



# International Covenant on Civil and Political Rights

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## Human Rights Committee 139th session

### Summary record of the 4048th meeting\*

Held at the Palais Wilson, Geneva, on Monday, 16 October 2023, at 3 p.m.

*Chair:* Ms. Abdo Rocholl

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Consideration of reports submitted by States parties under article 40 of the Covenant  
(*continued*)

*Fourth periodic report of Kuwait*

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\* No summary record was issued for the 4047th meeting.

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*The meeting was called to order at 3.05 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Fourth periodic report of Kuwait (CCPR/C/KWT/4; CCPR/C/KWT/Q/4; CCPR/C/KWT/RQ/4)*

1. *At the invitation of the Chair, the delegation of Kuwait joined the meeting.*
2. **Mr. Alhayen** (Kuwait) said that, although the coronavirus disease (COVID-19) pandemic had stalled efforts to promote human rights, positive measures had been taken during that period. For instance, during the parliamentary elections in December 2020, special locations had been designated for voters infected with the virus, reflecting the country's commitment to promoting participation in public affairs without discrimination. Kuwait had been among the world's leading countries in its pandemic response, providing vaccines to all citizens and others living in the country, donating more than 300 million dollars to international efforts to combat the virus and receiving praise from the World Health Organization for its quarantine measures. Furthermore, in the light of the increased use of digital technologies during the pandemic and the need to protect user data, the National Cybersecurity Centre had been established by Amiri Decree No. 37 of 2022.
3. The human rights department established in 2015 under the Ministry of Foreign Affairs had been given executive powers in 2019. Human rights were promoted through training courses, workshops and school curricula, in cooperation with regional and international organizations. The Ministry of Justice had established a national standing committee for international humanitarian law in 2018, which had organized several training courses for legal professionals and law enforcement institutions on the adherence of national legislation and jurisprudence to international standards. The Kuwait Institute for Judicial and Legal Studies had held five training courses on human rights for members of the judiciary between 2019 and 2022, and the topic of international human rights law had been included in its 2023/24 training season. In June 2023, Kuwait had been one of the few countries to respond to the call for input from the Office of the United Nations High Commissioner for Human Rights concerning the fifth phase of the World Programme for Human Rights Education.
4. In 2022, the Kuwait Centre for Humanitarian Documentation had dealt with over 65 cases of domestic violence involving individuals of various nationalities. The Supreme Council for Family Affairs had cooperated with the United Nations Office in Kuwait to design a special child protection strategy, including the establishment of special centres compliant with the relevant international standards. The national office of the United Nations Children's Fund (UNICEF) had organized a consultative workshop in July 2022 on further strengthening the national child protection system. In February 2023, the Government had donated US\$ 17 million to support UNICEF efforts to aid victims of the earthquake in Türkiye and the Syrian Arab Republic.
5. In May 2023, the Special Rapporteur on violence against women and girls, its causes and consequences had visited Kuwait to participate in regional consultations in cooperation with the Union of Kuwaiti Women's Associations. She had praised the work of the Ministry of Social Affairs and the Supreme Council for Family Affairs. Her request for an official visit at the end of 2023 or the beginning of 2024 was under consideration. Kuwaiti Women's Day had been celebrated on 16 May every year since 2015.
6. Kuwait had moved up 13 places in the 2022 Global Gender Gap Index. There were no restrictions on what positions women could occupy in the workforce: they were members of the Kuwaiti National Assembly and Municipal Council, occupied judicial, diplomatic and military positions and worked for the police, the firefighting department and the oil and financial sectors. Kuwaiti women comprised over half of the national workforce, and over a quarter of them held leadership positions. Nearly half of the private sector workforce and over half of the public sector workforce was female, with three-quarters of women working in engineering and medicine. Following a historic decree by the Supreme Judicial Council in July 2020, there were now 50 women judges. The judiciary had cancelled the appointment of a number of experts to the Ministry of Justice to address the gender imbalance in the

occupation of public service posts, in line with article 25 of the Covenant. Article 15 of Act No. 11 of 1962, which required women to obtain their husbands' approval to have a passport, had been ruled unconstitutional.

