



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Twenty-second session

Summary record of the 493rd meeting*

Held at the Palais des Nations, Geneva, on Monday, 9 September 2019, at 3 p.m.

Chair: Mr. Basharu

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* No summary record was issued for the 492nd meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35

(continued)

Initial report of Kuwait (CRPD/C/KWT/1; CRPD/C/KWT/Q/1 and CRPD/C/KWT/Q/1/Add.1)

1. *At the invitation of the Chair, the delegation of Kuwait took places at the Committee table.*
2. **Mr. Alghunaim** (Kuwait) said that the State of Kuwait attached great importance to the rights of persons with disabilities, in accordance with article 11 of its Constitution. It had taken vigorous action to guarantee equal educational and economic opportunities and to enable persons with disabilities to exercise their civil and political rights. With a view to complying with relevant international instruments, Kuwait had cooperated with the United Nations Development Programme (UNDP) in elaborating programmes to empower persons with disabilities and to surmount difficulties in guaranteeing their social, educational and professional integration. The second medium-term development plan was based on the principle of comprehensive sustainable development for the benefit of all population groups, including persons with disabilities.
3. Act No. 8 of 2010 on the rights of persons with disabilities was based on the Islamic concept of solidarity and joint responsibility, and on the belief that care for persons with disabilities should not be viewed as a matter of charity but rather as a social duty and a State obligation. Nobody should be deprived of their civil, political, economic, social or cultural rights on account of disability. The Public Authority for Disability Affairs had been established pursuant to the Act as an independent body.
4. As part of the national strategy for persons with disabilities, the Public Authority for Disability Affairs had entered into a partnership with the Supreme Council for Planning and Development and UNDP on the implementation of a project entitled “Achieving the 2035 vision of the State of Kuwait for persons with disabilities”. The project was designed to enhance the Public Authority’s institutional performance, remove barriers to the empowerment of persons with disabilities in the area of information and communications technology, and facilitate their access to educational and health-care services.
5. The observations and recommendations of the Special Rapporteur on the rights of persons with disabilities following her visit to Kuwait in 2018 had proved extremely useful and had helped the country make progress in the realization of the rights of persons with disabilities.
6. Steps had been taken in coordination with the competent health-care authorities to provide accessible and high-quality rehabilitation services to persons with disabilities. Policies and procedures relating to social and rehabilitation services had been updated and aligned with the provisions of the Convention, and adequate financial resources had been allocated for the implementation of rehabilitation programmes and services. Persons with disabilities were provided with the support they required to live independent lives and to be fully included in society.
7. The authorities had reviewed the standards for assessing and diagnosing disabilities and had organized courses with UNDP and the United Nations Economic and Social Commission for Western Asia (ESCWA) on the International Classification of Functioning, Disability and Health.
8. The Public Authority for Disability Affairs had developed an inclusive education strategy. It was currently preparing a timetable for the inclusion of students with disabilities in public schools and specifying the responsibilities of competent educational bodies.
9. The Public Authority had established a committee to review the accessibility of buildings throughout Kuwait. Engineers were being trained to apply the new building code when carrying out construction projects and renovating existing buildings to render them more accessible. The Public Authority had issued a national framework for web

accessibility. It had also adopted an employment strategy which included training programmes for persons with disabilities.

10. The Public Authority for Disability Affairs had signed a cooperation agreement with the Ministry of Information in May 2016 concerning television and radio campaigns to raise awareness of the rights of persons with disabilities and the services available to them. It had also organized the “My Abilities” media campaign to remove societal barriers facing persons with disabilities. The Ministry of Information was helping to change people’s sympathy-based perception of persons with disabilities so that they actively engaged with them and facilitated their inclusion in society. It did so, as noted in the report, by means of short films and plays in which persons with disabilities participated. Radio programmes also highlighted the rights of persons with physical, intellectual and psychosocial disabilities and the need to facilitate their access to education, health and social security. In addition, the Ministry of Information used information and communication technologies to assist persons with learning difficulties and to facilitate the full inclusion and effective participation of persons with disabilities in society.

