Traffic Department of the Ministry of Interior to death by hanging for kidnapping, raping, and attempting to murder a Filipina woman. The police officer stopped the taxi in which the victim was riding and asked for identification papers. When the victim did not produce a valid residence permit, the police officer directed her to get into his car, drove her outside of the city, raped and stabbed her, and left her for dead. The victim survived and reached a main road, where she received help from passersby.

The government stated in the past that it investigated allegations of abuse and punished some of the offenders, although the government did not make public all the findings of its investigations or all punishments it imposed.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards, but the facilities were sometimes overcrowded, and some detention facilities lacked adequate sanitation, ventilation, and sufficient medical staff. There were reports security forces abused prisoners.

Physical Conditions: The Central Prison Complex houses the country's three prisons: a men's prison for those awaiting trial or convicted of minor offenses; another men's prison for those convicted of more serious crimes; and a women's prison for those held before trial, convicted, or awaiting deportation. There were approximately 3,200 inmates in the Central Prison. Cells held four to six persons, and inmates reportedly lived in moderately overcrowded conditions, although most overcrowding was at the women's prison. Political prisoners were held in the general prison population.

While men and women were held separately, there were no separate facilities for juveniles, and authorities detained those awaiting trial in the same facilities as convicted criminals. In February a juvenile reported authorities arrested him and kept him in the same detention cell with adult convicted criminals. Authorities released the minor after several days; reportedly, he was unharmed.

There was one reported death of a prisoner: an Ethiopian woman hanged herself in August.

Authorities generally maintained control of the prisons. There were some reports, however, that security forces abused prisoners during questioning. Prisoners had access to potable water, adequate food, and medical care. In November the International Committee for the Red Cross highlighted the high level of medical services offered to detainees. Additionally, a nutritionist supervised meal preparation for prisoners.

In February members of the National Assembly's Human Rights Committee conducted their annual visit to the Central Prison Complex. The committee released a list of recommendations following the visit that included the need to address ventilation, establish a drug rehabilitation center inside the prison, end the

practice of housing drug traffickers with drug addicts, end overcrowding, devise a clear mechanism for emiri pardons, and make conjugal visits available to inmates.

The Talha deportation center had a capacity of 1,000. The overall detainee population was unknown, although observers reported some overcrowding at times and poor sanitation, mostly the consequence of the age of the facility.

There were no special accommodations made for persons with disabilities in the prisons or detention centers.

Administration: Recordkeeping on prisoners was adequate. Authorities used alternatives to sentencing, namely fines, for some nonviolent offenses. In May the Ministry of Interior's General Traffic Department stopped sending traffic violators to prison; instead, it issued them tickets and asked them to follow general legal procedures. Prior to this decision, authorities reportedly arrested thousands of persons during periods of strict enforcement of traffic regulations. Many of those arrested had to spend time incarcerated; some were deported without trial. According to media reports, a security source stated that in the first eight months of the year, 5,000 of the 15,000 noncitizens arrested during security crackdowns were deported. Ombudsmen were not available to respond to complaints on behalf of prisoners. Authorities permitted prisoners and detainees to submit complaints to the prison management and request an investigation of credible allegations of inhuman conditions. Prisoners reported some unresponsiveness to routine requests. Authorities permitted access to personal visitors and allowed religious observance without interference.

Independent Monitoring: The Ministry of Interior permitted independent monitoring of prison conditions by some nongovernmental observers and international human rights groups. Authorities permitted staff from the International Committee of the Red Cross and UN High Commission for Refugees (UNHCR) to visit the prisons and detention centers. The government, however, did not allow representatives of the Kuwait Human Rights Society or the Kuwait Association for the Basic Evaluation of Human Rights to visit prisoners. Both organizations submitted requests to the Ministry of Interior but did not receive a response.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention. There were numerous reports, however, that police arbitrarily arrested individuals, principally as part of sustained action against persons in the country illegally.

Role of the Police and Security Apparatus

Police have sole responsibility for the enforcement of laws not related to national security, and the KSS oversees national security matters; both are under the purview of civilian authorities of the Ministry of Interior. The armed forces (land forces, air force, navy, and coast guard) are responsible for external security and subordinate to the Ministry of Defense. The Kuwait National Guard is a separate entity whose responsibilities include critical infrastructure protection, support for the Ministries of Interior Defense, and maintaining national readiness.

Civilian authorities maintained effective control over all security forces. While the government has effective mechanisms to investigate and punish abuse and corruption, they did not always apply them. There were several allegations of mistreatment of detainees by KSS members that authorities did not investigate.

Police were generally effective in carrying out core responsibilities. There were reports some police stations did not take seriously charges by complainants, especially foreigners, and victims of rape and domestic violence. In cases of alleged police abuse, the district chief investigator examines abuse allegations and refers cases to the courts for trial. There was some evidence of police impunity, particularly in cases where security personnel used excessive force to disperse participants in unlicensed political demonstrations and protests. In cases of alleged KSS abuse, there was no information available regarding investigation procedures or actual investigations.

In February police arrested brothers Abdulhakim and Abdul Nasser al-Fadhli. KSS members allegedly beat them while in custody at their headquarters. The brothers reported the abuse to the investigating prosecutor, but they did not receive a medical examination; there was no investigation into the alleged beatings. Authorities then remanded Abdulhakim into the custody of the persons he reported had beaten him for several more days before transferring him to the central prison.

According to the government, during the first nine months of 2013, individuals filed 500 complaints against Ministry of Interior staff; however, this number was not specific to police.

Media reported sexual assaults by police officers throughout the year, usually against nonnational women. Security forces sometimes failed to respond effectively to societal violence between family members or against domestic workers, especially if the victims were nonnationals.

Arrest Procedures and Treatment of Detainees

A police officer generally must obtain an arrest warrant from a state prosecutor or a judge before making an arrest, except in cases of hot pursuit, observing the commission of a crime, and certain other exceptions. There were numerous reports of police arresting and detaining foreign nationals without a warrant, primarily as part of the government's action against unlawful residents. The courts usually do not accept cases without warrants issued prior to arrests. Authorities generally informed detainees promptly of the charges against them and allowed access to their lawyers and family members.

In compliance with the penal code, police may hold a suspected criminal at a police station without charge for as long as four days, with an extension of up to three weeks for cause, during which time authorities may prevent lawyers and family members from visiting. During this time lawyers are permitted to attend legal proceedings but are not allowed to have direct contact with their clients. The law provides the detained person the right to a prompt judicial determination about the detention's legality, but this right was not always enforced. If authorities file charges, a prosecutor may remand a suspect to detention for an additional 10 days. Prosecutors also may obtain court orders for further detention pending trial. In one instance authorities arrested a bidoon man and extended his detention six times. There is a functioning bail system for defendants awaiting trial. The bar association provides lawyers for indigent defendants; in these cases defendants do not have the option of choosing which lawyer is assigned to them.

The courts do not address misdemeanor charges; instead, the Ministry of Interior adjudicates them. The government held noncitizens arrested for traffic and other low-level offenses in predeportation detention without judicial review and frequently did not permit them to contact their embassies, families, or an attorney. The arrest of traffic violators ceased in May (see 1.c., Prison and Detention Center Conditions). Prior to April senior police officers or assistant undersecretaries at the Ministry of Interior could sign administrative deportation orders, but now the undersecretary is responsible for signing all deportation orders.

Arbitrary Arrest: The law prohibits arbitrary arrest and detention, and the government observed these prohibitions for citizens. Noncitizens generally benefitted from such protections, but during police raids there were widespread reports that police arbitrarily arrested nonnationals, including some who possessed valid residency permits and visas but claimed to be bystanders.

Pretrial Detention: Arbitrary lengthy detention before trial was a problem, and in 2013 more than 10 percent of the prison population consisted of pretrial detainees. Authorities held some detainees beyond the maximum detention period of six months. Excessive detention in the deportation center, where there are no maximum time limits on detention prior to deportation, was also a problem, particularly when the detainee owed money to a citizen or was a citizen from a country without diplomatic representation in Kuwait to facilitate exit documents.