7. The Government ensured that reports prepared for international bodies were made publicly available. In addition, parliamentary sessions were broadcast live on various public media channels. Subsequent to the submission of its third national report to the Human Rights Council in 2020, Kuwait had fully accepted 230 recommendations, partially accepted 6 and taken note of 12. Only 54 had been refused, owing to their contradiction with the Constitution and sharia and their incompatibility with national identity and societal values. Following the recent election of Kuwait to the Human Rights Council for the period 2024–2026, which reflected the international community's respect for its commitment to human rights, Kuwait looked forward to playing a constructive role throughout its membership.

8. While it was natural that the engagement of Kuwait with the international and regional community should have some negative repercussions at the national level, that fact would not hinder the country's progress in the promotion of human rights. The Government maintained reservations to several articles of the Covenant that conflicted with the Constitution and national legislation, which was largely based on sharia. That included article 25 (b) on elections, which, in accordance with national law, did not apply to members of the armed forces and the police.

9. **Mr. Ndiaye** said that he would like to know whether the committee that had been formed to examine the possibility of the State party withdrawing certain reservations to the Covenant had finished its work and had made recommendations to parliament in that regard. If not, he would like to know what the composition, activities and outcomes of that committee were and what the parliamentary procedure and timeline for deciding on the reservations and interpretative declarations were. He wondered whether there were any plans to ratify the Optional Protocol to the Covenant. He would appreciate information on any developments regarding the possible incompatibility between sharia and the provisions of the Covenant. Had those issues been debated in parliament or been the subject of any court decisions?

10. He would welcome examples of cases, especially since training on the binding force of international treaties had been provided to judges and members of the Office of the Public Prosecution in 2019, in which judges had based their rulings on the Covenant. He would also welcome information on the latest documents and principles to emerge from the Court of Cassation mentioned in the State party's report.

11. He was keen to know whether any individuals or natural or legal persons had ever invoked the Covenant when seeking redress for human rights violations. He would welcome the delegation's response to allegations that foreigners, in particular migrants, despite being under the State party's jurisdiction, had no effective judicial remedies available to them in the event of violations.

12. He would welcome concrete information on the criteria for determining that the National Bureau for Human Rights was an independent institution that played an effective role in protecting human rights. He would like confirmation that the Bureau had been receiving complaints before the establishment of the standing committee for complaints and grievances in 2021 and, if it had, would appreciate information on the complainants, for instance, whether some had been domestic workers or migrants, the nature of the complaints and the progression of the cases. If the Bureau could act on its own authority, he would appreciate examples of cases where it had done so. Did the State party have any plans to establish a national human rights institution that complied with the Paris Principles?

13. It would be interesting to hear whether the foundational training for applicants for deputy prosecutor covered human rights or the Covenant, beyond the training session entitled "International Humanitarian Law and Human Rights" that had taken place in March 2023. He would welcome further details on any recent measures to raise awareness of the provisions of the Covenant among lawyers, politicians, police and security officers and the general population.

14. In reference to the Government's decision not to amend article 198 of the Criminal Code, which criminalized "imitation of the opposite sex", he wished to know what measures

the Government had taken to implement the Constitutional Court's ruling that the article was unconstitutional. Was the State party not concerned that its decision might lead to the arbitrary detention, or even criminal prosecution, of people based simply upon their appearance?

15. He invited the delegation to comment on reports that in June 2022, the Minister for Trade and Industry had launched a censorship campaign against lesbian, gay, bisexual and transgender symbols and slogans. If such reports were true, could the delegation explain how the campaign was compatible with the provisions of the Covenant on non-discrimination?

16. **Ms. Kran** said that she wished to know how the State party planned to ensure that cases of corruption were effectively investigated, whether there were any plans to expand the powers of the Anti-Corruption Authority (Nazaha), how the Authority's full independence and impartiality was ensured and how its effectiveness was monitored. Of the 600 complaints lodged with the Authority in 2022, she was keen to know how many had been investigated and prosecuted, what the outcomes and sanctions had been in each case, what the total amount of the funds involved had been and how much had been recovered. She wondered how the State party ensured the impartiality and independence of investigations in cases of corruption allegations against high-ranking officials or public figures. She wished to know whether the State party planned to publicize the outcomes of corruption cases to promote accountability and deter persons from engaging in corrupt practices in future.

17. She wondered how many whistle-blower protection requests had been submitted to the Authority since 2016, what the criteria were for granting protection, how safety was ensured for individuals who had been refused such protection and whether any measures were in place to ensure that whistle-blowers who reported corruption based on reasonable belief would not be punished if that belief was subsequently proved to be incorrect.

