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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Council Supporting Fair Trial and Human Rights, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



Human Rights Situation in Kuwait

The human rights situation in Kuwait continues to decline in light of the Kuwaiti Government's failure to fulfill its domestic and international obligations in this regard.

Kuwaiti authorities continue to use provisions in the Constitution, the National Security Act, and the country's Cybercrime Act to restrict freedom of expression and prosecute opponents, with particular emphasis on comments posted on social media. Kuwait delays in reforming its sponsorship system, leaving migrant workers vulnerable to abuse and forced employment.

To date, the Kuwaiti Government continues to refrain from complying with the recommendations of the United Nations universal periodic review mechanism's human rights record. As of July 16, 2020, out of 302 recommendations received from the Member States, Kuwait rejected 54 recommendations to ratify or accede to certain treaties, including treaties protecting the rights of foreign workers and refugees, and to harmonize its laws with the rights to freedom of expression, peaceful assembly, association or association. Kuwait also informed the Human Rights Council of its decision to accept 230 universal periodic review recommendations, took note of 12 others, and "partially accepted" six others. Despite all the above, Kuwait's human rights file saw no indication of compliance with these recommendations, as it clearly ignored international demands in this regard.

The dossier of public freedoms has declined considerably over the past years, both with regard to the prosecution of tweets and opinion holders and the freedom of peaceful assembly to express the opinion guaranteed by the provisions of the Kuwaiti National Constitution, and international legislation, and the International Covenants on Human Rights. Kuwait has also witnessed numerous closures of certain newspapers and channels due to administrative irregularities, without allowing them to rectify their situation and remove the causes of irregularities without prejudice to them as media outlets.

The expression of opinion file Via social media in general and Twitter, in particular, witnessed several setbacks in Kuwait. The Kuwaiti Government has prosecuted and still prosecutes a group of tweets on Twitter, which adversely affects the exercise of the right to express one's opinion by all means.

On the other hand, "Bidoun", a stateless society claiming Kuwaiti nationality, continues to live in legal limbo while the Government resorts to coercion and criminalizes peaceful group activity. The suffering of stateless persons poses a major challenge to the Kuwaiti Government, civil society organizations, and human rights activists in Kuwait, particularly with slow legislative and administrative actions and measures to resolve the issue that resulted in the community's lack of the most basic Human rights such as the right to education, employment, health care, and other rights. Although the problem of stateless persons "Bidoun" is primarily humanitarian, the Kuwaiti Government deals with it from a purely political perspective based on political and regional calculations.

In this regard, there is a significant discrepancy between the official figures announced by the Kuwaiti Government and the unofficial statistics. Government figures indicate that the unresolved Bidoun is only 88 thousand, while unofficial statistics confirm that they number more than 200 thousand, but the authorities are confident in the real figures.

Despite the establishment of the Central Agency for the Treatment of Illegal Residents, much of the ambiguity affects the latter's lack of clarity as to its terms of reference or its mechanism of operation and the time period in which it is supposed to solve the Bidoun problem. In fact, this Agency has increased Bidoun suffering through security restrictions imposed on them, which have prevented them from enjoying many rights. However, the Bidoun's situation still needs to be resolved radically by granting them their civil, social, and legal rights.

The International Council Supporting Fair Trial and Human Rights affirm that the practices of the Kuwaiti authorities in arresting and violating activists supporting the Bidoun cause, More restrictions and coercion are imposed on "Bidoun" communities, rather than treating the issue respectfully by amending national law. The International Council calls for the immediate release of "Bidoun" rights activists who are detained without recognized charges, which is contrary to international law and the Convention on the Elimination of All Forms of Racial Discrimination signed by Kuwait.

The International Council Supporting Fair Trial and Human Rights also reiterate what happened in Kuwait's third universal periodic review, under the auspices of the Human Rights Council, where only seven organizations addressed the issue of statelessness in "Bidoun". Twelve States have also made recommendations to Kuwait in this case. Recommendation 157.302, clearly recommended that Kuwait should grant full citizenship and the rights of its "Bidoun" population. It also contained France's recommendation 157.297, which stated that Kuwait must continue its efforts to provide citizenship to the Bidoun, which had been more lenient. Furthermore, there are limited provisions in resolutions adopted at the international level, emphasizing human rights violations against "Bidoun".