According to the media, in October detainees awaiting deportation began staging protests involving hunger strikes and cutting their arms to protest the length of time they were held in the Talha deportation center awaiting repatriation. In November the media reported that 40 detainees at a police station went on a hunger strike in protest of their prolonged detention. The detainees had reportedly been in small holding cells for more than one month awaiting deportation. The deportation center reportedly refused to receive them on the basis of the unavailability of tickets on local airlines to fly them home.

Amnesty: While there were no known amnesties during the year, the emir can pardon individuals. Throughout the year he pardoned 188 convicted criminals, commuted the sentences of 340 individuals, cancelled the deportation of 114 nonnationals, and cancelled fines for 223 persons.

e. Denial of Fair Public Trial

The law and the constitution provide for an independent judiciary, and the government generally respected judicial independence. Although the law and constitution provide for an independent judiciary, the emir appoints all judges; the renewal of judicial appointments is subject to executive approval. Judges who are citizens have lifetime appointments; judges who were noncitizens hold one- to three-year renewable contracts. The Ministry of Justice may remove judges for cause. Foreign residents involved in legal disputes with citizens frequently claimed the courts showed bias in favor of citizens. While no legal provisions prohibit women from appointment as judges and public prosecutors, the only path to those positions is through work in the prosecutor's office. The office began

accepting women for entry-level positions in 2013. On November 22, the first group of women completed their initial training and became public prosecutors.

Under the law questions of status, immigration, and citizenship are not subject to judicial review, so foreigners arrested for unlawful residency, or those whose lawful residency is canceled due to an arrest, have no access to the courts. They are instead subjected to administrative deportation, unless they faced felony charges for separate offenses.

Trial Procedures

The constitution provides for the presumption of innocence and the right to a legal trial for the accused with the right to a defense. The judiciary is not independent of the executive in the case of noncitizen judges, due to their reappointments requiring approval by the emir. The law expressly forbids physical and psychological abuse of the accused. Under the law defendants also enjoy the right to prompt, detailed, information on charges against them with free interpretation, as necessary. Criminal trials are public unless a court or the government decides “maintenance of public order” or the “preservation of public morals” necessitates closed proceedings. There is no trial by jury. The bar association is obligated upon court request to appoint an attorney without charge for indigent defendants in civil, commercial, and criminal cases, and defendants used these services. Defendants have the right to adequate time and facilities to prepare a defense. Defendants and their attorneys generally had access to government-held evidence relevant to their cases, but the general public did not have access to most court documents.

Defendants have the right to confront their accusers, confront witnesses against them, and present their own witnesses, although authorities did not always allow defendants this opportunity. Defendants cannot be compelled to testify or confess guilt. Defendants have the right to appeal verdicts to a higher court, and many persons exercised this right.

There were reports of low-income, foreign-citizen laborers and domestic workers who were unable to afford legal counsel pursuing cases against their employer or sponsor. If they had no legal representation, the public prosecutor sometimes tried the case with little or no involvement by the workers or their families. When workers received third-party assistance to bring a case, the cases were often resolved when the employer paid a monetary settlement to avoid a trial.

There were reports that the courts denied bidoon activists some legal rights. In one case police barred a bidoon activist's attorney from entering the courtroom until well into the court proceedings.

Political Prisoners and Detainees

There were several instances of persons detained for their political beliefs, although the government officially arrested them on charges such as participation in unlicensed demonstrations or insulting the judiciary. Most of those arrested were either bidoon advocating for human rights or opposition political figures alleging government corruption. While authorities arrested and released some individuals after a few days, they held others for weeks or months pending trial. The extended detention was often the case with bidoon activists, who also regularly reported abuse by police or the KSS.

Civil Judicial Procedures and Remedies

The law provides for an independent and impartial judiciary in civil matters regarding human rights violations, but rulings occasionally were not enforced for varied reasons, including the influence of involved parties or concern for possible political repercussion. Authorities also occasionally used administrative punishments in civil matters, such as revoking citizenship, instituting travel bans, and deportations.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution and the law prohibit such actions, and the government generally respected these rights. There were reports early in the year, however, of police entering the homes of bidoon activists and threatening family members if the activists were not made available for questioning. Security forces regularly monitored publicly available social media and sought information about owners of accounts, although foreign-owned social media companies denied most requests for information.

The constitution seeks to preserve the integrity of the family. The law forbids marriage between Muslim women and non-Muslim men and requires male citizens serving in the police or military to obtain government approval to marry nonnationals. Nevertheless, the government offered only nonbinding advice on such matters and did not prevent any such marriages. A source in the Ministry of

Foreign Affairs reported that diplomats were not allowed to marry noncitizens without the diplomat being asked to resign.

The government may deny a citizenship application by a bidoon resident based on security or criminal violations committed by the individual's family members. Additionally, if a person loses citizenship, all family members who are derivatives of that person also lose citizenship and all associated rights.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press "in accordance with the conditions and procedures specified by law." The government sometimes did not respect these rights by issuing gag orders, temporarily or permanently shutting media outlets, and convicting persons for expressing their opinions, particularly those published on social media.

The passage of the telecommunications law 37/2014 in May established the Commission for Mass Communications and Information Technology (CMCIT) as an independent body under the communications minister with broad discretionary powers to grant or rescind licenses to companies that provide internet, cable, satellite, land, and wireless communications. The new law also imposes penalties on persons who created or sent "immoral" messages and gave unspecified authorities the power to suspend communication services on national security grounds.

Freedom of Speech: The government restricted freedom of speech, particularly in instances purportedly related to national security. The law also specifically prohibits material insulting Islam, the emir, the constitution, or the neutrality of the courts or Public Prosecutor's Office. The law mandates jail terms for anyone who "defames religion," and any Muslim citizen or resident may file criminal charges against a person the complainant believes has defamed Islam. Any citizen may file charges against anyone the citizen believes defamed the ruling family or harmed public morals.

The courts convicted dozens of persons for insulting the emir, judiciary, or religion on their social media sites. Several cases involved questioning authorities' competency, decisions, or honesty, and resulted in jail terms of up to 10 years. In

July the court sentenced Hamad al-Naqi to 10 years in prison for insulting religion and Gulf rulers.

In October a court found 13 persons guilty of insulting the emir by repeating a speech given in 2012 by a prominent opposition politician. Each received a two-year suspended prison sentence. The politician in question was convicted in 2013 of insulting the emir during the speech; authorities subsequently overturned that sentence and ordered a retrial. The retrial continued at year's end.

Press Freedoms: All print media were privately owned, although their independence was limited. They exhibited diversity of opinion, but most self-censored to avoid criminal charges or fines or to keep their licenses. Restrictions on freedom of speech also applied to the press. Discussions of specific social topics, such as the role of women in society and sexual problems, sometimes were self-censored. The law allows for large fines and up to 10 years in prison for persons who use any means (including media) to subvert the emiri system of government. The Ministry of Commerce and Industry may ban any media organization at the request of the Ministry of Information. Newspaper publishers must obtain an operating license from the Ministry of Information.

Broadcast media are a mix of government and privately owned stations, subject to the same laws as print media. In July the government revoked the licenses of pro-opposition media outlets Al Yawm television and the *Alam Al Yawm* newspaper. The government cited the citizenship revocation of one of its owners as the reason for the closings. The media outlets appealed the decisions, but the courts had taken no action by year's end. The country also declined in press freedom evaluations compiled by international human rights agencies. Those evaluations reflected the tougher measures taken with the media, including the adoption of a law that allows the authorities to fine journalists up to 300,000 dinars (\$1.065 million) for criticizing the emir or crown prince or misrepresenting what they said. It imposes sentences of up to 10 years in prison for those convicted of violating the law.