11. The Public Authority had taken a number of practical steps to implement the decree by the Council of Ministers that required all competent governmental bodies to implement Act No. 8 (2010) through a national strategy. For example, the Ministry of Health had established a department tasked with providing health services for persons with disabilities, and the Ministry of Education was cooperating with the Public Authority in implementing the inclusive education strategy. The Ministry of Justice had taken a number of measures to ensure that persons with disabilities enjoyed their civil and political rights.

12. The Civil Code of 1980 contained a number of provisions concerning the legal capacity of persons who had reached the age of majority. However, exceptions were made where persons lacked legal capacity or had limited legal capacity, for instance where severe physical, visual or hearing impairments adversely affected their awareness of and ability to express their will when entering into a contract. In such cases, the court could grant them legal assistance.

13. Article 13 of the Constitution required the State to guarantee education as a cornerstone for the advancement of society. Kuwait was a regional leader in terms of the care and rehabilitation services provided by public institutions and civil society organizations to persons with disabilities. The Ministry of Education ran 25 special schools in which 1,427 Kuwaiti and non-Kuwaiti students were enrolled. Students with disabilities were given the opportunity to have their voices heard. For example, a female student with a disability had presented her views on education on behalf of the Ministry’s student parliament during the sixth legislative session of the National Assembly in 2019.

14. The Amir of Kuwait visited the Kuwaiti Sports Club for Persons with Disabilities each year. The Club’s achievements were greatly admired not only within the country but at the international level.

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15. **Mr. Alsaif** (Country Rapporteur) said that when Kuwait had ratified the Convention in 2013, it had expressed its determination to adopt a human rights-based approach in its policies, legislation and practices in respect of persons with disabilities. The Committee hoped that the State party would ratify the Optional Protocol to the Convention in the near future. He commended the State party on the adoption by the Public Authority for Disability Affairs of the 2020-2025 Strategy, which focused on education, employment, health care and community recreational activities. He also welcomed the Government’s initiatives aimed at implementing a robust social protection and welfare system for persons with disabilities and their families.

16. Persons with disabilities nonetheless faced challenges that prevented them from enjoying their rights on a par with others and from being fully included in society. Disability-related issues continued to be addressed and assessed from a medical perspective rather than through a rights-based approach, which required the elimination of all psychological and physical barriers to the full social inclusion of persons with disabilities based on principles of equality and non-discrimination. There had been no genuine

transition from a charity-based approach to a rights-based approach. The State party's laws, policies and programmes, including the Act on the rights of persons with disabilities, contained definitions of disability that were inconsistent with the Convention. Some such definitions condoned the exclusion of persons with disabilities on the ground that they were ill and required an umbrella of care services. It was essential to remove all barriers and to guarantee access to inclusive education, a dignified and independent life and employment. Those rights should be monitored by national human rights institutions.

17. Like in many States, negative social attitudes to persons with disabilities presented a challenge. Such attitudes were due to a lack of awareness of the potential and rights of persons with disabilities, especially persons with intellectual or psychosocial disabilities. Insufficient action was taken to combat such negative stereotypes through public awareness-raising campaigns.

18. The Convention enshrined the principle of participation of persons with disabilities and their organizations in the drafting of laws and policies and in the management of their affairs. They should also be represented in international cooperation programmes concerning disability issues. He noted with concern that the principle of effective participation of persons with disabilities was rarely observed in practice by the State party.

19. **Ms. Kim Mi Yeon** said that she would appreciate information on efforts made by the Government to prevent discrimination against persons with disabilities, including non-Kuwaitis resident in the country, under Act No. 8 on the rights of persons with disabilities. She would also be grateful for information on any policy to guarantee equality between men and women with disabilities, as well as the implementation of Act No. 8 in relation to articles 3 and 6 of the Convention, and on the results of the review of that Act conducted by the Public Authority for Disability Affairs.