18. She would like to know how many complaints of hate speech against migrant workers and non-citizens had been filed since 2020, how many of those complaints had led to arrests, prosecutions and convictions and what penalties had been handed down. It would be useful to know whether the State party was taking other measures to combat hate speech and whether it planned to work with social media companies and civil society organizations to monitor and tackle hate speech online.

19. The Committee had received reports that public officials had incited discrimination against migrant workers. She wished to know what the State party would do to tackle that issue and whether it intended to organize relevant awareness-raising activities for the general public. She would be interested to hear what steps the State party would take to guarantee equal access to COVID-19 vaccines and treatments for non-citizens and how it ensured that information on COVID-19 was effectively communicated to migrant workers and foreigners who did not speak Arabic or English.

20. She wondered what the State party had done to ensure the accurate and comprehensive reporting of all work-related deaths. Given that most deaths were due to falls, she wished to know what measures had been taken to guarantee the safety of individuals working at height, how those measures were enforced and whether they had made a difference in practice. It would be helpful to hear about other common causes of occupational accidents and any measures implemented to address them. She would welcome a description of the incentives offered to employers to encourage them to invest in effective safety measures and the penalties handed down should they fail to do so. She would be interested to learn what steps the State party had taken to ensure that occupational safety training and awareness-raising programmes were available in the languages spoken by migrant workers and were tailored to their cultural backgrounds.

21. She would like to know what steps had been taken to better monitor compliance with Ministerial Decree No. 535 of 2015, which banned outdoor work between 11 a.m. and 4 p.m. during the hottest months of the year, and how the State party intended to follow up on the workplace inspections conducted in 2022 to prevent companies that had been found to have violated heat safety regulations from reoffending. It would be useful to learn whether a complaints mechanism had been established for workers affected by heat-related problems and, if so, how complaints were investigated and how many investigations had led to the

imposition of penalties on employers during the reporting period. What measures were in place to protect workers who had filed a complaint from retaliation?

22. The delegation might explain what financial and logistical support was provided to the families of deceased migrant workers to help them repatriate their relatives' remains. She would welcome information on the type and amount of reparations offered to those families and how many times such reparations had been granted during the reporting period.

23. **Mr. Ahmadov** said that he would like to know whether the State party intended to amend its laws to ensure that men and women had equal rights, particularly in the area of nationality, in line with its obligations under the Covenant. He wished to commend the State party for its efforts to increase women's presence in decision-making posts and would appreciate detailed statistical information on the number of women occupying such positions. He would be interested to learn what steps the State party would take to challenge societal norms that prevented women from standing as parliamentary candidates and whether it planned to establish a quota system to guarantee the participation of women in political life.

24. He would welcome statistical information on the number of shelters and rehabilitation centres set up for victims of domestic violence and wished to know whether those establishments had the capacity to support all victims in the State party. The delegation might provide disaggregated data on sexual violence, including on the number of investigations, prosecutions and convictions, the penalties imposed and any remedies offered to victims.

25. **Ms. Tigroudja** said that she would be grateful for up-to-date information on how many Bidoon people had been granted nationality and how many Bidoon children born in the State party had acquired Kuwaiti nationality. She would welcome the delegation's comments on the numerous reports that Bidoon people faced legal and practical obstacles when renewing their identity documents. It would be helpful to know what measures had been taken to ensure that Bidoon people enjoyed full political rights and equal access, in practice, to education, health care, employment and the courts. The delegation might comment on reports, contained in the communications of several United Nations special rapporteurs, that individuals defending the rights of Bidoon people had been denied their right of peaceful assembly and had been subjected to online violence, arbitrary arrest and torture.

26. She wished to know whether the State party intended to ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, and to reintroduce a de facto moratorium on the death penalty before potentially moving to a de jure moratorium. She wondered whether the State party would consider reforming its laws to prevent death sentences from being handed down automatically and to ensure that, pursuant to article 6 of the Covenant, the death penalty was imposed only for the most serious crimes and not, for instance, for drug-related offences. In that connection, the delegation might explain why a criminal court had sentenced three Iranian drug traffickers to death in August 2022. She wished to know what measures had been taken to effectively guarantee the right to a fair trial for defendants in death penalty cases.