Before the annual international book fair held in November, the Ministry of Information requires publishers to submit a list of books they may offer at the event. The ministry returns the list with "suggestions" of titles they should not bring. These new "suggestions" were added to the thousands of titles already banned. One of the books not allowed at the book fair was author Dala al-Mufti's *Smell of Tango*. Al-Mufti protested the ban against her book, which she believed dealt with legitimate social problems in Kuwait, including women's issues and freedoms. Another book not allowed was *Salalem al-Nahar* by Kuwaiti writer

Fawzia al-Salem, which discussed the bidoon in Kuwait and portrayed them as having political strength.

Violence and Harassment: The government sometimes harassed and prosecuted journalists for their reporting. In July social media reported that police summoned 21 journalists from the now-closed Al Yawm television channel and the *Alam Al Yawm* newspaper. Security officials reportedly threatened foreign journalists with deportation if they did not resign from these media outlets. Member of Parliament (MP) Abdullah al-Turaiji wrote a letter to the minister of interior calling the “withholding of passports of workers in the *Al-Yawm* media outlets by the General Investigation Unit unlawful, arbitrary, and illegal.” Noncitizen employees whose residency the newspaper or television station sponsored lost their residency status when the media outlets closed. Such action forced foreign-citizen employees to find other employment and sponsorship, leave the country, or remain in the country illegally.

Censorship or Content Restrictions: The Ministry of Information censored all books, commercial films, periodicals, videotapes, CDs, DVDs, and other imported materials deemed illegal per the guidelines enumerated for speech and press. Authorities censored most English-language educational materials that mentioned the Holocaust and required education material to refer to the State of Israel as “Occupied Palestine” or remove such references, although authorities did not censor these topics in the news media. Widely available satellite dishes and virtual private networks allowed unfiltered media access.

In April the Public Prosecutor’s Office (PPO) issued a gag order on all media coverage of recordings alleging a ruling family scandal. Later that month the PPO closed two newspapers, *al-Watan* and *Alam al-Yawm*, for two weeks for continuing to cover the issue. Citizens and rights groups, such as Amnesty International and Human Rights Watch, issued statements condemning the gag order and media closures as violations of freedom of expression.

Libel Laws/National Security: Throughout the year the government restricted media freedom based on libel laws and national security grounds.

The law forbids publication or transmission of any information deemed subversive to the constitutional system on national security grounds. In June the government deported Egyptian imam Sayed Faraj Abu Halima and his family for the imam’s criticism of the Egyptian elections during his Friday sermon. In another case authorities arrested five Syrians who raised the Syrian revolutionary flag during a

wedding ceremony. The government deported the Syrians, although it did not forcibly return them to Syria but gave them the choice of returning to Syria or going to Turkey, Jordan, or Lebanon.

Internet Freedom

The government monitored internet communications, such as blogs and discussion groups, for defamation and security reasons. The Ministry of Communications continued to block websites considered to “incite terrorism and instability” and required internet service providers to block websites that “violate [the country’s] customs and traditions.” The government prosecuted and punished individuals for the expression of political or religious views via the internet, including by e-mail and social media, based on existing laws related to libel, national unity, and national security. There were reports the government attempted to collect personally identifiable information in connection with individuals’ peaceful expressions of political, religious, or ideological opinion or beliefs. Authorities required internet cafe owners to obtain the names and civil identification numbers of customers and to submit the information to the Ministry of Communications upon request.

Open Net Initiative, an internet-freedom watchdog organization, cited pervasive repression of internet freedoms by the government. The organization criticized the government’s filtering of the internet to block pornography primarily, as well as gay and lesbian material, some secular sites, sites critical of Islam, and others carrying content on religious faiths other than Islam. The report also criticized authorities for imposing some restrictions on voice-over-internet-protocol providers, on which many foreign workers relied to communicate with their families. The country had a high internet penetration rate due in large part to pervasive smart phone ownership. Reported rates for internet penetration varied from 62 to 75 percent.

The CMCIT has authority to refuse licenses to service providers without disclosing the reasons for its decision. The commission is also responsible for ensuring all service providers prevent the transmission of content “harmful to public order and morals,” encouraging self-censorship by the internet service providers. Members of the CMCIT were not yet chosen, nor did the commission begin its work by the end of the year.

On October 14, the media reported that prosecutors questioned parliamentarian Abdul Hamid Dashti for four hours for writing tweets that allegedly defamed

Bahrain. Authorities charged him with “putting Kuwait’s relations with a sisterly state at risk” and “insulting the government and people of Bahrain.” Prosecutors released him on bail of 1,000 dinars (\$3,550).

Academic Freedom and Cultural Events

The law provides for the freedoms of opinion and research, but self-censorship limited academic freedom, and the law prohibits academics from criticizing the emir or Islam.

The Ministry of Interior reserved the right to approve or reject annual public events, and it rejected those it considered politically or morally inappropriate. In July the government closed a play that critics accused of insulting Shias when a Shia actor improvised a portion of the play in a manner that some audience members interpreted as offensive.

Throughout the year publishers reportedly received pressure from the Ministry of Information, resulting in the publishers often self-censoring books made available in the country. The Ministry of Information ceased to provide information publicly on the number of banned books but claimed the books banned were usually those encouraging racism, prejudice, religious offenses, and sectarianism. According to the Ministry of Information, books religious in nature were sent to the Ministry of Awqaf and Islamic Affairs for review, while others were presented for review to a special committee that includes academics and authors.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution provides for freedom of assembly, but the government restricted this right. The law prohibits noncitizens from demonstrating or protesting.

Political oppositionists organized several protests and rallies throughout the year. Security officials allowed many peaceful protests to proceed without permits, but intervened to disperse some demonstrations that were unauthorized. Citing public safety and traffic concerns, officials sometimes also restricted the location of planned protests to designated public spaces. Courts tried and sentenced participants in unlicensed demonstrations to as many as two years in prison for their involvement; however, authorities also administratively deported dozens of noncitizens for participation in rallies. In May authorities deported 15 Egyptians

who participated in a rally for a presidential candidate in the days prior to Egypt's election. In June authorities deported 14 Sri Lankans after they staged a protest in front of their embassy.

Human rights groups often criticized security forces for using excessive force to disperse protesters. In some cases security forces claimed they required force because protesters were violent and threw rocks or set fire to cars or tires while rioting.

In early July protests followed the arrest of an opposition leader. Police used nonlethal means, including tear gas, percussion grenades, rubber bullets, and smoke bombs to disperse the gathering. In July authorities arrested a former security officer, Ahmed al-Diqbasi, during opposition protests and charged him with insulting the judiciary, inciting a protest, leading a demonstration, attacking security forces, inciting the assault of security forces, and participating in an unlicensed march. In September the court sentenced al-Diqbasi to two years in prison with hard labor.

Freedom of Association

The constitution provides for freedom of association, but the government restricted this right. The law prohibits officially licensed groups from engaging in political activities.

The government uses its power to license associations as a means of political control. There were approximately 120 officially licensed NGOs in the country, including a bar association, other professional groups, and scientific bodies. Dozens of unlicensed civic groups, clubs, and unofficial NGOs had no legal status. The Ministry of Social Affairs and Labor rejected some license requests, contending established NGOs already provided services similar to those the petitioners proposed. The Ministry of Social Affairs and Labor can also reject an NGO's application if it deems the NGO does not provide a public service. Members of licensed NGOs must obtain permission from the ministry to attend international conferences as official representatives of their organization.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution generally provides for freedom of internal movement, but numerous laws constrain foreign travel.

The government was generally uncooperative with most efforts by the UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, or other individuals of concern.

Foreign Travel: Bidoon and foreign workers faced problems with or restrictions on foreign travel. The government restricted the ability of some bidoon to travel abroad by not issuing travel documents, although it permitted some bidoon to travel to Saudi Arabia for the annual Hajj (Islamic pilgrimage). In March the Ministry of Interior stopped issuing “Article 17” passports (temporary travel documents that do not confer nationality) except on humanitarian grounds to bidoon not documented in the 1965 census.