20. She wished to know about specific measures for women and girls with disabilities in the five-year development plan on caring for and developing the capacities of Kuwaiti women, and if there were none whether the Government intended to involve women and girls with disabilities in developing them. Information on measures to promote the participation of women and girls with disabilities in public life would be welcome. She would also appreciate information on efforts made by the Ministry of Social Affairs and Labour to raise awareness of the rights of persons with disabilities. Were there any policies or educational programmes to raise awareness specifically of women and girls with disabilities?

21. **The Chair** said that he would welcome data, disaggregated by gender and type of disability, on children with disabilities receiving education and training in special classes, schools, institutions and training centres. It would also be helpful to have information on measures taken to eliminate harmful practices and discriminatory stereotypes about women, as well as so-called honour killings. He would be interested to know whether there had been any cases in which persons with intellectual or psychosocial disabilities had been sentenced to death.

22. **Mr. Kabue** said that the Committee had received information that persons with disabilities were not directly involved in the development or amendment of policies and legislation relating to them, despite suggestions to the contrary in the replies to the list of issues. It would be helpful to hear about any formal mechanisms to ensure such participation and about how the Government identified organizations of persons with disabilities to work with. He would also appreciate information on plans to ratify the Optional Protocol to the Convention and on whether the Government had any intention to withdraw its reservations to articles 18 and 23 of the Convention and its interpretative declarations.

23. As the Constitution did not specifically include disability as a prohibited ground for discrimination, he wished to know of any laws to prevent disability-related discrimination and of redress mechanisms available to victims of such discrimination. Given that children with disabilities were not mentioned in general legislation on children, it would be useful to know of any plans to include them.

24. He would appreciate information on how persons with disabilities, through their representative organizations, had been involved in the development and implementation of awareness-raising programmes. In addition, he wondered what the impact of Ministerial Decision No. 206/2009 had been in terms of accessibility. How many complaints had been registered in relation to non-compliance with accessibility standards for buildings and infrastructure?

25. **Mr. Ruskus** said that there was no information on the recognition and rights of persons with intellectual disabilities in the State party's report. The report did contain, however, some very derogatory terminology, including a reference in paragraph 99 to women who were "mentally retarded, insane or demented". The country continued to rely on a deficit-based medical model of disability, which included derogatory language, such as the words "suffering" and "disorder". In the Kuwaiti definition of disability, psychosocial and intellectual disabilities had been compounded under the heading "mental disability". He wished to know of any concrete steps to remove all derogatory language from national legislation and to adopt a human rights model of disability that recognized all types of disability, including intellectual and psychosocial disabilities, and that provided for the elimination of barriers preventing the full social participation and inclusion of persons with disabilities.

26. He would appreciate information on access to early intervention programmes and inclusive education for children with disabilities, in particular those with severe, multiple or intellectual disabilities or autism. In addition, he wondered whether there were any legal provisions to prohibit the use of corporal punishment in all settings. He would welcome information about institutional residential care for children with disabilities, including disaggregated data on trends of institutionalization, such as the number of institutions, the number of children who had been institutionalized and the kinds of disabilities those children had.

27. Given that the State party report referred to measures to raise awareness of "possible ways of preventing the most common diseases and other causes of disability", he wished to remind the delegation that such activities fell outside the scope of the Convention, which did not contain provisions on the prevention of disabilities. He would be interested to hear the delegation's comments on that point.

28. **Mr. Chaker** said that he was also concerned at the use of derogatory language in the State party and would be interested to hear about the steps being taken to remove all such language from Kuwaiti legislation. He would appreciate detailed information on strategies to improve the accessibility of buildings, facilities and services of all kinds for persons with disabilities, including the budgets allocated to them, and on mechanisms to monitor compliance with all laws and regulations relating to accessibility. What measures had been taken to enable persons with disabilities to access information in easy-to-read formats and to ensure access to information and communications technologies, in line with the Committee's general comment No. 2 on accessibility?

29. **Mr. Alsaif** said that he was concerned that the Act on the rights of persons with disabilities did not prohibit discrimination against persons with disabilities in all fields and would like the delegation to comment on reasonable accommodation and affirmative action for persons with disabilities in all areas of life. It would be helpful to hear about measures taken to protect non-Kuwaiti nationals with disabilities from discrimination.