27. **Mr. Teraya** said that he would appreciate an update on the status of the bill that would amend the Criminal Code to bring it into line with article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. He would be interested to hear about any challenges encountered when preparing the bill and would like to know whether the amended Criminal Code would employ the internationally agreed definitions of "torture" and "other cruel, inhuman or degrading treatment" and provide for the imposition of sanctions that were commensurate with the gravity of the offence.

28. The Committee would welcome information on the number of investigations, prosecutions and convictions in cases of torture, the penalties or disciplinary measures imposed and the professional affiliation of the perpetrators. The delegation might provide data, disaggregated by victims' sex and citizenship status, on the complaints of torture received and the compensation and psychosocial support provided to victims.

29. He would like further information on the State party's efforts to prevent torture, including through the training of law enforcement personnel. He wondered which oversight and accountability mechanisms were in place to ensure compliance with torture prevention

measures and whether the State party intended to ratify the Optional Protocol to the Convention against Torture.

*The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.*

30. **Mr. Alhayen** (Kuwait) said that the terms “migrant workers” and “Bidoon people” should not be used. The correct terms were “contractual workers” and “unlawful residents”, respectively.

31. **A representative of Kuwait** said that the Constitutional Court and the Court of Cassation had invoked the Covenant in a number of cases, for instance, a case in which the Constitutional Court had ruled that women were not required to seek permission from their husband to obtain a passport. The Covenant was compatible with sharia law. Draft laws were reviewed by a committee under the Ministry of Justice before being passed to the National Assembly for adoption. Once those laws had been adopted, decisions could be made regarding the withdrawal of any relevant reservations or interpretative declarations. There were currently no plans to withdraw the remaining part of the reservation to article 25 (b) of the Covenant.

32. International humanitarian law was taught at the Kuwait Institute for Judicial and Legal Studies, which had signed a memorandum of understanding with the International Committee of the Red Cross to train judges and prosecutors in that field of law. All international treaties signed by the Government were published online by the Ministry of Justice.

33. All individuals, whether Kuwaiti or foreign, were equal before the law. A service enabling individuals to initiate court proceedings free of charge was available to citizens and non-citizens alike. A rule on the status of civil servants whereby non-citizens in the civil service were not entitled to an end-of-service payment had been declared unconstitutional.

34. **A representative of Kuwait** said that the National Bureau for Human Rights had been established as an independent office. It had faced major challenges in fulfilling its mandate due to the COVID-19 pandemic. Committees had been set up within the Bureau to handle matters such as civil and political rights, persons with disabilities, family and children’s rights, torture, racial discrimination and human trafficking. The Bureau ran awareness-raising sessions and held dialogues with State bodies to discuss various human rights-related issues. It conducted research and was responsible for examining whether the Government should accede to certain international treaties or withdraw any reservations it had to those that had been ratified.

35. Members of the Bureau paid regular visits to police stations across the country, making recommendations on the promotion of human rights in those establishments. To date, it had received over 210 complaints, most of which had been referred to the competent authorities. The complaints had related to a wide range of issues, including family reunification, domestic violence, problems faced by persons with disabilities, non-payment of salaries, deportations, correctional facilities and violence against children.

36. **A representative of Kuwait** said that Act No. 2 of 2016 concerning the establishment of the Anti-Corruption Authority provided for the protection of whistle-blowers and, where required, their spouses and other members of their family. The information provided by whistle-blowers and their identity and whereabouts were treated as confidential; disclosure of such information was punishable by up to 3 years’ imprisonment. No administrative or disciplinary action was taken against whistle-blowers who met the criteria established in article 38 of Act No. 2 of 2016. Acts of corruption could be reported directly to the Anti-Corruption Authority or any other government entity.

37. In the context of the Government’s anti-corruption strategy, awareness-raising campaigns were conducted in cooperation with the private sector and the Ministry of Information to encourage people to report cases. The Anti-Corruption Authority was currently preparing a handbook for whistle-blowers in public institutions, and a workshop on whistle-blower protection had been held for staff of State security and other government agencies in 2018. Non-disclosure and other whistle-blower protection measures were set forth in article 67 Act No. 2 of 2016. The Office of the Public Prosecution had received several requests for whistle-blower protection.

