



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Sixty-eighth session**

Summary record of the 1544th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 1 November 2017, at 10 a.m.

Chair: Ms. Leinarte

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Fifth periodic report of Kuwait (CEDAW/C/KWT/5; CEDAW/C/KWT/Q/5 and CEDAW/C/KWT/Q/5/Add.1)

1. *At the invitation of the Chair, the delegation of Kuwait took places at the Committee table.*
2. **Mr. Alghunaim** (Kuwait), introducing the fifth periodic report of Kuwait (CEDAW/C/KWT/5), said that women accounted for 51 per cent of the population of Kuwait and were major contributors to the economy, comprising 55.7 per cent of the total workforce, 51 per cent of private sector employees and 57 per cent of public sector employees. Their further advancement was the goal of the medium-term development plan (2015/2016-2019/2020), which aimed to review all legislation on women's issues in order to remove all forms of discrimination; promote capacity-building programmes for women, support women's small-scale enterprises and ensure their participation in public life; create institutional mechanisms to protect women from violence; and empower women by enhancing their role in decision-making.
3. Support functions in the military and law enforcement had been opened up to women, attracting 400 female recruits, and nearly half the investigators in the Department of Criminal Investigations were women.
4. In a ruling issued in May 2017, the Constitutional Court had determined that the employment in 2014 of 22 female deputy prosecutors, who had worked alongside male colleagues on criminal cases and on oversight of the 2016 elections, had been valid and effective. The Supreme Judicial Council had decided to hire more women in the near future.
5. Women in Kuwait had received unparalleled support for their efforts to obtain leadership positions in academia, companies and banks, and as diplomats and representatives of their country in regional and international organizations. The State was working with the United Nations Development Programme on projects for the empowerment of women. One of the main mechanisms for the promotion of women's rights was the Women's Affairs Committee, which reported to the Kuwaiti Cabinet. Its mandate included publicizing women's role and ensuring their involvement in sustainable development and improving the political and economic status of women in all sectors. It could also issue opinions.
6. Women were entitled to health care on an equal basis with men. There had been a marked improvement in indicators such as maternal mortality and diabetes. In education, men and women had the same access to school and university; indeed, the statistics showed that girls accounted for 52 per cent of pupils enrolled in the public education system and women made up 66 per cent of those attending higher education institutions. Women accounted for the great majority of teachers in primary and secondary education.
7. Kuwaiti women had blazed a trail for women in other countries of the Gulf region, not least in terms of representation in Parliament. He commended civil society organizations on their work in Kuwait and for travelling to attend the meeting.

Articles 1 to 6

8. **Ms. Hayashi** commended the State party for its achievements during the reporting period, most notably in respect of health care and social security for women, and also for the significant role that it had been playing in humanitarian assistance in the region.
9. She said that some of the concerns expressed by the Committee in its previous concluding observations persisted, however. In the area of discriminatory legislation, for example, she would like to know whether the State party had a road map for the adoption of a comprehensive law on discrimination, including a definition of discrimination and an explicit ban on direct and indirect gender-based discrimination against women, in accordance with articles 1 and 2 of the Convention. She would also like to know what plans

the State party had for adopting a comprehensive action plan covering all areas of the Convention.

10. She asked the delegation to provide the Committee with a broad time frame for lifting its reservations to article 9 (2) and article 16 (1) (f) of the Convention. The Committee was concerned at the extent of discriminatory laws on, for example, honour killing, which carried a significantly shorter maximum sentence than other murders; impersonation of a member of the opposite sex, which penalized transgender women; nationality, under which Kuwaiti women were barred from passing their nationality on to their children, thereby excluding them from social protection; employment; and legal capacity. Noting that, under article 2 of the Constitution, the Islamic sharia was “a main source of legislation”, she said that she took that to mean that the legal system could be developed to incorporate good practices from other Muslim countries but also from non-Muslim countries.

11. **Ms. Abdulrahman** (Kuwait) said that the Convention formed an integral part of Kuwaiti law and of the domestic legal order. All institutions and individuals were therefore obliged to observe its provisions.

12. **Ms. Alshaiji** (Kuwait) said that Kuwait had a number of legal provisions relating specifically to women, which amounted to positive discrimination. Thus, single women, including divorced women and widows, were guaranteed housing, for example, whereas men were entitled to housing only if they had a family; similarly, women were protected from carrying out dangerous work and were not required to perform national service; women with a disability, or caring for a person with a disability, had different entitlements from other women; other special privileges also applied. The Kuwaiti legal system in general included references to women’s rights. It emphasized the need to avoid discrimination, in accordance with all the international instruments ratified by Kuwait, which were binding on the State party.