30. He would like to hear about legislation and policy measures adopted to combat prejudice, stereotyping and harmful practices, including hate crimes, related to persons with disabilities, and would be grateful for specific information about campaigns to raise awareness of the rights of persons with disabilities and the number of people they had reached.

The meeting was suspended at 3.55 p.m. and resumed at 4.30 p.m.

31. **Mr. Alabdjalil** (Kuwait) said that, as a person with a motor disability, he had not experienced any discrimination and had received full and equal health care and education. His experience showed that the country was committed to the rights of persons with disabilities, as defined in relevant United Nations instruments, and to the principles of

equality and solidarity, as enshrined in the Kuwaiti Constitution. The rights of persons with disabilities to equal opportunities, assistance and accessibility were provided for in national legislation and applied to all Kuwaiti nationals and residents. The Government also took steps to ensure universal access to all cultural, artistic and literary services and events.

32. **Mr. Alajmi** (Kuwait) said that, like the previous speaker, he had never faced discrimination because of his disability or met with any obstacles in his career progression and now occupied a senior position in the Ministry of Information. Representatives of the Ministry had been among those to welcome the Special Rapporteur on the rights of persons with disabilities on her visit to Kuwait in late 2018, during which she had commended the Ministry on its initiatives to combat stereotypes of persons with disabilities in order to change public opinion.

33. Persons with disabilities had been involved in the preparation and implementation of programmes to raise awareness of disability-related issues and promote increased social inclusion, including films and television series in accessible formats. The Ministry had provided sign language interpretation for television news broadcasts and organized awareness-raising campaigns with the Public Authority for Disability Affairs.

34. **Ms. Alawadhi** (Kuwait) said that the Government had been taking steps to move away from the medical model of disability and had discussed the matter with representatives of ESCWA, UNDP and the World Health Organization. The Government was also considering amending or repealing certain laws in order to develop a definition of disability that contributed more positively to the image of persons with disabilities and to eliminating obstacles preventing their full and equal participation in society.

35. **Ms. Alhussaini** (Kuwait) said that several workshops had been held to raise awareness of the Convention and relevant legislation; persons with disabilities had been among the participants. Two awareness-raising campaigns had been run in the previous two years, which had focused respectively on improving public understanding of persons with disabilities and on facilitating their participation in society. The latter had included a public competition to choose a slogan, which had taken place in consultation with organizations of persons with disabilities. Those organizations had also been involved in discussions on the positive portrayal of disability-related issues in the media.

36. **Mr. Alabdjalil** (Kuwait) said that the National Council for Culture, Arts and Letters had a responsibility to combat discrimination and guarantee equal opportunities for all Kuwaiti nationals and residents. That commitment was reflected in the participation of persons with disabilities in the activities, such as workshops and seminars, organized by the Council. Persons with disabilities had also won prizes for their literary and film works in competitions run by the Council. There were no legal barriers to the employment of persons with disabilities and around 3 per cent of the Council's 1,450 employees had a disability. The Council guaranteed the accessibility of its premises, as well as of theatres, museums and the National Library of Kuwait. Under the Intellectual Property Act, persons with disabilities were able to participate in creative life on an equal basis with others. The Ministry of Social Affairs and Labour recognized 15 organizations of persons with disabilities, which were able to participate in events organized by the Council and to make proposals and express concerns. The Council had collaborated with the National Library to establish a reading room for visually impaired persons, which was equipped with state-of-the-art technology and contained, inter alia, books in Braille and large print and audio books. Kuwait was also involved in international cooperation projects to support access to culture for persons with disabilities in developing countries.

37. **Mr. Talal Almutairi** (Kuwait) said that paragraph 5 of the report described the participation of civil society organizations in its preparation. Non-governmental organizations (NGOs) had attended two consultation meetings with the national committee responsible for the preparation of reports to the treaty bodies and had been given the opportunity to prepare questions and raise concerns. The Government believed that NGOs had been fully involved in the preparation of the report and that their concerns and demands had been taken into account.

