



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Eightieth session

13 February–9 March 2012

## Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

### List of themes to be taken up in connection with the consideration of the fifteenth to twentieth periodic reports of Kuwait (CERD/C/KWT/15- 20)\*

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the fifteenth to twentieth periodic reports of Kuwait. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

#### 1. The Convention in domestic law, institutional and policy framework, and judicial recourse (arts. 1, 2, 4 and 6):

(a) Implementation of the Convention within the national legal framework, its status within the national legal order and its application in national courts, with examples, if any;

(b) Status of the amendment of the Civil Service Act (Act No. 15 of 1979) concerning the prohibition of discrimination in employment;

(c) Update on steps taken to establish an independent national human rights institution for the promotion and protection of human rights in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles);

(d) Avenues of redress available to all victims of racial discrimination, including domestic migrant workers. Availability of legal remedies, including compensation and reparation, and measures to ensure victims' access to justice;

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\* Late submission.

**2. Situation of foreign nationals, including domestic and other migrant workers (art. 5):**

- (a) Status of any amendments to the Private Sector Labour Code with a view to including domestic migrant workers and regulating their working conditions;
- (b) Situation regarding the social insurance scheme for domestic migrant workers;
- (c) Current status of the sponsorship (kafala) system as well as recruitment agencies;
- (d) Definition of trafficking in persons and status of the draft law against trafficking in persons and the smuggling of migrants;

**3. Rights of non-citizens, including stateless persons, asylum-seekers and refugees (arts. 2 and 5):**

- (a) Laws and rules governing nationality, including naturalization;
  - (b) Number and current status of non-citizens and stateless persons, including the Bidun; update on progress made by the Central Bureau for Illegal Residents with regard to their situation;
  - (c) Possibility for children born in Kuwait of non-citizens and stateless persons, including the Bidun, to obtain the Kuwaiti nationality; issuance of birth certificates and other identity documents to these children;
  - (d) Conditioning of issuance and renewal of identity cards for the Bidun on their signing affidavits renouncing any claim to Kuwaiti nationality;
  - (e) Status of free compulsory education for non-Kuwaiti children;
  - (f) Situation of refugees and asylum-seekers and their enjoyment of rights without discrimination.
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