The law also permits travel bans on citizens and nonnationals accused or suspected of violating the law, including nonpayment of debts, and it allows other citizens to petition authorities to impose one. This provision resulted in delays and difficulties for citizens and foreigners leaving the country. Numerous domestic workers, who escaped from their employers, reported waiting several months to regain passports, which employers illegally took from them when they began their employment.

Exile: While the constitution prohibits exile of citizens, foreigners can be deported for a number of legal infractions. In June, however, the court upheld Twitter user Abdullah Fayrouz’s five-year sentence followed by exile for insulting the emir. This action was the first time a court issued a verdict that included permanent exile of a citizen for insulting the emir. While the constitution states the “Amir is the Head of State and shall be immune and inviolable,” it also states, “No Kuwaiti may be deported from Kuwait.” In March, Fayrouz received a separate sentence of two years with hard labor for questioning a judge’s honesty. In September the media reported the Ministry of Interior would also deport Fayrouz’s Egyptian mother “to maintain order and public interest.” The woman had lived in Kuwait for 40 years, married a Kuwaiti, and had Kuwaiti children. Authorities arrested her after she visited her son in prison. Authorities alleged she attempted to smuggle a cell phone to her son. As of November she had not been deported.

Citizenship: The government cannot revoke the citizenship of an individual who is born a citizen unless that individual has obtained a second nationality, which is against the law. Nevertheless, the government can revoke the citizenship of naturalized citizens for cause, including a felony conviction, and subsequently deport them. During the year the government revoked the citizenship of more than 30 individuals--some dual nationals, some not--including opposition activists, a media owner, a Salafist cleric, and several tribal members (badu). The government justified the revocations by citing a 1959 nationality law that permits withdrawal of citizenship from naturalized Kuwaitis if they acquired citizenship dishonestly or threatened to “undermine the economic or social structure of the country.” Persons who had their citizenship revoked became stateless individuals. As of the end of the year, persons who lost their citizenship had documents such as passports and civil identification cards taken from them and had a “block” on their name in government databases. This “block” prevented former citizens from traveling or accessing health care and other bureaucratic business reserved for citizens.

A 1982 amendment to the nationality law prohibits the granting of citizenship to non-Muslims, but it allows Christian male citizens to transmit citizenship to their descendants. According to the law, children derive citizenship solely from the father; children born to citizen mothers and nonnational fathers do not inherit citizenship. Female citizens may sponsor their nonnational children (regardless of age) and husbands for residency permits, and they may petition for naturalization for their children if the mother becomes divorced or widowed from a noncitizen husband.

Protection of Refugees

Access to Asylum: The law does not provide for granting asylum or refugee status. There is no system for providing protection to refugees, and the government did not grant refugee status or asylum during the year. According to the UNHCR, there were more than 2,800 registered asylum seekers and recognized refugees in the country. Most of these were from Syria, Iraq, and Somalia.

Stateless Persons

The law does not provide nonnationals, including bidoon, a clear or defined opportunity to gain nationality. The judicial system’s lack of authority to rule on matters of citizenship further complicated the process for obtaining citizenship, leaving bidoon with no access to the judiciary to present evidence and plead their

case for citizenship. According to government figures, there were more than 111,000 bidoon in the country.

According to the minister of interior, in 2013 more than 2,700 Kuwaiti women were married to bidoon men. A 2013 report by the Women's Refugee Commission estimated that 30,000 bidoon were spouses or children of female Kuwaiti citizens.

The government continued to discriminate against bidoon in some areas. Some bidoon and international NGOs reported that the government did not uniformly implement a 2011 decree approving provision of some government services and subsidies, including education, employment, medical care, and the issuance of civil documents, such as birth, marriage, and death certificates, to bidoon. Bidoon activists claimed many bidoon families were unable to obtain birth certificates for their children, which restricted the children's ability to obtain government-issued identification cards, access adequate medical care, and attend school.

According to a government official, the government issued 2,297 birth and death certificates to bidoon in the first 10 months of the year. The Ministry of Justice issued 2,084 marriage and divorce certificates to bidoon in 2013. The Ministry of Education provides the Education Charitable Fund to pay for some bidoon children to attend private schools, but the children must fall into one of seven categories to qualify for an education grant. The seven qualifications are: hold an identification card by the Central Apparatus for Illegal Residents, hold a civil identification card with a national number, have a birth certificate, receive a salary from the Social Insurance Public Authority, be serving in the armed forces, be a child of a bidoon who fought for Kuwait in previous wars, or be the child of a Kuwaiti woman and a noncitizen father. During the 2013-14 school year, the charity paid the school fees for approximately 15,000 bidoon children at a cost of 4.45 million dinars (\$15.8 million). Also during the 2014-15 school year, 150 seats were held for bidoon seeking bachelor of arts degrees.

In September authorities denied approximately 650 bidoon children access to public schools because they lacked birth certificates or other identifying documents. Between September and November, volunteer teachers in temporary school facilities taught them, but in November the government shut down those facilities and began integrating some of the children into schools, although some schools were located far from their homes.

Zakat House, a charity funded by private donations, provided food, subsidies, financial aid, and training to bidoon. It also paid for the genetic fingerprinting required for every bidoon. Government officials declared most bidoon did not want to undergo DNA testing because it would reveal their “real” nationality.

Many adult bidoon also lacked identification cards, preventing them from engaging in lawful employment or obtaining travel documents. This restriction resulted in the bidoon children from the household working as street vendors to help support their families and not receiving an education. Lack of financial resources and proper documentation for some of their children forced some bidoon parents to choose which of their children to enroll in school. Many bidoon children who attended school enrolled in substandard private institutions because only citizens may attend public school. Many bidoon families depended on charity to assist with medical and educational expenses.

The government allowed bidoon to work in some government positions, as dictated in the 2011 decree. According to an official at the Central Agency for Remediating the Status of Illegal Residents (Central Agency), between March 2012 and the end of 2013, a total of 1,265 bidoon began working in government ministries. Some bidoon worked in the armed forces or police. Although no legal strictures prevent their service in the enlisted ranks, authorities had effectively barred bidoon from enlisting in either force since 1985. In August the Ministry of Defense announced it had accepted into the army 700 bidoon children of Kuwaiti women and of bidoon killed fighting for Kuwait.

The naturalization process for bidoon is not transparent, and decisions appeared arbitrary. Despite calls during the year by MPs and various authorities to naturalize 4,000 bidoon, as of year’s end, the government had naturalized only those who were children of soldiers killed fighting for Kuwait. The Central Agency had more than 100,000 bidoon citizenship requests under review at year’s end. Central Agency officials said the agency had submitted three lists to the cabinet in 2012 of an undisclosed number of bidoon and another in 2013 of an additional 504 bidoon, all eligible for citizenship, but there were no reports that the cabinet made any decisions on granting citizenship to these bidoon.

According to bidoon activists and government officials, many bidoon were unable to provide documentation proving sufficient ties to the country or to present evidence of their original nationality. The government maintained, however, that the vast majority of bidoon concealed their true nationalities and were not actually

stateless. According to the government, 6,051 bidoon “revealed their real nationalities” and rectified their legal status by May.

In November the Ministry of Interior announced a proposal to give “economic citizenship” to the bidoon from the small island nation of Comoros. It was unclear whether the government intended to simply give them the documentation of citizenship or physically relocate bidoon. Bidoon activists were concerned that some would accept the proposal due to fatigue over trying to obtain citizenship in Kuwait. Other activists were concerned that the government might force them to take another, illegitimate nationality.