38. **Ms. Alawadhi** (Kuwait) said that the Government attached great importance to the involvement of civil society organizations in all decisions concerning persons with

disabilities, and that was achieved through various means. For example, Act No. 8 (2010) on the rights of persons with disabilities provided that organizations of persons with disabilities might nominate representatives to the governing bodies of the Public Authority for Disability Affairs. Representatives of persons with disabilities and civil society organizations were also included in all government committees and councils whose remits concerned inclusive education, health and accessibility. During the previous two years, the Public Authority for Disability Affairs had regularly visited civil society organizations and invited their representatives to attend consultations so that their views might be taken into account.

39. **Ms. Almutairi** (Kuwait) said that article 29 of the Constitution established that men and women were equal in rights and duties before the law. Kuwait had taken a pioneering approach to social equality, in keeping with its Constitution, which provided that the State must provide assistance for groups with special needs, including older persons and persons with disabilities. Kuwaiti women also received social protection in recognition of the fact that they shouldered a greater burden of family responsibilities in the event of separation from their spouse, or their spouse's incapacitation or death. Kuwait was the first country in the Gulf Cooperation Council to have launched an initiative for the economic empowerment of women, which called for equal opportunities and the greater involvement of women in sustainable economic development. Kuwait complied with international standards aimed at ensuring that women occupied leadership roles: women held ministerial positions and headed governmental bodies, including the Public Authority for Disability Affairs, and NGOs.

40. The medium-term development plan of Kuwait referred to the need to promote human resources, build capacity and include all population groups in the country's development. Accordingly, and to promote the implementation of the Sustainable Development Goals, the plan aimed to raise persons with disabilities' awareness of their own rights and to encourage them to fully participate in society on an equal footing with other groups. Policies had been laid out to protect the interests of persons with disabilities, to provide them with health, social and educational services, to raise social and family awareness of how they should be treated, to encourage professionals to work with special needs groups and to eliminate negative stereotypes. The plan also envisaged operational projects, including one for the early detection of disabilities among newborns. The Government had taken steps to promote the social and labour-market integration of persons with disabilities by improving the training opportunities available to them, and had encouraged partnerships between the private and public sectors and organizations of persons with disabilities to develop employment programmes and policies. Another public-private partnership had led to the launch of a portal that aimed to improve the lives of persons with disabilities by involving them in decisions that concerned them.

41. **Ms. Almebilesh** (Kuwait) said that although the Constitution enshrined the equality of men and women in terms of duties and rights, Act No. 8 (2010) contained articles whose provisions allowed for women to enjoy certain advantages. For example, under article 29, the Public Authority for Disability Affairs paid monthly allowances to women responsible for the care of a child with a disability. More than 3,000 women currently benefited from that allowance, which was in the amount of about \$900. Article 41 of the Act established that women who were certified as having a disability were entitled to a pension if they had accrued 10 years of contributory service, whereas for men the period was 15 years. Moreover, under article 38, female employees with disabilities were entitled to a period of special leave with full pay during pregnancy, as well as maternity leave after the birth.

42. **Ms. Abdulrahman** (Kuwait) said that the Civil Code ensured women's enjoyment of legal capacity on a par with men, stipulating that any person had the capacity to enter into a contract unless that capacity was wholly or partially restricted. There was no restriction on the legal capacity of women, who were free to undertake all legal actions under the Civil Code, and to manage their own financial and other affairs.

43. **Ms. Alhussaini** (Kuwait) said that provisions on accessibility were set forth in a ministerial decision on construction work that incorporated an article on penalties for non-compliance with accessibility standards in public and private buildings. The Public Authority for Disability Affairs had revised those provisions in 2018 and a national

accessibility code, based on the latest international standards, had been adopted and published. Workshops had been organized to disseminate the code among engineers and consulting firms, and engineers had been trained to apply the code. The national framework for web accessibility aimed to facilitate access to electronic content for persons with disabilities. The Public Authority had organized workshops with content providers such as the Ministry of Education and Kuwait University with a view to producing as much accessible content as possible.

