



Convention on the Rights of the Child

Distr.: General
17 November 2020

Original: English
Arabic, English, French and
Spanish only

Committee on the Rights of the Child

List of issues in relation to the combined third to sixth periodic reports of Kuwait*

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 June 2021. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please explain measures taken:
 - (a) To further review, following the adoption of Act No. 21 of 2015, existing laws related to children to bring them into conformity with the Convention and the Optional Protocols thereto;
 - (b) To develop a comprehensive child rights policy to implement the Convention and the Optional Protocols thereto;
 - (c) By the Supreme Council for Family Affairs with a view to developing a concrete strategy for children, specifying the role of the Supreme Council in the coordination of activities related to the implementation of the Convention and the Optional Protocols thereto.
2. Please describe measures taken:
 - (a) To ensure the protection of children's rights in the context of the coronavirus disease (COVID-19) pandemic and to mitigate the pandemic's adverse impact;
 - (b) To improve the efficiency of budget allocations for children, including for non-Kuwaiti and Bidoon children;
 - (c) To improve access to and the quality of data related to all children in the State party, covering all areas of the Convention;
 - (d) To operationalize the National Human Rights Commission and provide it with a specific mandate to monitor children's rights.
3. Please explain measures taken:
 - (a) To provide training on children's rights and the Convention to professionals working for and with children;
 - (b) To improve the engagement of civil society in the planning, implementation, monitoring and evaluation of laws, policies, plans and programmes relating to the Convention.

* Adopted by the pre-sessional working group on 8 October 2020.



4. Please indicate measures taken:
 - (a) To increase the minimum age of marriage to 18 years for both boys and girls;
 - (b) To prohibit discrimination on all grounds, in accordance with the Convention;
 - (c) To ensure that all children, including non-Kuwaiti (Bidoon and migrant) and lesbian, gay, bisexual and transgender children, can enjoy their rights under the Convention without discrimination and can access all services, including those related to health and education;
 - (d) To repeal from the Personal Status Act all provisions that discriminate against girls.
5. Please clarify, with examples:
 - (a) How the best interests of the child are incorporated into legislation as a substantive right, a fundamental, interpretative legal principle, and a rule of procedure;
 - (b) How the student parliaments engage children, including children from marginalized and disadvantaged communities, to enable their participation in decision-making processes;
 - (c) The measures taken to ensure the participation of children in decision-making processes in the family and the community;
 - (d) The type of support provided, if any, to form child-led organizations.
6. Please describe measures taken:
 - (a) To ensure the right of all children to be registered at birth and acquire a nationality without discrimination, in particular Bidoon children;
 - (b) To review the Nationality Act to remove discriminatory provisions, prevent statelessness and accord Kuwaiti women the right to pass their nationality on to their children irrespective of the father's nationality. Please also provide information on the status and details of the bill on nationality and citizenship presented by the Speaker of the National Assembly.
7. Please explain the provision regarding child caregivers' "right to impose simple and non-harmful discipline", under article 6 of Act No. 21 of 2015 on the rights of the child. Please describe measures taken:
 - (a) To prohibit corporal punishment in all settings;
 - (b) To criminalize all forms of abuse, neglect and violence against all children, including domestic violence, marital rape and sexual abuse;
 - (c) To repeal article 182 of the Criminal Code (CRC/C/KWT/CO/2, para. 48);
 - (d) To put in place child-friendly reporting procedures and provide child victims with access to child-friendly support and services, rehabilitation and reintegration;
 - (e) To prevent and combat harmful practices, including child marriages, female genital mutilation, polygamy and so-called "honour killings".
8. Please indicate any measures taken:
 - (a) To review legislation relating to custody of children;
 - (b) To provide support to single mothers and unmarried couples with children;
 - (c) To enforce Act No. 80 of 2015 on family care to provide children deprived of a family environment with alternative forms of care;
 - (d) To establish mechanisms to provide monitoring and oversight of alternative care arrangements for children, in particular in residential or foster care. Please also explain whether children that are in need of family care can be placed under *kafalah* with a Kuwaiti family and, if so, how that system is regulated.
9. Please describe efforts taken:
 - (a) To enable all children with disabilities, including non-Kuwaiti and Bidoon children with disabilities, to claim and have access to their rights without discrimination, in

accordance with the human rights-based approach to disability, and protect them from all forms of disability-based discrimination;

(b) To strengthen early identification of children with disabilities and expand inclusive education for all children with disabilities;

(c) To ensure the accessibility of public spaces, buildings, services, and information for children with disabilities.