The government instituted other policies that discriminate against the bidoon. Since the government treated them as illegal immigrants, bidoon do not have property rights. Bidoon identification cards included color codes that indicated when the carrier had a security restriction, such as a travel ban or other unresolved issues with the government. The Women’s Refugee Commission reported that statelessness and discrimination against women in the nationality law threatened family unity.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens had only a limited, indirect effect on control of the executive branch because the constitution stipulates the country is a hereditary emirate. The 50 elected National Assembly members (along with government-appointed ministers) must, by majority vote, approve the emir’s choice of crown prince (the future emir). The crown prince must be a male descendant of Sheikh Mubarak Al-Sabah and meet three additional requirements: be the age of majority, possess a sound mind, and be a legitimate son of Muslim parents. The National Assembly may remove the emir from power with a two-thirds majority vote if it finds that any of these three conditions is or was not met.

Elections and Political Participation

Recent Elections: The 2013 parliamentary election was generally considered free and fair, and international observers found no serious procedural problems. The election followed the Constitutional Court’s June 2013 order to dissolve the parliament, which the court determined was elected unconstitutionally (the second such order in one year). Some opposition politicians and their supporters boycotted the election to protest the emir’s 2012 decree reducing the number of

votes per person from four to one. Official turnout for the 2013 elections was approximately 52 percent.

Political Parties and Political Participation: The government did not recognize any political parties or allow their formation, although no formal law bans political parties. Well-organized, unofficial blocs operated as political groupings, and MPs formed loose alliances. Some tribes held illegal primaries to maximize their members' chances for election to the National Assembly. Assembly candidates must nominate themselves as individuals.

Participation of Women and Minorities: Although they gained the right to vote in 2005, women faced cultural and social barriers to political participation. For example, tribal leaders excluded women from tribal primaries. Nevertheless, two women were elected to the National Assembly during the July 2013 elections, and there were two women in the cabinet. One female MP, however, lost her seat when the constitutional court declared a miscount in her district. The remaining woman in the National Assembly resigned in May to protest not being allowed to question the prime minister in the National Assembly. Women typically voted at a higher rate than men did.

No laws or cultural practices prevented minorities from participating in political life. In the July 2013 parliamentary elections, candidates from the Shia community, which comprised approximately one-third of the citizen population, won eight seats in parliament. In the previous two parliaments, elected in December 2012 and February 2012, Shia held 17 and five seats, respectively. The unusually high Shia representation in the December 2012 parliament largely resulted from a Sunni Islamist and tribal-led boycott of that election.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. Government observers believed officials engaged in corrupt practices with impunity.

All judicial officers received training on corruption and transparency obligations as part of the Judicial Institute's official curriculum.

Corruption: The Audit Bureau is an independent agency responsible for supervising public expenses and revenues and for preventing any misuse or manipulation of public funds. The government publishes reports by the Audit

Bureau annually and sends them to the emir, prime minister, head of the parliament, and minister of finance. The general public did not have access to these reports. The parliamentary Committee on the Protection of Public Funds frequently announced inquiries into suspected misuse of public funds, but none resulted in prosecution during the year.

In 2013 the National Assembly ratified an anticorruption law to establish the Anticorruption Authority (ACA), dictate financial disclosure provisions, and provide protection for whistleblowers. The law charges the ACA with receiving and analyzing complaints and forwarding complaints to the appropriate authorities in either the Public Prosecutor's Office or police for further investigation or action. The authority was funded by the government and had its own budget. By the end of the year, the ACA had established its board of directors but was still hiring staff and awaiting permanent office space. The ACA held several training sessions for government officials from more than 60 departments informing them about the financial disclosure requirements and preparing them for the submission process, slated to begin in 2015. No department in the Ministry of Justice specialized in corruption cases.

Media and government officials reported cases of widespread, visa-related corruption at the Ministry of Social Affairs and Labor and Ministry of Interior, namely selling visas or visa fraud. Several officials at the ministry faced prosecution after their arrests on charges of falsifying labor import documents to profit from the sale of visas. Investigations into these activities continued at the end of the year.

In June an opposition leader alleged there was widespread corruption in the government and judiciary. Investigations into the allegations of corruption continued at the end of the year. Since insulting the judiciary is against the law, investigations into the persons making the allegations were also underway at the end of the year.

There were many reports that individuals had to pay intermediaries to receive routine government services. Police corruption was a problem, especially when one party to a dispute had a personal relationship with a police official involved in a case. Widespread reports indicated police favored citizens over noncitizens.

Financial Disclosure: The 2013 anticorruption law requires that executive-level public employees, including officials at the ministerial level and above, MPs, the speaker of parliament, and the head of the Supreme Judicial Council, disclose their

financial assets. Disclosure is required at three junctures: before taking office, every year while in office, and again upon leaving the public sector. Assets that must be disclosed include bank accounts, properties, investments, and any business assets. Children's assets must also be disclosed, but not those of spouses. Repercussions against those who do not provide financial disclosures include a fine of not more than 3,000 dinars (\$10,650) and possible termination of employment after not submitting the first statement before taking office. Person failing to submit their statements while employed can face a fine of not more than 3,000 dinars (\$10,650) and imprisonment for not more than one year and additional fines if the first warning is ignored. For failure to submit the final statement after leaving employment, a person can be fined not more than 5,000 dinars (\$17,750) and imprisoned for up to three years.

Financial disclosure reports are not public documents and are considered confidential; leaking of such information is a crime. The law mandates the ACA to monitor disclosures and has the right to oblige reportees to provide additional information. By late in the year, the ACA was not yet fully functioning.

Public Access to Information: The law provides for public access to unclassified government information by citizens and noncitizens alike, but access appeared theoretical. Legal experts stated that the only way for unclassified information to be released is through a request by a government ministry.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The government restricted the operations of domestic and international human rights groups and limited cooperation with them. The law permits the existence of NGOs, but the government continued to deny licenses to some. NGOs may not engage in political activity or encourage sectarianism. The groups must demonstrate their existence is in the public interest. Major local independent NGOs dedicated specifically to human rights included the Kuwait Human Rights Society and the Kuwaiti Society for Fundamental Human Rights. The Kuwait Transparency Society was the local affiliate of Transparency International, and the Kuwait Trade Union Federation was the local affiliate of the Solidarity Center.

Locally licensed NGOs devoted to the rights or welfare of specific groups--such as women, children, foreign workers, prisoners, and persons with disabilities--operated without government interference, as did a few dozen local, unlicensed

human rights groups. The government and various National Assembly committees met occasionally with local NGOs and generally responded to their inquiries.

Government Human Rights Bodies: The National Assembly's Human Rights Committee, which operated independently of the government, is an advisory body that primarily hears individual complaints of human rights abuses. The committee visited the Central Prison and the central deportation center throughout the year to review overcrowding, prison and detainee treatment, and the condition of both facilities. The committee had adequate resources and was considered effective. It did not issue reports during the year.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, origin, disability, or language. The law does not prohibit discrimination based on social status, gender, or sexual orientation. The government did not consistently enforce laws against discrimination, and a number of laws and regulations discriminated against women, bidoon, noncitizens, and domestic and foreign workers.

Women

Rape and Domestic Violence: Violence against women continued to be a problem. Rape carries a maximum penalty of death, which the courts occasionally imposed for the crime; spousal rape is not a crime. The media reported hundreds of rape cases, but government statistics were unavailable. Social stigma associated with publicly acknowledging rape likely resulted in underreporting because of reluctance by women to report the crime. Many victims were noncitizen domestic workers. Police occasionally arrested alleged rapists. Authorities did not effectively enforce laws against rape, especially in cases of noncitizen women raped by their employers.

The law does not specifically prohibit domestic violence, but courts try such cases as assault. A victim of domestic violence may file a complaint with police requesting formal charges be brought against the alleged abuser. Victims, however, did not report most domestic abuse cases, especially outside the capital. Police officials rarely arrested perpetrators of domestic violence even when presented with documented evidence of the abuse, such as eyewitness accounts, hospital reports, and social worker testimony, and treated such reports as social instead of criminal matters. Individuals also reportedly bribed police officials to ignore assault charges in cases of domestic abuse. Although courts found

husbands guilty of spousal abuse in previous years, those convicted rarely faced severe penalties. Noncitizen women married to citizens reported domestic abuse and inaction or discrimination by police during past years, but no data were available for the year.