44. **Ms. Almebileh** (Kuwait) said that the Public Authority for Disability Affairs received complaints from persons with disabilities through various channels, which it treated objectively, seriously and confidentially. Most complaints were resolved through conciliation, although some were referred to the competent authorities for the necessary measures to be taken. The Authority had recently observed a reduction in the unauthorized use of parking spaces allocated to persons with disabilities; the number of such violations had fallen from 14,000 in 2017 to 3,900 in 2018, largely owing to the Government's efforts to enforce the law and to raise awareness.

45. **Ms. Alawadhi** (Kuwait) said that article 1 of Act No. 8 (2010) contained a reference to "mental" disabilities and therefore the Public Authority for Disability Affairs had initially considered intellectual and psychosocial disabilities together under that term. However, having recognized that the term was problematic, in 2018 the Authority had adopted the classifications "psychosocial disabilities" and "intellectual disabilities" and had identified about 500 and 14,000 persons, respectively, in those categories.

46. **Mr. Bader Almutairi** (Kuwait) said that in 2015, a multidisciplinary committee had been formed to receive complaints of physical abuse committed against persons with disabilities in educational settings. Upon receiving such complaints, that committee would determine whether or not to apply penalties, which might include dismissal or referral to the police.

47. The Ministry of Education devoted all available resources to the provision of education for children with disabilities. In doing so it acted in accordance with article 13 of the Constitution, which stipulated that education was guaranteed by the State, and Act No. 8 (2010), which committed the Government to providing educational services for persons with disabilities and persons with learning difficulties on an equal footing with others. Parents had the freedom to decide whether to send their children to special education schools administered by the State or to private schools. The Ministry had established specialized schools for students with disabilities, including those with motor, intellectual, visual, hearing and speaking disabilities, Down syndrome and autism. In 2018, the Ministry of Higher Education had awarded scholarships to 96 persons with disabilities so that they might study abroad. Persons with disabilities who wished to pursue a university education were not subjected to discrimination.

48. **Ms. Alhemdan** (Kuwait) said that in the 2017/18 academic year, about 950 boys and 700 girls, in all age groups, had attended specialized schools for students with disabilities.

49. **Mr. Alajmi** (Kuwait) said that the Ministry of Information had engaged in various efforts to raise awareness of issues affecting persons with disabilities, including employment and inclusion in society. In that context, it had launched several radio, television and social media campaigns and had organized cultural activities with the participation of persons with disabilities. The Ministry cooperated with media outlets to ensure that they gave adequate coverage to the activities and events that were promoted by organizations of persons with disabilities, and it sought to highlight the progress achieved by persons with disabilities.

50. **Mr. Alabdjalil** (Kuwait) said that the National Council for Culture, Arts and Letters worked with civil society organizations to support persons with disabilities. For some years, the National Council had printed a monthly publication, in Braille, for the Kuwait Association for the Blind. It also printed a publication on theatre and culture that was distributed free of charge to persons with visual impairments. The National Council organized activities for young persons with disabilities, including exhibitions and art workshops. Emphasis was placed on celebrating the achievements of young persons with

disabilities. In one recent example, a female student with a visual impairment had been commended for having read 50 books in a single year. The Council had also supported the publication of a book by Kuwaiti world champion wheelchair fencer, Tariq Al Qallaf.

51. **Mr. Lovász** said that he wished to know what role civil society had played in the preparation of the comprehensive universal design and accessibility code and how organizations of persons with disabilities would be involved in its implementation, particularly at the local level. He would appreciate more information on the specific targets set and human and financial resources allocated to achieve the aims of the national framework for web accessibility. He wished to know to what extent the requirements of persons with sensory disabilities had been taken into account in the preparation of the universal design and accessibility code for the internal and external aspects of buildings. Specific examples of the measures for deaf and hard-of-hearing persons and persons with intellectual disabilities would be welcome. He would appreciate more information on the powers of the building inspection mechanism established to enforce the accessibility code. What penalties could it and similar bodies impose for non-compliance?

