



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Kuwait*

A. Purpose and general obligations (arts. 1–4)

1. Please provide updated information on:
 - (a) Progress made in the implementation of the Convention since September 2015;
 - (b) Efforts made to adopt a national strategy on persons with disabilities and a time-bound action plan for its implementation;
 - (c) Support granted to national and local organizations of persons with disabilities and how such organizations are involved in the design, execution, evaluation and monitoring of legislation, policy and awareness-raising campaigns that affect persons with disabilities.
2. Please indicate whether all persons with disabilities and their organizations may bring cases of discrimination to court and, if so, please provide details on the applicable legal provisions and procedures. Please provide information, including details and timelines, on steps taken to fully implement all the verdicts issued by the City Court against the public authority for disability affairs.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please inform the Committee about measures taken:
 - (a) To amend the Constitution and to adopt anti-discrimination legislation in order to prohibit disability-based discrimination and to recognize that the denial of reasonable accommodation constitutes disability-based discrimination;
 - (b) To ensure that Act No. 8 (2010) on the rights of persons with disabilities provides access to services to all persons with disabilities, including non-citizens and stateless persons (Bidoon) with disabilities;
 - (c) To provide reasonable accommodation to persons with disabilities and legal remedies and sanctions for non-compliance;
 - (d) To remove any language that is derogatory towards persons with disabilities from all legislation, including the Civil Code, the Penal Code and the Code of Criminal Procedure.

* Adopted by the pre-sessional working group at its eleventh session (8–11 April 2019).



Women with disabilities (art. 6)

4. Please provide information on:

(a) Measures taken to mainstream the rights of women and girls with disabilities into disability legislation and policies;

(b) The participation of women with disabilities in the labour market, including disaggregated data;

(c) Measures adopted to ensure that a disability and gender perspective are included in all policies and programmes, such as the welfare programme, the housing fund and the medium-term development plan mentioned in the initial report;

(d) Measures taken to promote the participation of women and girls with disabilities in non-governmental organizations concerned with public and political life, particularly organizations of persons with disabilities.

Children with disabilities (art. 7)

5. Please provide updated information on:

(a) Measures to support and protect the rights of children with disabilities;

(b) Measures taken to eliminate discrimination against children with disabilities whose parents are Bidoon.

Awareness-raising (art. 8)

6. Please indicate whether any plan or strategy based on the human rights model is in place to foster awareness about disability. Please provide additional information on how the Ministry of Social Affairs and Labour has developed and implemented the awareness-raising campaigns mentioned in the initial report, and inform the Committee about any other awareness-raising initiatives.

Accessibility (art. 9)

7. Please provide information on:

(a) Mechanisms in place to ensure that all accessibility-related regulations provided for in Act No. 8 of 2010 on the rights of persons with disabilities are fully implemented;

(b) Measures taken to provide persons with disabilities with accessible printed and electronic information, including in Easy Read format, and with accessible information and communication technology, in accordance with the Committee's general comment No. 2 (2014) on accessibility;

(c) Steps taken to guarantee the accessibility of public and private infrastructure and services open or provided to the public in all areas and sectors;

(d) Strategies and budgets allocated to improve accessibility for persons with disabilities to community facilities and services, in particular those relating to education, health, employment, banking, leisure, cultural activities and mainstream sporting activities.

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information on existing mechanisms to coordinate action with organizations of persons with disabilities under the risk prevention system. Please also provide information about measures, including early warning systems, adopted to ensure the protection of the lives and safety of persons with disabilities in situations of risk and emergency situations, including access to shelters and assistive devices. Please inform the Committee about measures taken in line with the Sendai Framework for Disaster Risk Reduction 2015–2030.

Equal recognition before the law (art. 12)

9. Please inform the Committee about steps taken to amend article 109 of the Civil Code with a view to abolishing substituted decision-making in law and in practice and introducing supported decision-making, and to ensure that persons with psychosocial or intellectual disabilities enjoy the right to recognition before the law on an equal basis with others in all aspects of life.

Access to justice (art. 13)

10. Please provide information on measures adopted to ensure full, unrestricted and effective access to justice at all stages of legal proceedings to all persons with disabilities, including by providing procedural accommodations and accessible information about their rights.