A woman may petition for divorce based on injury from abuse, but the law does not provide a clear legal standard regarding what constitutes injury. Additionally, a woman must provide at least two male witnesses (or a male witness and two female witnesses) to attest to the injury. There were no known shelters or hotlines specifically for victims of domestic violence, although a temporary shelter for domestic workers housed up to 200 victims during the year. The government completed construction of the shelter for domestic workers in 2012, but the shelter was not fully operational. As of year's end, it lacked adequate communication abilities for the women sheltered there; moreover, ministries had not occupied designated offices due in part to a lack of internet connectivity.

Female Genital Mutilation/Cutting (FGM/C): There are no laws regarding FGM/C; however, there were no reported cases of the abuse.

Other Harmful Traditional Practices: There were no honor crimes reported. The penal code penalizes honor crimes as misdemeanors. The law states that a man who sees his wife, daughter, mother, or sister in the "act of adultery" and immediately kills her or the man with whom she is committing adultery faces a maximum punishment of three years' imprisonment and a fine of 225 dinars (\$800). Sentencing guidelines for honor crimes do not apply to bidoon.

Sexual Harassment: No specific law addresses sexual harassment, but the law criminalizes "encroachment on honor," which encompasses everything from touching a woman against her will to rape, and police strictly enforced this law. The government deployed female police officers specifically to combat sexual harassment in shopping malls and other public spaces. Perpetrators faced fines and imprisonment. Nonetheless, human rights groups characterized sexual harassment against women in the workplace as a pervasive and unreported problem.

In November 2013 Haifa al-Kandari, a sociology professor and assistant dean of student services at Kuwait University (KU), stated publicly that sexual harassment existed at the school. She based the allegation on a study she conducted among female KU students. The university contended that the information was inaccurate and suspended her from her administrative position. The media also reported

several cases in which former boyfriends attempted to blackmail their former girlfriends by threatening to post revealing photographs or videos of them online.

Reproductive Rights: There were no reports of government interference in the right of couples and individuals to decide freely the number, spacing, and timing of children; to have the information and means to do so; and to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. Decisions regarding access to contraceptives, family size, and procedures involving reproductive and fertility treatments required the consent of both husband and wife. The information and means to make those decisions, as well as skilled attendance during prenatal care, essential obstetric care, childbirth, and postpartum care were freely available. While the government did not provide any formal family planning programs, contraceptives were available without prescription to citizens and noncitizens.

Discrimination: Women have many political rights, including the right to vote and serve in parliament and the cabinet, but they do not enjoy the same rights as men under family law, labor law, property law, inheritance law, or in the judicial system. Sharia (Islamic law) courts have jurisdiction over personal status and family law cases for Sunni and Shia Muslims. Sharia, as implemented in the country, discriminates against women in judicial proceedings, freedom of movement, marriage, and inheritance. Secular courts allow any person to testify and consider male and female testimony equally, but in sharia courts, the testimony of one man equals that of two women.

The law prohibits marriage between Muslim women and non-Muslim men. The law does not require a non-Muslim woman to convert to Islam to marry a Muslim man, but many non-Muslim women faced strong economic and societal pressure to convert. In the event of a divorce, the law grants the father custody of children of non-Muslim women who fail to convert. A non-Muslim woman who fails to convert is also ineligible for naturalization as a citizen and cannot inherit her husband's property unless specified as a beneficiary in his will.

Inheritance is also governed by sharia, which varies according to the specific school of Islamic jurisprudence. In the absence of a direct male heir, a Shia woman may inherit all property, while a Sunni woman inherits only a portion, with the balance divided among brothers, uncles, and male cousins of the deceased.

The law grants a "housewife allowance" to nonworking women age 55 and older. Female citizens are unable to pass citizenship to their noncitizen husbands or their

children; exceptions were made for some children of widowed or divorced female citizens. Male citizens married to female noncitizens did not face such discrimination.

The law states that a woman should receive “remuneration equal to that of a man provided she does the same work,” although it prohibits women from working in “dangerous industries” and in trades “harmful” to health. According to the Kuwait Trade Union Federation (KTUF), Kuwaiti women comprised 45 percent of the public sector workforce (not including state-run companies or domestic workers). International assessments reported the average working woman earned 6,600 dinars (\$23,430) annually, compared with 18,691 dinars (\$66,350) for the average working man. According to labor union statistics, only 8 percent of workers at or above the managerial level were women. Educated women contended the conservative nature of society restricted career opportunities, although there were limited improvements. While women comprised 72 percent of college graduates at KU, they were underrepresented in the number of students sent to study internationally, likely due to continued societal concerns about permitting young women to study abroad away from their families. Of the 3,252 students who studied abroad on government grants, only 19.2 percent were women.

The law requires segregation by gender of classes at all universities and secondary schools, although it was not always enforced. Public universities enforced this law more rigorously than private universities.

Two members of the 50-seat National Assembly elected in July 2013 were women, although both subsequently departed (see section 3). When it reconvened in October, the parliament reconstituted its committee on women’s and family affairs. Some women attained prominent positions in business as heads of corporations, but only one woman served as a minister in the cabinet.

There were no female judges. In November the first 22 female employees of the PPO completed their training and became public prosecutors. In 2013 these 22 women were the first to be accepted to the judicial institute. During the year, however, the Ministry of Justice again tried to prevent women from applying for entry-level positions in the PPO, although the ministry eventually accepted applications from women after a court decision reaffirmed their right to apply for the job. Graduation from the institute is a prerequisite for employment as a prosecutor or judge.

Children

Birth Registration: Citizenship derives entirely from the father; children born to citizen mothers and nonnational fathers do not inherit Kuwaiti citizenship unless the mother is divorced or widowed from the nonnational father. The government automatically granted citizenship to orphaned or abandoned infants, including bidoon infants. Parents were sometimes unable to obtain birth certificates for their bidoon children because of additional administrative requirements, creating an inability to access other public services such as education and health care (see section 2.d., Stateless Persons).

Education: Education for citizens is free through the university level and compulsory through the secondary level. Education is neither free nor compulsory for noncitizens. In 2011 the Council of Ministers issued a decree extending education benefits to bidoon, but bureaucratic problems continued to hinder bidoon children's access to free education.

Medical Care: Failure to have requisite identification papers sometimes restricted bidoon access to public medical care.

Child Abuse: There was no societal pattern of child abuse. Most cases likely went unreported due to social stigma associated with the disclosure of the practice.

Early and Forced Marriage: The legal marriage age is 17 for men and 15 for women, but girls continued to marry at a younger age in some tribal groups. The Ministry of Justice estimated underage marriages constituted 2 to 3 percent of all marriages in 2013.

Female Genital Mutilation/Cutting (FGM/C): There are no laws regarding FGM/C, but there were no reported cases of the abuse.

Sexual Exploitation of Children: There are no laws specific to child pornography, as all pornography is illegal. There is no statutory rape law or minimum age for consensual sexual relations, although premarital sexual relations are illegal.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at travel.state.gov/content/childabduction/english/country/kuwait.html.

Anti-Semitism

There were no known Jewish citizens and an estimated few dozen Jewish foreign resident workers. Negative commentary regarding Jews regularly appeared in the media. Anti-Semitic rhetoric often originated from self-proclaimed Islamists or conservative opinion writers. These columnists often conflated Israeli government actions with those of Jews more broadly. Reflecting the government's nonrecognition of Israel, there are longstanding official instructions to teachers to expunge from English-language textbooks any references to Israel or the Holocaust. The law prohibits companies from conducting business with Israeli citizens, including transporting them on their commercial airlines.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law prohibits discrimination against persons with permanent physical, sensory, intellectual, and mental disabilities, in employment, education, air travel and other transportation, access to health care, or the provision of other state services. It imposes penalties on employers who refrain without reasonable cause from hiring persons with disabilities. The law also mandates access to buildings for persons with disabilities. The government generally enforced these provisions. There were no specific reports of discrimination against persons with disabilities, but noncitizens with disabilities neither had access to government-operated facilities nor received stipends paid to citizens with disabilities that covered transportation, housing, job training, and social welfare costs.