38. **A representative of Kuwait** said that there was no legal obligation to grant nationality to unlawful residents. Children of Kuwaiti fathers were entitled to nationality, while children born to parents residing in Kuwait unlawfully were not. The Nationality Act did nevertheless provide for nationality to be granted to children born in Kuwait whose parents were unknown.

39. It was untrue that unlawful residents seeking to renew their identity cards were pressured to renounce their Kuwaiti citizenship claims in order to secure the renewal. In 2022, more than 107,000 identity card applications had been filed, in most cases in renewal of expired cards. Under Decree No. 467 of 2010, the Central Agency for the Remedy of Situations of Unlawful Residents had rolled out a body of measures to facilitate access to humanitarian services and other support. Unlawful residents were entitled to, inter alia, free health care and medication, disability services, driving licenses and health insurance cards.

40. **A representative of Kuwait** said that the Constitutional Court had declared unconstitutional the Criminal Code provision criminalizing “imitation of the opposite sex” because it lacked objective criteria to identify what illegal acts were covered and used language that was open to interpretation. There was no need to amend the legislation, as the Court’s rulings were directly applicable by the competent authorities. Same-sex relations went against public morals and were criminalized under Islamic sharia. The ban on the dissemination of material that was contrary to public morals served to protect public safety, order and morals, as provided in article 18 (3) of the Covenant. Anyone prosecuted for having violated those provisions was afforded equality before the law.

41. **A representative of Kuwait** said that the Constitution established the general principles of anti-racism, equality and protection from discrimination, provided safeguards for personal freedom and affirmed absolute freedom of belief and freedom to perform religious rites, so long as those rites did not contravene public order and morals.

42. The constitutional principle of equality was mirrored in domestic law, which prohibited advocacy or incitement of hatred or contempt, incitement of racial or religious discord, employment discrimination on grounds of religious or ethnic affiliation, and the promotion of racial or religious supremacy. The Audiovisual Media Act No. 61 of 2007 prohibited the broadcasting of material with such content, establishing the corresponding sanctions, and the Cybercrime Act No. 63 of 2015 criminalized incitement to racial or religious hatred using the Internet or any other form of information technology. Any natural or legal person was entitled to challenge any legal provision before the Constitutional Court.

43. **A representative of Kuwait** said that pursuant to article 29 of the Constitution, which prohibited discrimination on the basis of gender, Kuwaiti women enjoyed the same rights and duties as men. The Kuwait Vision 2035 and the third development plan 2020–2025 promoted the social, economic and political participation of young persons, women, persons with disabilities and older persons. Women were encouraged to pursue employment, education and leadership positions in the public and private sectors and participate actively in decision-making.

44. Within the Ministry of Justice, there were 406 women supervisors, 22 female deputy prosecutors and 70 per cent of administrative posts were held by women. Approximately 100 women were employed in the diplomatic service and 424 in the police force. Women held 47 per cent of supervisory positions in the Ministry of Defence and accounted for 43 per cent of military personnel. Kuwait had moved up 10 places in the 2023 Global Gender Gap Index published by the World Economic Forum, now ranking third among Arab States. Women’s participation in the labour market had increased from 42 to 48 per cent in the private sector; in the public sector, 60 per cent of employees were women. In addition, the women and business committee was working on the development of gender equality indicators, in cooperation with civil society organizations.

45. **A representative of Kuwait** said that pursuant to Act No. 17 of 2005, women had the right to vote and stand for election, but there was no quota system for elections. The Ministry of Information was rolling out training programmes and awareness-raising campaigns to encourage women to run for public office, and to promote gender equality in the Council of Ministers, parliament and business. Several large companies were already fulfilling gender goals.

46. **A representative of Kuwait** said that the Nationality Act did not provide for Kuwaiti women married to non-Kuwaiti men to transfer their nationality to their husbands. If Kuwaiti nationality were conferred on the foreign husbands of Kuwaiti women, it could be passed down through the generations. The Nationality Act only provided for the granting of nationality in cases where the husband had performed a service for the State that would entitle him to Kuwaiti nationality. Foreign women could obtain Kuwaiti nationality through marriage, but such nationality remained a personal attribute that could not be transmitted to subsequent generations.