Articles 11–20

52. **Ms. Utami** said that she wished to know what measures the State party had taken to ensure that its disaster risk reduction strategies explicitly addressed accessibility and reflected a gender-sensitive and disability-inclusive approach in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030. She would appreciate comprehensive information on stateless Bidoon persons with disabilities who were in situations of risk or humanitarian emergencies. She wondered whether explicit reference was made to persons with disabilities, including women, children, refugees, and internally displaced or other conflict-affected persons, in any of the agreements, legislation or policies adopted in relation to internal or international conflicts or reconciliation processes.

53. She would like the delegation to indicate what legislation had been enacted to facilitate the personal mobility of persons with disabilities, including their access to mobility aids, devices and assistive technologies of their choice and tailored to their needs; whether any national strategies or policies had been adopted to address the mobility needs of such persons; whether any campaigns or activities had been organized to promote their personal mobility; and whether information on the support available in that regard was disseminated to persons with disabilities, their families and the general public in accessible formats.

54. **Mr. Lovász** said that he wished to know what progress had been made towards the abolition of shelter institutions and their replacement with alternative arrangements for persons in need of ongoing care who were not able to live independently, owing to a health condition, but who did not have family members who could take care of them. He would be grateful for information on the legislation currently in force to protect child orphans with disabilities, the measures to ensure that as many of them as possible were placed in foster families and whether such families received government support.

55. **Mr. Martin** said that he would like to know when and how the State party would implement article 12 of the Convention, which would require the repeal of its guardianship laws and the introduction of supported decision-making in accordance with the Committee's general comment No. 1 (2014) on equal recognition before the law.

56. It would be interesting to learn what support was available for persons with intellectual disabilities accused of committing a crime. In particular, he wondered what reasonable accommodations, such as the provision of information in Easy Read format, could be made for such persons during court proceedings; whether such persons had the right to defend themselves; whether they could choose their own defence counsel; what would happen in the event that they were found unfit to plead; whether they could be sent to an institution if found not guilty; and, if so, how long they would remain in that institution and whether they would receive support to enable them to live independently in the community once released.

57. He wished to know where and how persons with intellectual and psychosocial disabilities lived in the State party and whether all such persons had the opportunity to live

in the community and to choose their place of residence and where and with whom they lived, in accordance with article 19 of the Convention and the Committee's general comment No. 5 (2017) on living independently and being included in the community.

58. **Mr. Schefer** said that he wished to know whether the Government was taking steps to bring the new mental health law of 2019, which permitted the deprivation of liberty of persons with disabilities on the basis of impairment and provided for involuntary hospitalization and forced treatment of children and adults with intellectual or psychosocial disabilities, into line with the Convention and how many persons with disabilities had been deprived of their liberty under its provisions. He wondered whether the Public Authority for Disability Affairs had a mandate to visit, with unimpeded access, all places at which persons with disabilities could be deprived of their liberty and, if so, whether it had the power to issue legally binding instructions in the event that any deficiencies were uncovered.

59. **Mr. Babu** said that it was unclear whether the various arrangements in place to protect persons with disabilities in emergency situations were guided by a specific policy document or national strategy. He wondered when the State party would ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. With regard to freedom of movement and the acquisition of nationality, clear information on the current situation of members of ethnic minorities, Bidoon, women, girls and older persons with disabilities would be welcome.

60. **Ms. Kayess** asked how women, including those with disabilities, were able to seek justice for domestic violence, marital rape and other forms of ill-treatment, particularly as there were no laws in force prohibiting domestic violence and marital rape, the laws that were in force prioritized reconciliation over the prosecution of perpetrators and, under the country's guardianship laws, male perpetrators could avoid punishment if they married their victims with the guardian's consent.

61. **Mr. Alsaif** said that he would be grateful for disaggregated data on violence against children and women with disabilities, especially those with intellectual disabilities. He wished to know what measures were in place to protect persons with disabilities, in particular those with psychosocial and/or intellectual disabilities, from being subjected to medical or other treatment, including forced contraception or sterilization, without their free and informed consent. Lastly, he wondered whether the State party had a national policy or programme in which provision was made for audible signals at pedestrian crossings.