13. **Mr. Alghunaim** (Kuwait) said that the Human Rights Council Working Group on the issue of discrimination against women in law and in practice had visited Kuwait at the invitation of the Government in December 2016 and the country had also received a visit from the Special Rapporteur on trafficking in persons, especially women and children. Both mechanisms had made recommendations that would feed into the Government’s global strategy on women. He wished to recall that any woman who experienced discrimination in Kuwait could apply to the Constitutional Court. He noted that in one case the Court had rejected an application seeking to prevent women from standing in elections and had emphasized the importance of women’s right to seek elected office.

14. **Mr. Alshammeri** (Kuwait) said that Act No. 15 (1959) did not preclude Kuwaiti women from transferring their nationality to their children. Statistics showed that more than 2,000 children of Kuwaiti women had been naturalized in recent years.

15. **Ms. Hayashi** said that she would like to know what strategy the State party had for withdrawing its reservations to article 9 (2) and article 16 (1) (f). She also asked what type of training was provided for judges and lawyers working at the new family courts to enable them to apply the Convention’s provisions.

16. **Mr. Alghunaim** (Kuwait) said that his country had entered its reservations to the Convention on points where the Convention diverged from Islamic precepts or the provisions of the Constitution. The strategy mentioned by Ms. Hayashi had been published in the *Official Gazette* and discussed in the media. The Women’s Affairs Committee was responsible for following up any positive developments pertaining to the situation of women in Kuwait. As for the training of judges, a major training event had been held in Geneva, focusing on the way that international human rights instruments should be applied by courts issuing rulings.

17. **Ms. Gabr** asked whether the Women’s Affairs Committee reviewed proposed legislation, what role it played in the medium-term development plan (2015/2016-2019/2020), what its workplan consisted of and how it was funded. She asked how it coordinated its work with that of the Committee on Women and Family Affairs and with the proposed national centre to combat domestic violence.

18. In its replies to the list of issues, the State party mentioned the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) in connection with the National Bureau for Human Rights, which, she understood, was shortly to be established. As a subsidiary of the Cabinet, however, the Bureau would not be fully aligned with the Paris Principles.

19. She asked how the State party would follow up on the recommendations stemming from the periodic review.

20. **Ms. Verges** said that the State party was to be congratulated on its progress in protecting and promoting women's rights. It set an example in that regard for other countries in the region. It was also commendable that women were now included in the membership of local governments and of Parliament and increasingly occupied key posts in the private sector. Nevertheless, their presence in the public and decision-making arenas might be compromised by the fact that no temporary special measures had been enacted to ensure that they were represented on an equal footing with men. The State party should consider instituting such measures.

21. **Ms. Alshaiji** (Kuwait) said that the Women's Affairs Committee answered to the Cabinet and was tasked with coordinating all national-level work on women's issues. In addition to submitting and endorsing proposals for policies and plans, it organized training, promoted awareness of the roles, rights and duties of women and examined questions referred to it by the Government. As a government entity, it was invited to comment on all draft legislation and was thus able to examine bills relevant to women. It made a point of soliciting the views of a wide range of women. It also collaborated with non-governmental organizations (NGOs) and with national and regional entities; for example, it had organized joint training and other activities with the UN Economic and Social Commission for Western Asia.

22. Kuwaiti women enjoyed full political rights, but they did not have any special rights just because they were women. Any quota system would conflict with article 8 of the Constitution. The 50 members of Parliament were elected by secret ballot and there was no way of ensuring that exactly half of those elected would be women. If a woman were given a seat on the basis of her gender, her right to hold the seat could be challenged. Kuwait had had some female government ministers.

23. **Mr. Alghunaim** (Kuwait) said that the concluding observations and recommendations would first be studied by a Cabinet working group.

24. **Ms. Abdulrahman** (Kuwait) said that the National Bureau for Human Rights would be an independent body, not part of the Government or civil society. Its work would be overseen by the Cabinet and take into consideration the country's obligations under international treaties.

25. **Ms. Alkazi** (Kuwait) said that the Supreme Council for Planning and Development had allocated US\$ 2 million for training women in political skills such as campaigning and lobbying. A household health survey and a study on violence were planned, along with a review of laws relating to violence.