In 2010 the government approved a disability law, and the National Assembly formed a Committee for Disabled Affairs for the past two years. In 2013 the committee drafted amendments to the 2010 law, including increasing the monthly allowance given to the mother of a disabled child or the wife of a disabled man, from 300 to 600 dinars (from \$1,065 to \$2,130). In November the Kuwait Credit Bank, in coordination with the Public Authority for the Disabled, approved the issuance of grants worth up to 20,000 dinars (\$71,000) to the families of citizens with disabilities.

Advocates for disabled rights criticized the government's slow reaction in providing individuals with disabilities the enhanced rights provided by law. For

example, the law requires that government employers with workforces of 50 persons or more recruit at least 4 percent of their workforce from vocationally trained persons with special needs, but the government did not attempt to enforce this and some other provisions of the law. Separate from the law, the government reserved a small number of admissions in the year's KU class for citizens with disabilities.

Children with disabilities attended public school, and there were no reported incidents of abuse of children with disabilities. The law does not restrict the right of persons with disabilities to vote and participate in civic affairs. Representatives from ministries, other governmental bodies, KU, and several NGOs constituted the government's Higher Council for Handicapped Affairs, which makes policy recommendations, provides direct financial aid to citizens with disabilities, and facilitates their integration into schools, jobs, and other social institutions. The government supervised and contributed to schools and job training programs oriented to persons with special needs.

National/Racial/Ethnic Minorities

Approximately 68 percent of residents were noncitizens, many originating from the Indian subcontinent and Southeast Asia. Societal discrimination against noncitizens and bidoon was prevalent and occurred in most areas of daily life, including employment, education, housing, social interaction, and health care. As part of expanded activity against illegal residents, police stopped, arrested, and sometimes deported noncitizens believed to be using private automobiles as taxis. This action disproportionately affected the noncitizen laborers who could not afford their own automobiles or taxi fares

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual conduct between men, as well as cross-dressing, are illegal. The law punishes consensual same-sex sexual activity between men older than 21 with imprisonment of up to seven years; those engaging in consensual same-sex sexual activity with males younger than 21 may be imprisoned for as long as 10 years. The law imposes a fine of 1,059 dinars (\$3,760) and imprisonment for one to three years for those imitating the appearance of the opposite sex in public. No laws criminalize sexual behavior between women. Transgender persons reported harassment, detainment, and abuse by security forces.

Police arrested 23 cross-dressers and gay men in October after allegedly breaking up a party at a private residence. Police reportedly obtained a warrant and raided the residence, charging those arrested with engaging in immoral activities.

Societal discrimination and harassment based on sexual orientation and gender identity was common; to a lesser extent, officials also practiced such discrimination, usually upon discovering that a person stopped for a traffic violation did not appear to be the gender indicated on his/her identification card. Transgender men and women often faced rejection by their families and, in some cases, disputes over inheritances.

In April the director of the Public Authority for Applied Education and Training, announced plans to establish a center to offer psychological counseling to lesbian, gay, bisexual, and transgender (LGBT) persons or those with gender identity problems. The center was not established at year's end.

No registered NGOs focused on LGBT matters, although unregistered ones existed. Due to social convention and potential repression, LGBT organizations neither operated openly nor held gay pride marches or gay rights advocacy events.

HIV and AIDS Social Stigma

Local human rights NGOs reported no accounts of societal violence or discrimination against persons with HIV/AIDS, but persons with HIV/AIDS did not generally disclose their status due to social stigma associated with the disease. The Ministry of Health estimated there were 250 citizens with HIV; however, other estimates put the number at 600 individuals. Foreign citizens found to be HIV positive faced immediate deportation.

Other Societal Violence or Discrimination

Unmarried men continued to face housing discrimination based solely on marital status. The law prohibits single men from obtaining accommodation in many urban residential areas. Single noncitizens faced eviction due to a decision by the municipality to enforce this prohibition and remove them from residences allocated for citizens' families, citing the presence of single men as the reason for increasing crime, a burden on services, and worsening traffic.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law protects the right of workers to form and join trade unions, conduct legal strikes, and bargain collectively, with significant restrictions. The government, however, did not always respect these rights.

The law does not apply to public sector employees, domestic workers, or maritime employees. Discrete labor laws set work conditions in the public and private sectors, with the oil industry treated separately. The law permits limited trade union pluralism at the local level, but there was only one government-authorized federation, the KTUF. The law also stipulates any new union must include at least 100 workers and that at least 15 of the total number must be Kuwaiti citizens.

The law provides workers a limited right to collective bargaining, except for domestic servants, maritime workers, and civil servants. There is no minimum number of workers needed to conclude such agreements.

Public sector workers do not have the right to strike. Private sector workers have the right to strike, although cumbersome provisions calling for compulsory negotiation and arbitration in the case of disputes limit that right. Legal strikes require permission from the Ministry of Interior, which was rarely granted. The law does not prohibit retaliation against striking workers or prevent the government from interfering in union activities, including the right to strike.

In February a union representing both citizen and noncitizen oil workers threatened to strike after the national oil company, Kuwait Petroleum Company, reduced annual bonuses it paid to workers. The oil minister threatened action using “all state agencies, including the National Guard and Interior Ministry.” The oil minister also made statements implying that striking employees would be replaced and that the government was considering punitive measures against striking employees, including imprisonment and substantial fines. According to the Ministry of Oil, the industry had an estimated 18,500 employees, excluding contractors or outsourced project workers, of whom 82 percent were citizens.

According to the Public Authority for Manpower, there were 2.23 million workers in the country. Only 17.4 percent of the total workforce were Kuwaiti citizens. Most citizens (76 percent) worked in the public sector, as the government provided lucrative bonuses to citizens, including retirement funding. Men represented 75.5 percent of the total private sector workforce (not including domestic workers).

Noncitizen laborers with less than the equivalent of a high school diploma constituted 58 percent of the expatriate workforce.

The law prohibits antiunion discrimination and employer interference with union functions and provides for reinstatement of workers fired for union activity. Nevertheless, the law empowers the courts to dissolve any union for violating labor laws or for threatening “public order and morals,” although a union can appeal such a court decision. The Ministry of Social Affairs and Labor can request the Court of First Instance to dissolve a union. Additionally, the emir may dissolve a union by decree.

Foreign workers, who constituted more than 80 percent of the workforce, may join unions only as nonvoting members after five years of work in the particular sector the union represents, provided they obtain a certificate of good conduct and moral standing from the government. They cannot run for seats or vote in board elections. Both the International Labor Organization and the International Trade Union Confederation criticized the citizenship requirement for discouraging unions in sectors that employ few citizens, including much of private sector employment, such as construction.

The government enforced applicable laws, with some exceptions, and procedures were generally not subject to lengthy delay or appeals.

Although the law restricts freedom of association and collective bargaining rights, the government did not always enforce these limits. For example, according to the KTUF, the government did not consistently enforce the requirement that foreign workers have at least five years working in the country in a specific sector prior to joining a union.

The government treated worker actions by citizens and noncitizens differently. While citizens and public sector union leaders and workers faced no government repercussions for their roles in union or strike activities, companies directly threatened noncitizen workers calling for strikes with termination and deportation.

Worker organizations were generally not independent of the government, and the government interfered in union activities. In the past the government essentially treated licensed unions as parastatal organizations, providing as much as 90 percent of their budgets and inspecting financial records; if a union ceased to exist, the government confiscated its assets.

Another union organization, the National Trade Union Federation, petitioned the government for official recognition in 2011 but did not receive a license by year's end.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminally sanctions forced or compulsory labor “except in cases specified by law for national emergency and with just remuneration,” but the government did not effectively enforce the law.