62. **The Chair** said that it would be useful to know what measures had been taken to stamp out harmful practices against women and negative gender stereotypes.

63. **Mr. Alghunaim** (Kuwait) said that persons with intellectual disabilities were usually exempt from criminal punishment. There were no restrictions on the freedom of movement of persons with disabilities in Kuwait. The International Committee of the Red Cross and non-governmental and civil society organizations regularly visited detention centres, including those at which persons with disabilities were held.

64. **Ms. Alhussaini** (Kuwait) said that a committee had been established to review the accessibility code. Its members had included representatives of public welfare associations. Persons with disabilities had subsequently been invited to participate in inspections of buildings.

65. **Mr. Alghunaim** (Kuwait) said that the detailed emergency response plans in place were not discriminatory towards persons with disabilities and included specific arrangements for them.

66. **Ms. Alawadhi** (Kuwait) said that persons with disabilities had the right to receive assistive devices free of charge. In 2018, around \$ 7.5 million had been spent on such devices.

67. **Mr. Alghunaim** (Kuwait) said that Kuwait had contributed towards the provision of assistive devices for victims of conflict with disabilities, including in the context of the crisis in the Syrian Arab Republic. Medical devices, including assistive devices for persons

with motor disabilities, were exempt from taxes and duties. Kuwait was an exporter of such devices.

68. **Mr. Alabdjalil** (Kuwait) said that the Government endeavoured to improve the access of persons with disabilities to the Internet with a view to helping them to make their voices heard. The National Library of Kuwait had an interactive online platform through which persons with disabilities could communicate their views on various issues to the National Council for Culture, Arts and Letters.

69. **Mr. Alajmi** (Kuwait) said that none of the provisions of the new law on electronic media were discriminatory on the basis of disability. The operators of online platforms for persons with disabilities could easily obtain the necessary authorizations. A large body of legislation was in place to guarantee the access of persons with disabilities to information online.

70. **Mr. Alghunaim** (Kuwait) said that access to justice and access to information were constitutional rights granted to all persons without discrimination. The State appointed defence counsel for accused persons with disabilities who were unable to appoint their own.

71. **Ms. Alhussaini** (Kuwait) said that, under a strategic plan currently in force, all government agencies were urged to provide services through online platforms. All such platforms had to be accessible to persons with disabilities. The Public Authority for Disability Affairs provided all its services through a dedicated online platform.

72. **Mr. Alghunaim** (Kuwait) said that the possibility of acceding to further human rights instruments, including the Optional Protocol to the Convention, was a matter for the legislature. Kuwait was a parliamentary democracy; if the will of the people was to accede to a particular instrument, the necessary measures would be taken. Nothing prevented the naturalization of persons with disabilities who met the applicable eligibility criteria.

73. **Mr. Alfarhan** (Kuwait) said that the Nationality Act of 1959 and subsequent amendments established general requirements for naturalization. None of the provisions of the Act were discriminatory on the basis of disability. Some of the amendments to the Act had increased the number of categories of persons eligible for naturalization. Under one recently introduced provision, the children and grandchildren of naturalized Kuwaiti nationals were eligible for Kuwaiti nationality even if they had not had the opportunity to acquire it under another provision. The children of a Kuwaiti woman married to a foreign national or to an illegal resident were eligible for nationality if their father had divorced their mother irrevocably or if he had died or was in prison.

74. **Mr. Talal Almutairi** (Kuwait) said that there had been no reports of so-called honour killings in Kuwait and no such cases had been heard before the courts. It was expected that the recently submitted bill on domestic violence would be approved at the forthcoming session of the National Assembly. Several measures had been taken to challenge negative gender stereotypes. In accordance with Sustainable Development Goal No. 5, the second medium-term development plan provided for various policies to empower women and promote gender equality.

The meeting rose at 5.55 p.m.