26. **Mr. Mohammad** (Kuwait) said that the country ran a centre for women, staffed entirely by women, which, in addition to hearing complaints from its target audience, provided women with psychosocial, legal and various other services.

27. **Ms. Gabr** asked whether the centre was a national centre promoting an end to violence or whether it had some other function.

28. She asked whether the National Bureau for Human Rights would be operational soon. She also asked what financial and technical resources were allocated to the various mechanisms for promoting women's rights.

29. **Ms. Verges** said that the temporary special measures referred to in article 4 of the Convention were considered compatible with democratic principles, inasmuch as they were temporary.

30. She said that the nature of the centre for women mentioned earlier needed to be clarified.
31. **Mr. Mohammad** (Kuwait) said that the centre offered help to women and families in areas such as personal care, hygiene, education, legal matters and psychosocial support. Services were provided around the clock by trained female staff.
32. **Mr. Alghunaim** (Kuwait) said that work to establish the National Bureau for Human Rights had been suspended pending the formation of a new government, which would happen shortly.
33. **Ms. Alshaiji** (Kuwait) said that the Women's Affairs Committee received earmarked funding from the budget of the Cabinet secretariat. It had both administrative and technical teams; the latter included representatives from all government offices dealing with women's issues, including, for example, the Ministries of Health, Justice and Education.
34. Some temporary special measures on behalf of women were in place in such areas as health and education.
35. **Ms. Gabr** said that, despite efforts to eliminate stereotypes and traditions that adversely affected women, more needed to be done. She asked what further steps the Government was taking and what role civil society and religious institutions played in that context.
36. It was commendable that the State party had established shelters for female victims of violence and declared discrimination and violence against women to be crimes. However, the law remained blind to domestic and conjugal violence. The Committee would welcome more information on the proposal to enact a law prohibiting such violence and establishing a helpline for victims. She asked whether there was an entity tasked with receiving complaints of domestic violence.
37. If the State party had not yet implemented the Committee's joint general recommendation No. 31 and general comment No. 18 of the Committee on the Rights of the Child, on harmful practices ([CEDAW/C/GC/31-CRC/C/GC/18](#)), and its general recommendation No. 35, on gender-based violence against women, it was advised to do so.
38. She asked when Act No. 91 of 2013 on trafficking in persons and smuggling of migrants had come into effect. The Committee had been informed that no criminal investigations had been opened under the Act and that punishments for trafficking were administrative rather than criminal, which could foster a sense of impunity.
39. The Government had a key role to play in protecting foreign domestic workers from abuse and exploitation. She would be grateful for more information about the new shelter for domestic workers. She also asked which entity handled their complaints of abuse and whether there was a national action plan for combating such abuse.
40. **Ms. Jahan** said that the steps being taken by the State party to counter negative stereotypes of women were impressive. Nevertheless, she would appreciate clarification of whether there was any mechanism in place to scrutinize the content of Friday sermons on women to ensure that they promoted equality and objectivity.
41. **Mr. Alghunaim** (Kuwait) said that negative stereotypes of women no longer existed in Kuwait, which had been one of the first countries in the Gulf to send women abroad on scholarships. Sermons on the role of women in society were now a part of Friday prayers. Women occupied high-level leadership positions, including the editorship of the main newspaper and the presidency of the national bank.
42. **Ms. Alkazi** (Kuwait) said that the Government had put in place a strategic plan to eliminate gender stereotypes. Workshops had been run for journalists on how to portray women in a positive light. Courses on the importance of women in society and politics had been introduced for all university students.
43. **Mr. Al-Muhanna** (Kuwait) said that 30 per cent of prosecutors were female. Two challenges to the validity of the political rights of women had been brought before the Constitutional Court, both of which had been rejected.

44. **Ms. Alatty** (Kuwait) said that the authorities provided legal aid for women who were victims of violence; women were entitled to take legal action without being subjected to pressure or harassment. Complaints could be made to the telephone hotline, which was available between 9 a.m. and 9 p.m., or at police stations.

45. **Mr. Alghunaim** (Kuwait) said that the authorities took human trafficking very seriously, as evidenced by the visit by the Special Rapporteur on trafficking in persons, especially women and children. Progress in tackling the problem had, however, been slowed by the change of Government.

46. **Mr. Alshammeri** (Kuwait) said that, under Act No. 5908 of 2014, 72 individuals had been repatriated and a further 22 arrested in connection with trafficking offences.