10. Please explain what measures have been taken:

(a) To reduce the prevalence of obesity and type 2 diabetes;

(b) To reduce the high prevalence of asthma among children, linked to air pollution;

(c) To raise awareness concerning the importance of breastfeeding;

(d) To ensure the compliance of the Mental Health Act with the Convention, including its provisions concerning the voluntary or compulsory admission of child patients to mental health facilities.

11. Please explain what measures have been taken:

(a) To ensure compulsory, free and good-quality education for all children (including non-Kuwaiti and Bidoon children) in the State party;

(b) To repeal provisions that prevent married girls from attending regular schools;

(c) To address the issue of sexual harassment, violence and bullying in schools;

(d) To include in the curricula classes on children's rights, as well as on environmental conservation and sustainability.

12. Please indicate measures taken:

(a) To develop alternatives to immigration detention of children and families with children;

(b) To ensure that the best interests of the child are a primary consideration in migration proceedings involving children, including in deportation proceedings;

(c) To enforce legislation to protect children from economic exploitation, including in the informal sector and in domestic work, particularly Bidoon and migrant children;

(d) To raise the age of criminal responsibility;

(e) To promote diversion measures under article 16 of the Juveniles Act No. 111 of 2015.

13. Please indicate measures taken:

(a) To revise the Criminal Code to explicitly criminalize the recruitment of children under the age of 18 years and their use in hostilities, including by non-State armed groups;

(b) To prevent the radicalization of children, especially those in marginalized and disadvantaged situations, by extremist groups and address the root causes of the recruitment and participation of children in armed conflicts.

14. Please indicate measures taken:

(a) To criminalize the sale of children and the possession of child pornography (CRC/C/OPSC/KWT/CO/1, para. 18);

(b) To ensure access to justice for victims of offences prohibited under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

(c) To prevent children, especially those in marginalized and disadvantaged situations, from becoming victims of the offences of the sale of children, child prostitution and child pornography;

- (d) To increase monitoring of the recruitment process for domestic workers.

Part II

15. The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates) or institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

16. Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources.

17. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on:

- (a) Children registered at birth or at a later time, including Bidoon children;
- (b) Children under the age of 18 years who are married;
- (c) Cases of female genital mutilation and other harmful practices;
- (d) Cases of abuse and violence against children, including domestic violence, corporal punishment and sexual abuse; investigations conducted; and the outcome of trials, including sentences imposed on perpetrators and redress awarded to victims;
- (e) Immunization coverage;
- (f) School enrolment and completion rates;
- (g) Children suffering from malnutrition, stunting, obesity, type 2 diabetes and chronic respiratory diseases;
- (h) Drug and substance abuse;
- (i) Children affected by pollution linked to the oil industry.

18. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographic location regarding the situation of children deprived of a family environment, for the past three years, on the number of children:

- (a) Separated from their parents;
- (b) Placed in institutions, disaggregated by duration of the placement;
- (c) Placed with foster families.

19. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographic location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary and secondary schools;
- (d) Attending special schools;
- (e) Out of school;

(f) Abandoned by their families.

20. Please provide, if available, updated statistical data, disaggregated by age, sex, type of offence, ethnic and national origin, geographic location and socioeconomic status, for the past three years, on children in conflict with the law who have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;
- (d) Serving a sentence in detention and the length of the sentence.

21. Please provide information on how a child rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

22. Please provide the Committee with an update of any data in the report that may have been outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