The government broke up several fake labor companies and arrested those involved. Investigations by the Ministry of Social Affairs and Labor into labor recruitment firms and visa fraud resulted in referring four labor firms for prosecution under the 2013 countertrafficking law.

Although the law prohibits withholding of workers' passports, the practice remained common among sponsors and employers of foreign workers, and the government demonstrated no consistent efforts to enforce this prohibition. Despite the 2013 countertrafficking law, law enforcement generally treated cases of forced labor as administrative labor infractions due largely to a lack of training and awareness by police at lower levels who initially interacted with workers; it largely limited punishment to assessing fines, shutting employment firms, issuing orders for employers to return withheld passports, or requiring employers to pay back wages. The penalties were not sufficient to deter violations.

Forced labor and conditions indicative of forced labor occurred, especially among migrant workers. Such practices were usually a result of employer abuse of the sponsorship system (kafala) for noncitizen workers. Employers frequently and illegally withheld salaries from domestic workers and minimum-wage laborers.

Domestic servitude was the most common type of forced labor, principally involving foreign domestic workers employed under the kafala system, but reports of forced labor in the construction and sanitation sectors also existed. Forced labor conditions for migrant workers included nonpayment of wages, long working hours, deprivation of food, threats, physical and sexual abuse, and restrictions on movement, such as withholding passports or confinement to the workplace. While a labor law exists to protect skilled laborers, the absence of a domestic labor law left domestic workers vulnerable to employer abuse under the kafala system. In November, six Kuwait NGOs for the Kuwait Civil Alliance sent a report on human rights violations to the United Nations for the Universal Periodic Review. The

kafala system was one of several matters of concern. International organizations, such as the International Organization for Migration and the International Labor Organization worked with various government ministries to train them on recognizing and dealing with issues such as human trafficking and forced labor.

There were numerous media reports throughout the year of domestic workers being abused by their sponsors or sustaining significant injuries while trying to escape from their sponsors; some reports alleged abuse resulted in workers' deaths. Female domestic workers were particularly vulnerable to sexual abuse. Police and courts were reluctant to prosecute citizens for abuse in private residences.

In January a report by the National Assembly's Studies and Research Department was published highlighting the widespread problem of visa trading and human rights. In addition to visa trading, the study criticized the government for inconsistency and a lack of coordination addressing labor issues. Recommendations made in the report included abolishment of the kafala system, better implementation and enforcement of laws regulating labor and countertrafficking, strengthened oversight of labor recruiting firms, and establishment of public awareness campaigns among workers and employees detailing workers' rights.

See also the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits child labor. The legal minimum age for employment is 18, although employers may obtain permits from the Ministry of Social Affairs and Labor to employ juveniles between 15 and 18 in some nonhazardous trades. Juveniles may work a maximum of six hours a day with no more than four consecutive hours followed by a one-hour rest period. Juveniles cannot work overtime or between 7 p.m. and 6 a.m.

Although not extensive, there were credible reports that bidoon children and children of South Asian origin worked as domestic laborers. Some underage workers entered the country on travel documents with falsified birth dates.

Bidoon children as young as seven years old worked long hours as street vendors, sometimes under dangerous conditions, according to reports by human rights

NGOs. The efforts to provide for their families often jeopardized their education and resulted in the decisions of many to abandon their schooling.

The government made efforts to enforce the child labor law effectively. Approximately 450 Ministry of Social Affairs and Labor inspectors routinely monitored private firms for labor law compliance, including laws against child labor. Noncompliant employers faced fines or a forced suspension of their company operations. Nevertheless, the government did not consistently enforce child labor laws in the informal sector, such as in street vending.

d. Discrimination with Respect to Employment or Occupation

The law prohibits discrimination in employment based on race, sex, gender, and disability. The government immediately deports HIV-positive foreign workers, and there is no protection for workers based on sexual orientation. No laws prohibit labor discrimination based on language, communicable diseases (non-HIV), or social status, but no cases of discrimination in these areas were reported.

Discrimination in employment and occupation occurred with respect to women (see section 6) for both citizens and noncitizens. Domestic workers were at particular risk of discrimination or abuse due to the lack of a labor law specifying their rights.

e. Acceptable Conditions of Work

The law sets the national minimum wage in the private sector at 60 dinars (\$213) per month. According to 2012 UN standards, the poverty line for a family of five is 1,000 dinars (\$3,550) per month.

The law limits the standard workweek to 48 hours (40 hours for the petroleum industry), and gives private sector workers 30 days of annual leave. The law also forbids requiring employees to work more than 60 hours per week or 10 hours per day. The law provides for 13 designated national holidays annually. Workers are entitled to 125 percent of base pay for working overtime and 150 percent of base pay for working on their designated weekly day off.

The government issued occupational health and safety standards that were current and appropriate for the main industries. For example, the law provides that all outdoor work stop between 11 a.m. and 4 p.m. during June, July, and August, or when the temperature rises to more than 120 degrees Fahrenheit in the shade.

Workers could file a complaint against an employer with the Public Authority for Manpower if the worker believed his safety and health were at risk.

The law and regulations governing acceptable conditions of work do not apply to domestic workers. The Ministry of Interior has jurisdiction over domestic worker matters, and authorities treated their problems as administrative, not labor related.

The Ministry of Social Affairs and Labor is responsible for enforcement of wage and hours, overtime, and occupational safety and health regulations. Enforcement by the ministry was generally good; however, there were gaps in enforcement with respect to unskilled foreign laborers. Several ministry officials cited inadequate numbers of inspectors as the main reason for their inability to enforce the laws to the best of their abilities.

Approximately 450 labor inspectors monitored private firms. The government periodically inspected enterprises to raise awareness among workers and employers and to ensure they abided by existing safety rules, controlled pollution in certain industries, trained workers to use machines, and reported violations.

The Ministry of Social Affairs and Labor monitored worksites to ensure compliance with rules banning summer work and recorded hundreds of violations during the year. Workers could also report these violations to their embassies, the KTUF, or the Labor Disputes Department. Noncompliant employers faced warnings, fines, or forced suspensions of company operations, but these were not sufficiently substantial to deter violators.

Workers submitted complaints to the Ministry of Social Affairs and Labor's Labor Disputes Department, but the government did not enforce the standards uniformly. In the first eight months of 2013, the Labor Disputes Department received 35,000 complaints from workers, either about contract issues such as nonpayment of wages or about difficulties transferring work visas to new companies. Nearly half of the complaints were resolved amicably; the other half were either referred to the courts or remained under investigation.

At times the Ministry of Social Affairs and Labor intervened to resolve labor disputes between foreign workers and their employers. The ministry's labor arbitration panel sometimes ruled in favor of foreign laborers who claimed violations of work contracts by their employers. The government was more effective in resolving unpaid salary disputes involving private sector laborers than those involving domestic workers. In 2012 the Ministry of Interior's Department

of Domestic Labor Office collected 8,340 dinars (\$29,600) owed to 71 domestic workers by their employers.

Foreign workers were vulnerable to unacceptable conditions of work. Domestic workers and other unskilled foreign workers in the private sector frequently worked substantially in excess of 48 hours a week, often with no day of rest.

Domestic workers had little recourse when employers violated their rights because labor standards do not apply to the domestic sector. There were no inspections of private residences, the workplace of the majority of the country's domestic workers, nor did the government make significant efforts to address working conditions for these workers. Reports commonly indicated employers forced domestic workers to work overtime without additional compensation.

Domestic workers did not have the ability to remove themselves from an unhealthy or unsafe situation without endangering their employment. There were frequent reports of domestic workers committing or attempting to commit suicide due to desperation over abuse or poor working conditions. Authorities provided no protection for these employees, and standard procedure was to call domestic workers' sponsors if they appeared at a police station. Late in the year, the Philippine Embassy created a task force to conduct investigations on deaths of Filipino workers, particularly those ruled as suicide by the police. Results of the study were not available by the end of the year.