47. **Ms. Abdulrahman** (Kuwait) said that the adoption of Act No. 91 of 2013 had given the Public Prosecutor the power to investigate alleged cases of trafficking. Decree No. 1454 of 2015 had led to the establishment of a committee composed of representatives of the private sector and the intelligence services with the aim of drafting a national strategy to combat trafficking.

48. **Mr. Alghunaim** (Kuwait) said that the provisions contained in the Labour Code of 2015 were unprecedented in the region. The Government's efforts in the area of the protection of migrant domestic workers needed to be considered in the social, geographic and geopolitical context of Kuwait.

49. **Ms. Gabr** said that, while she recognized that the State party had made a degree of progress in combating human trafficking, it would be helpful to hear why administrative sanctions were often imposed for trafficking offences.

50. She would like an update on the status of the proposed legislation on domestic violence, which would, if adopted, represent a great step forward for the Arab world. She would welcome an account of the legislative process that was followed in adopting new laws.

51. **Ms. Alshaiji** (Kuwait) said that any draft legislation that was submitted was first reviewed by the Government and the relevant authorities. It was then sent to the fatwa authorities to ensure that its contents were in line with the Constitution and national legislation. After that, it was considered by the Legal Affairs Committee. The final stages of the process involved the approval of the National Assembly and then the Emir, who would issue the relevant decree. The bill on domestic violence, which included provision for the establishment of a hotline, had been reviewed by the Ministry of Justice and was awaiting consideration by the Legal Affairs Committee.

52. **Mr. Alghunaim** (Kuwait) said that the proposed legislation on domestic violence was revolutionary and the Government intended to submit it for final approval as soon as possible.

53. **Mr. Alshammeri** (Kuwait) said that legislation had been passed in 2015 to create a body to oversee the operations of employment agencies. The body considered complaints from domestic workers and had identified more than 40 illegal agencies.

54. **Mr. Alghunaim** (Kuwait) said that the Ministry of the Interior had the power to withdraw the operating licence of any employment agency found to have engaged in illegal practices.

55. **Ms. Alatty** (Kuwait) said that criminal rather than administrative sanctions were applied to offences related to human trafficking.

Articles 7 to 9

56. **Ms. Ameline** said that she commended the political model in place in the State party and was encouraged to see that women had been granted the right to vote. There was still, however, some way to go to reach the recommended minimum of 30 per cent in the representation of women in the political sphere and decision-making processes. She would like to hear whether the Government's plans in that area took account of the relevant recommendations issued by the Inter-Parliamentary Union in 2016.

57. **Ms. Haidar** said that she was hopeful that the State party would consider lifting its reservation to article 9 of the Convention, on nationality. She would welcome the delegation's comments regarding the discriminatory restrictions imposed on the passing of Kuwaiti nationality from women to their children and foreign-born spouses and the non-recognition of dual citizenship. She would also welcome data on the numbers of stateless women, including Bedouin women, present in the State party.

58. **Mr. Alghunaim** (Kuwait) said that the National Assembly was considering the recommendations made by the Inter-Parliamentary Union.

59. The authorities had organized training sessions for female candidates standing for election to the Parliament and the National Assembly.

60. A number of bills aiming to address the issue of the passing of nationality to children and spouses had been submitted for consideration but none had been successful.

61. **Ms. Alkazi** (Kuwait) said that, following the granting of political rights to women in 2005, four women had been successful in the elections held in 2009. The Government had allocated funding to the Supreme Council for Planning and Development for the provision of training for women on political lobbying and the organization of political campaigns. In the banking and oil industries, women occupied 30 per cent and 18 per cent of leadership positions respectively.

62. A conference of NGOs working on the issue of nationality was due to be held in November 2017.

63. **Ms. Almeshal** (Kuwait) said that, in the past five years, more than 5,000 women had been granted Kuwaiti nationality and a further 700 had received it by virtue of having a Kuwaiti mother.

64. **Mr. Alshammeri** (Kuwait) said that it was possible for a Kuwaiti woman to transmit her nationality to her children under certain conditions. Over the past five years, more than 2,000 persons had acquired Kuwaiti nationality, with 150 having done so in 2017. Kuwait adhered to the internationally recognized principle according to which nationality was transmitted to children by their father. A child born to a Kuwaiti mother and a non-Kuwaiti father whose original nationality was known could not acquire Kuwaiti nationality, since the Kuwaiti Nationality Act prohibited dual nationality.