Liberty and security of the person (art. 14)

11. Please provide information on measures taken to repeal all laws that allow for the deprivation of liberty and non-consensual treatment of person with disabilities on grounds of their actual or perceived impairment, including on grounds that they are deemed dangerous to themselves or others. Please inform the Committee of any measures taken to end the confinement of persons with disabilities based on disability, including forced hospitalization and institutionalization.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please inform the Committee about all measures in place to prevent torture or cruel, inhuman or degrading treatment or punishment of persons with disabilities. Please inform the Committee whether an independent monitoring mechanism mandated to monitor all settings in which persons with disabilities may be deprived of their liberty has been established. Please provide information on the number of complaints of torture or cruel, inhuman or degrading treatment or punishment of persons with disabilities made to the authorities and the outcomes of those complaints.

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide information on:

(a) All measures in place to prevent the exploitation and abuse of, and violence against, persons with disabilities;

(b) The measures taken to implement article 16 (3) of the Convention, particularly with regard to persons with disabilities who are still institutionalized;

(c) Training provided to persons with disabilities, their family members and caregivers, and to staff within the health and law enforcement sectors, to help them to recognize and denounce all forms of exploitation, violence and abuse;

(d) Any cases and registered complaints of exploitation, violence and abuse against persons with disabilities, including in private settings;

(e) The number of cases filed and considered by the higher committee to protect children from abuse and neglect, established by the Ministry of Health through Ministerial Decree No. 1116 (2013).

Protecting the integrity of the person (art. 17)

14. Please inform the Committee about measures taken to protect women and girls with disabilities, particularly those with intellectual or psychosocial disabilities, from forced sterilization and forced abortion.

Liberty of movement and nationality (art. 18)

15. Please provide information on any plans to withdraw the reservation to article 18 (a) of the Convention. Please inform the Committee about measures taken to ensure that migrants, refugees and asylum seekers with disabilities are provided with appropriate support and individualized accommodations in immigration proceedings.

Living independently and being included in the community (art. 19)

16. Please provide information about:

(a) Measures taken to deinstitutionalize persons with disabilities and to ensure their right to choose their place of residence and to be included in the community;

(b) Deinstitutionalization strategies, their time frames and the specific human, technical and financial resources that have been allocated for their implementation;

(c) Legal and other measures, including the allocation of resources for the development of support services to ensure the right to live independently and to be included in the community, including personal assistance;

(e) Measures adopted to ensure that mainstream community-based services and facilities provided to married women who have children with disabilities or a spouse with disabilities, including specially designed property for use as a home, are also available to single mothers and mothers married to non-nationals.

Personal mobility (art. 20)

17. Please provide information about measures taken to ensure that persons with disabilities, including those living outside urban areas, are able to access and can afford to buy assistive technologies and devices.

Freedom of expression and opinion, and access to information (art. 21)

18. Please provide information on measures taken:

(a) To ensure the accessibility of government websites for persons who are blind, visually impaired or deaf;

(b) To recognize Kuwaiti sign language as an official language and to promote the learning of sign language, the availability of qualified sign language interpreters and the use of sign language in all settings, in particular in education, in the workplace and in community settings.

Respect for privacy (art. 22)

19. Please provide information on measures taken to ensure respect for the privacy of persons with disabilities in all living arrangements. Please also provide information and disaggregated data on the number of complaints filed and subsequent cases opened as a result of the implementation of article 59 of Act No. 8 (2010) on the rights of persons with disabilities. Please further provide information on measures adopted to protect the privacy of personal data, digitalized databases and records concerning persons with disabilities, including health records and rehabilitation-related information, from unlawful and arbitrary interference.

Respect for home and the family (art. 23)

20. Please provide information on measures taken to repeal all discriminatory legislation that denies persons with disabilities their rights regarding marriage, family, adoption and parenthood on an equal basis with others, without discrimination and based on their free consent. Please also provide information on measures taken to prevent the abandonment, neglect and institutionalization of children with disabilities, and to ensure their access to inclusive community-based services and alternative care in family settings.