47. **A representative of Kuwait** said that by the end of September 2023, 1,732 complaints of domestic violence had been filed, of which 392 had been referred to court; in 2022, there had been 3,229 complaints of domestic violence, of which 1,137 had been adjudicated by a court. Several actions had been rolled out under the Anti-Domestic Violence Act No. 16 of 2020 to curb such violence.

48. Shelter and special centres had been set up for women victims of domestic violence, which provided a safe and confidential environment and delivered different support services. One of the centres had 25 rooms, a library and a playroom for children, among other facilities. The centre cooperated with the Kuwait Centre for Mental Health (Al-Manara), which provided comprehensive psychological support and developed rehabilitation schedules. Victims were also referred to social workers of the Social Development Office and assigned an individual case worker. Transport to school, work, doctor's appointments and to run administrative errands was provided free of charge to women victims and their children. Housing benefits and employment support were made available, if required.

49. Domestic violence could be reported online, via the WhatsApp mobile application and other channels. The Supreme Council for Family Affairs, the National Bureau for Human Rights, civil society organizations and relevant government agencies were jointly responsible for supporting victims. The Supreme Council for Family Affairs was developing protocols on victim support, drawing, among other sources, on the experience of civil society organizations.

50. **A representative of Kuwait** said that the death sentence was only handed down for the most serious crimes. All criminal legislation, including provisions related to the death penalty, was reviewed on a regular basis by parliament, the Office of the Public Prosecution, the Supreme Judicial Council and the Government, and a number of procedural safeguards had been put in place to govern the imposition and enforcement of the death penalty. For example, only the Office of the Public Prosecution, which was a completely independent body, had the authority to investigate crimes punishable by the death penalty. Accused persons must be notified that they were being investigated for such crimes, and they must be represented by a lawyer at a public hearing. Suspects who could not afford a defence were provided with the services of a lawyer free of charge, and interpreting services were provided for suspects who did not speak Arabic.

51. In August 2022, a criminal court of first instance had sentenced three Iranian nationals to death for offences related to drug trafficking. All procedural safeguards had been respected in the case against the suspects, who had confessed to their crimes before both the judge and the public prosecutor. The Court of Appeal had subsequently commuted the sentence to life imprisonment. Illegal drugs were a scourge capable of destroying society and, as a result, the crime of drug trafficking remained punishable by death. The country's stance on illegal drugs was informed by the international conventions to which it was a party, including the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol, the Convention on Psychotropic Substances of 1971 and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.

52. **Ms. Tigroudja** said that she would be interested to hear about the access of Bidoon people to basic services. According to the report of the Special Rapporteur on the rights of persons with disabilities in 2019, Bidoon residents with disabilities had been unable to access social services unless they renounced any claim to Kuwaiti nationality and, in 2021, the Committee on Economic, Social and Cultural Rights had referred to reports that Bidoon people were being charged higher fees than Kuwaiti nationals for health care.



53. **Ms. Bassim** said that she wished to know what measures the State party was taking to promote entrepreneurship among women and empower them economically, including by facilitating the registration of their projects and businesses, ensuring their access to credit and vocational training, and offering support with the marketing of their products. It would also be useful to know what steps were being taken to increase women's representation in management positions and to ensure that all women in employment enjoyed a safe working environment. Clarification as to whether the State party had taken any action to increase the number of day-care centres available at places of work would be of particular interest. She would also welcome further information on the roles played by community and religious leaders in combating negative stereotypes against women.

54. **Mr. Ndiaye** said that he would like to know whether the matter of reviewing the interpretative declarations and the remaining part of the reservation concerning the Covenant had already been brought before parliament and, if so, how it would be debated and how long it would take for a final decision to be made. It would be helpful if the delegation could clarify whether the provision of the Criminal Code establishing the offence of "imitating the opposite sex" was still in force. He would welcome further information on the composition of the National Bureau for Human Rights and the criteria for its members' appointment. It would be helpful to know why the State party had not yet established a national human rights institution in compliance with the Paris Principles and whether the National Bureau was authorized to carry out monitoring visits to prisons.

55. **Mr. Gómez Martínez** said that he would welcome further information on all measures taken to guarantee the independence, autonomy and impartiality of the judiciary by reforming the system for the appointment, promotion and disciplining of judges and the security of tenure of foreign judges, in accordance with the recommendation made by the Committee in its concluding observations of 2016.