65. **Ms. Haidar** said it was her impression that Kuwait accorded more rights to Kuwaiti women who gave birth to a child whose father was unknown than to Kuwaiti women who gave birth to a child whose father was a foreign national. She asked whether the State party might consider lifting the prohibition on dual nationality to help bring the discrimination suffered by Kuwaiti women married to foreign nationals and their children to an end. It would be helpful to receive statistical data illustrating the prevalence of mixed marriages in Kuwait to enable the Committee to assess the risk that they posed to the stability of the country's demographic composition.

66. **Mr. Alghunaim** (Kuwait) said that the desire to preserve the demographic composition of the country was linked to national security and not human rights considerations. The acquisition of Kuwaiti nationality by more than 2,000 persons in the space of five years was a significant achievement, given the size of the country's population. Exceptions to the conditions set out in the Kuwaiti Nationality Act were considered on a case-by-case basis.

67. **Ms. Gabr** said that, while it was legitimate for States to reserve access to the security services, the armed forces or the diplomatic corps for their nationals alone on account of national security considerations, such considerations should not be used to prevent a Kuwaiti woman from transmitting her nationality to her children. She encouraged the State party to revise its current position.

Articles 10 to 14

68. **Ms. Gbedemah** said that the Committee would have appreciated statistical data on the number of girls in each of the different fields of study and information on the measures

taken by the State party to increase the number of girls in non-traditional fields of study, the availability of career guidance and the school enrolment of the children of migrant women.

69. Noting that the national curriculum was designed to educate female students about the importance of family relations and family welfare, she said that, while she could not fault the content of the curriculum, she would be interested to know why such education was dispensed only to girls and not to boys. She had also been given to understand that school textbooks contained stereotypical images of women and promoted the idea of male superiority. She asked whether the State party planned to revise the content of school textbooks to remove such discriminatory content.

70. Furthermore, the delegation should explain why the percentage enrolment rate of female students was significantly higher than that of their male counterparts at the tertiary level and only just higher at the general education level. She asked whether the State party believed that discrepancy to be attributable to the fact that many more boys attended private schools and whether the lower representation of girls in private education had a knock-on effect on their representation in higher education. While the State party's efforts to recruit female teachers had borne fruit, it should take care not to promote the feminization of the teaching profession.

71. In the absence of statistical data on student dropout rates, the Committee was unable to corroborate the State party's assertion that they remained low. Moreover, the Committee remained concerned at the potential negative impact that the Ministry of Education regulations requiring female students who married to leave full education and attend night classes could have on the trajectory of their studies and the quality of their education and family life. She asked whether those regulations applied at all levels of education and whether the State party intended to revise them. It would also be helpful to know whether married female students attending night classes covered the same syllabus as female students attending day school. Lastly, she wished to know whether the State party envisaged introducing co-education in public schools and incorporating comprehensive education on sexual and reproductive health into the public school curriculum.

72. **Mr. Bergby**, noting that the labour market participation rate for women was far inferior to that for men, especially those between 15 and 24 years of age, asked how the State party intended to increase the participation of young Kuwaiti women in the labour market and whether married women were required to obtain their husband's permission before accepting an offer of employment. Statistical data in the Committee's possession showed that women earned just over 70 per cent of a man's salary in the public sector and just under 60 per cent in the private sector. He asked whether the State party believed the gender wage gap to be partly attributable to the tendency for men to work in sectors where salaries were higher, such as the oil industry and the military, and for women to work in the public sector, where salaries were lower. He asked what measures the State party envisaged taking to close that gap.

73. Migrant domestic workers accounted for one third of the Kuwaiti workforce. Although the recently enacted Domestic Workers Act had granted domestic workers additional rights and benefits and greater protection against abuse, they were still inferior to those accorded by Kuwaiti labour law. It was also his understanding that the Domestic Workers Act did not include sanctions for employers who confiscated domestic workers' passports or who failed to provide them with adequate housing, food, health-care coverage and rest. He asked whether the State party had taken steps to bring the Act into line with international labour standards, including by ratifying the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). He understood that, under the *kafalah*, or visa sponsorship system, migrant domestic workers' legal status was tied to their employer and they could not change employer without permission. Moreover, the Act appeared to reinforce the *kafalah* system by requiring the Ministry of the Interior to deport absconding workers. It was regrettable that Administrative Decision No. 378/2016 of the Public Manpower Authority, which allowed migrant workers in the private sector to transfer their sponsorship to a new employer without their current employer's permission after three years, did not apply to domestic workers. He asked whether the State party planned to take steps towards the abolition of the *kafalah* system to allow all migrant

workers, including domestic workers, to leave or change employers at will without losing their legal status.