Education (art. 24)

21. Please provide information on:

(a) Steps taken to amend the Compulsory Education Act and to ensure that all children with disabilities, including non-Kuwaiti children and Bidoon children, have access to inclusive education in the mainstream education system, including higher education, and are granted individualized accommodations and specific support, including personal assistance;

(b) Measures taken to promote inclusive education, including through the adoption of regulations, policies and programmes with measurable indicators and timelines, and to ensure that mandatory training for all teachers and non-teaching personnel on inclusive education is made an integral part of training at all education levels;

(c) The number of children with disabilities who are deprived of education, as reflected in updated data disaggregated by age, sex, nationality, type of impairment and area of residence (urban/non-urban).

Health (art. 25)

22. Please provide information on measures taken:

(a) To ensure that persons with disabilities can exercise their right to access health-related services on an equal basis with others, including communications and information in accessible means and formats;

(b) To increase the quality and standard of health care for persons with disabilities;

(c) To train all health professionals on the rights of persons with disabilities, including the right to free and informed consent;

(d) To ensure that women and girls with disabilities can exercise their right to access all health-care programmes and services, including sexual and reproductive health services.

Work and employment (art. 27)

23. Please provide information on:

(a) Measures taken, including plans and policies, to increase and develop employment opportunities for persons with disabilities;

(b) Mechanisms in place for persons with disabilities to address discrimination in all matters related to employment and conditions of work;

(c) Measures taken to ensure that reasonable accommodation is provided to employees with disabilities in the workplace and to ensure sanctions for the denial of reasonable accommodation;

(d) Statistics gathered on persons with disabilities in formal employment, in both the public sector and private companies, including in the oil sector.

Adequate standard of living and social protection (art. 28)

24. Please inform the Committee about:

(a) The number of non-citizens and Bidoon with disabilities living in poverty in the State party;

(b) Measures taken to provide access to quality assistive devices and technologies, including wheelchairs and assistive devices for persons with hearing impairments, and to ensure accessible and fair reimbursement schemes in order to prevent any additional costs or administrative burdens for persons with disabilities.

25. Please provide information on the situation of non-citizen and Bidoon who have acquired a disability as a result of an accident while living or working in the State party,

and indicate whether they have access to social assistance and benefits from the State party on an equal basis with citizens.

Participation in political and public life (art. 29)

26. Please provide information on measures taken to ensure the effective, accessible and inclusive participation of persons with disabilities in electoral processes, in particular their right to vote in person and by secret ballot, with self-chosen personal assistance and procedural safeguards. Please provide information on measures taken to provide an accessible and conducive voting environment for persons with disabilities.

Participation in cultural life, recreation, leisure and sport (art. 30)

27. Please inform the Committee about:

(a) Measures taken to ensure the accessibility of libraries, audiovisual materials and broadcast services to all persons with disabilities and progress made towards ratifying the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled;

(b) Measures, including legislative measures, taken to ensure equal access to and the full inclusion and participation of persons with disabilities in all mainstream sporting activities and facilities, and about the composition of the “Kuwait Disabled Sport Club”;

(c) Measures adopted to ensure that cultural, recreational, tourism and sporting events and services in the public and private sectors, beyond those specifically dedicated to persons with disabilities, are accessible to persons with disabilities, including children with disabilities.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

28. Please provide updated information on the development of statistics and data-collection systems that are based on the human rights model of disability, in accordance with the Convention. Please provide information about the application of the Washington Group short set of questions on disability in its statistical data-collection policy, programmes, census and surveys. Please clarify whether available data are disaggregated by sex, age, nationality, type of impairment, socioeconomic status, employment and place of residence.

International cooperation (art. 32)

29. Please provide detailed information on measures taken to ensure that the State party’s international cooperation programmes and policies are accessible to persons with disabilities. Please also provide information on the mechanisms in place for the consultation and involvement of organizations of persons with disabilities in the design and implementation of international cooperation agreements, projects and programmes, particularly those related to the implementation of the 2030 Agenda for Sustainable Development and the achievement of the Sustainable Development Goals.

National implementation and monitoring (art. 33)

30. Please provide additional information on steps taken to ensure that the public authority for disability continuously follows up on the implementation of the Convention. Please provide information on steps taken to ensure the establishment of an independent mechanism in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).