56. **Mr. Ahmadov** said that it would be useful to receive disaggregated data on the number of investigations, prosecutions and convictions relating to sexual violence, as well as further details on the penalties imposed and any redress granted to victims.

57. **Ms. Kran** said that the delegation had not addressed the Committee's concerns regarding human rights violations that occurred in spite of legislation being in force. The delegation might therefore like to expand on its replies by giving information on the targeted measures taken to respond to specific challenges. For example, she wondered whether the Government might be working with civil society organizations and digital technology companies to combat hateful content on social media.

58. **Mr. Teraya** said that he would welcome further information on the proposed amendment to legislation on torture envisaging more severe punishments to reflect the gravity of the offence. In particular, he would like to know what prison sentences would apply to such offences under the new legislation. Not only were the statistics that the State party had provided on torture-related complaints vague, but they were contradicted by detailed reports that had been brought to his attention containing the time and place of alleged acts and the number of victims. He therefore had serious misgivings concerning the State party's attitude towards torture and would appreciate it if the delegation could provide further information illustrating the seriousness with which the Government was treating the matter.

59. **A representative of Kuwait** said that drug trafficking was considered to be a very serious crime in his country. Furthermore, in accordance with article 24 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Kuwait had the right to adopt more strict or severe measures than those provided by the Convention if, in its opinion, such measures were desirable or necessary for the prevention or suppression of illicit traffic. That was indeed the case in Kuwait, where the number of registered cases of drug trafficking had risen in recent years.

60. **A representative of Kuwait** said that unlawful residents with disabilities enjoyed the services rendered by the Supreme Council for the Disabled to persons covered by article 2 of Act No. 8/2010 concerning the rights of persons with disabilities. According to that article, the provisions of the Act applied to persons with disabilities who were Kuwaitis or children born to Kuwaiti women married to non-Kuwaitis, within the limits of the rights and services

specified in the Act. Those not covered by that article were referred to the Patient Assistance Fund and Bait al-Zakat government agency.

61. **A representative of Kuwait** said that the Supreme Council for Family Affairs, which was responsible for women's and children's affairs, had been established under Amiri Decree No. 401 of 2006. The Supreme Council adopted measures with the aim of empowering and supporting women, including in cooperation with other members of the Cooperation Council for the Arab States of the Gulf, and it had taken a number of measures designed to combat domestic violence and discrimination against women. It had adopted a strategy for families, under which awareness-raising programmes were being carried out for women, children and older persons. The Government was in the process of developing new measures to increase women's representation in management positions and to empower women economically, and the Ministry of Information was working with non-governmental organizations with the aim of devising strategies to combat gender stereotypes. A law on day-care centres had been adopted in 2014, establishing a series of standards designed to protect children. All such centres required a special permit from the Ministry of Social Affairs.

62. **A representative of Kuwait** said that there were currently no plans to ratify the Optional Protocol to the Covenant and that, pursuant to the Constitutional Court's ruling in 2022, it was no longer a crime to imitate the opposite sex. With regard to her country's interpretative declarations and reservations concerning the Covenant, the adoption of Act No. 120 of 2023 had introduced new rules designed to guarantee gender equality in the process of electing members of the National Assembly. However, there was nothing to indicate that the Government intended to review its position regarding the interpretative declarations and the remaining part of the reservation.

63. **A representative of Kuwait** said that hate speech was prohibited under several pieces of legislation. Under article 11 of Audiovisual Media Act, licence holders were prohibited from broadcasting any content that would impinge upon the dignity, private life or religious beliefs of persons, or advocate or incite hatred and contempt. Anyone who was subjected to hate speech was entitled to seek recourse in a court of law and offenders were liable to prosecution.

64. **A representative of Kuwait** said that the members of the National Bureau for Human Rights all had extensive experience in the field of human rights and had been appointed by the Council of Ministers. Although the National Bureau was an independent office, it operated under the supervision of the Council of Ministers. The Government was nonetheless examining the possibility of granting it full financial and operational autonomy, in accordance with the Paris Principles.

65. **A representative of Kuwait** said that the Constitution provided for the separation of powers of the judiciary, the legislature and the executive. Judicial independence was guaranteed, and the Ministry of Justice did not intervene directly or indirectly in any of its actions. Judges did not have administrative functions, although the Supreme Judicial Council had issued an opinion on new legislative proposals.

*The meeting rose at 6 p.m.*