74. Despite the fact that the Constitution guaranteed women the right to work and to choose their profession freely, Kuwaiti women were, in practice, subject to numerous regulations that were a bar to their equal participation in the workforce, including regulations that had been designed to protect them. The prohibition on women engaging in work that was hazardous or harmful to their health effectively precluded them from working in certain sectors on an equal footing with men, who were not subject to such restrictions. He asked whether the State party intended to repeal those regulations in order to avoid perpetuating gender stereotypes in the labour market.

75. **Ms. Chalal** said that, despite the drop in maternal and infant mortality rates in recent years, the Committee remained concerned at the State party's restrictive abortion legislation, under which a pregnancy could be lawfully terminated only if its continuation would seriously damage the mother's health or if the fetus was likely to be born with a serious physical or mental malformation. She also understood that the consent of a male guardian still had to be obtained before the procedure could be performed, even though the Ministry of Health had issued an instruction waiving that requirement for women aged 21 years and over. The Committee had also received reports that women could be confined to psychiatric hospitals for reasons unrelated to their mental health, such as failing to respect social norms, or simply because the appropriate facilities were unavailable. She asked whether the State party might consider amending its abortion legislation to include rape and incest as grounds for lawful abortion and how it might go about enforcing the Ministry of Health's instruction. The State party might also consider disseminating the instruction more widely among patients and medical professionals. It would also be useful to know whether the State party planned to adopt a law on mental health to regulate the detention and treatment of mentally ill patients in psychiatric hospitals and a law to protect persons with disabilities against forced sterilization.

76. Noting that Act No. 413/2009 obliged all physicians to report cases of physical and psychological violence against children, she asked how many cases had been referred to social services. The delegation should also describe the measures taken by the State party to guarantee the right to health of Bedouin women in Kuwait.

77. **Ms. Alqattan** (Kuwait) said that Act No. 25 of 1981 regulating the practice of medicine and dentistry was strictly enforced to uphold the right to life. A pregnancy could be terminated in specialized hospitals only in cases where the health of the mother or the fetus was at risk. Women seeking an abortion were examined by a specialist in accordance with medical and ethical standards set by the Ministry of Health and received medical care before and after the procedure. Maternity services were also available in primary health-care centres. Female patients did not need the permission of their male guardian to sign a surgical procedure form. The Ministry of Social Affairs and Labour was responsible for the care and protection of children and newborns; children whose parents were unknown were placed in Ministry-run care centres. The Ministry of Health had drafted a bill on mental health in accordance with international human rights standards. The bill needed to be reviewed by the Council of Ministers before it could be submitted to the National Assembly for consideration. Once the bill had been signed into law, the Ministry would take all the measures necessary to implement it.

78. **Mr. Alghunaim** (Kuwait) said that the Government endeavoured to increase women's representation in Parliament through awareness-raising initiatives in the media, schools and universities. The gender wage gap could be attributed, in part, to the fact that men frequently worked overtime, especially in the armed forces, which was not a possibility for women. Kuwait had never been criticized for its treatment of migrant workers in the employment sector by ILO, which was proof of the fact that it complied with international labour conventions. Affirmative action had been taken in an effort to remove the barriers impeding the full participation of women in Kuwaiti society.

79. **Ms. Alshehab** (Kuwait) said that men and women enjoyed equal access to the Kuwaiti labour market and were hired on the basis of having fulfilled certain conditions or passed an examination. Women frequently occupied leadership positions in the private

sector, particularly in the financial and telecommunications sectors. There was no legal requirement for women to obtain the permission of their husband to apply for or to accept a job. Kuwaiti labour law provided that men and women should receive equal pay for work of equal value in the public and private sectors. The gender wage gap could be explained, in part, by the fact that men received higher subsidies and allowances for dependants. Often, women did not wish to work in the sectors where salaries were higher, such as the oil industry. Although the administrative decree prohibiting women from engaging in work that was hazardous or harmful to their health had been conceived as a protective measure, it was not strictly enforced. Such administrative decrees could be amended in order to respond to the changing needs of the Kuwaiti labour market. Kuwaiti labour law did not mention the *kafalah* system, as the relationship between a migrant domestic worker and an employer was governed by an administrative decree. Under a newly adopted administrative decree, migrant domestic workers could now transfer their sponsorship to a new employer at will without having worked for their current employer for three years. The Public Manpower Authority was responsible for processing sponsorship transfer requests, 6,000 of which had been received to date.

The meeting rose at 1 p.m.