



# General Assembly

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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

## **Written statement\* submitted by International Council Supporting Fair Trial and Human Rights, a non- governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2022]

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\* Issued as received, in the language of submission only.



## **International Council Supporting Fair Trial Statement: Human Rights Situation in Kuwait**

The restrictions on freedom of expression and opinion have recently increased in Kuwait, where the Kuwaiti authorities have exaggerated their repressive practices targeting political activists and human rights defenders in Kuwait. All this is in addition to restrictions on academic freedom and freedom of the press, and the prohibition of certain books and publications of a political nature. The Kuwaiti authorities arrested and prosecuted critics of the Government and activists under articles of the Information Technology Offences Act and the Penal Code (Penal Code), including on charges deemed offensive to the Prince. Moreover, many political and legal activists were targeted, questioned, arrested and tried simply for writing a post on social media or websites.

Kuwait has also seen many authors and journalists criminally prosecuted, detained and fined for expressing opinion. On the other hand, criminal proceedings against journalists have come to raise questions about the reality and extent of Kuwait's adherence to its legislation and constitution in addition to the International Covenants on Civil and Political Rights. In this context, we are also aware of Kuwaiti legislation concerning associations, in particular Act No. 24 of 1962 on the organization of clubs and public benefit associations, and the difficulties faced by Kuwaitis in exercising their rights under article 22 of the International Covenant on Civil and Political Rights, which Kuwait has ratified. It is considered necessary to point out that these restrictions are not permitted under article 19, paragraph 3, of the International Covenant on Civil and Political Rights.

In Kuwait, the "Bidoun" file is one of the most controversial as a result of the Government's suspicious use of this file. The treatment of "Bidoun" (included in the categories of stateless persons) in Kuwait by the Kuwaiti authorities calls for serious intervention to put an end to their decades-old suffering. In view of the fact that many of these persons have been born in Kuwait or have been living in Kuwaiti territory for decades and that some of them work for the Government. Under the International Covenant on Civil and Political Rights, a State must ensure that all persons within its territory and subject to its jurisdiction, including Bidoun, enjoy the rights enshrined in the Covenant, without discrimination (art. 26), and the right to remain in and return to one's own country must be strictly respected (art. 12).

But the reality is that there are absurd attempts to find solutions to this file that run counter to the most basic human rights gains. Numerous allegations have emerged that Bidoun have been offered a 5-year residence permit in exchange for the abandonment of any naturalization claims, which Bidoun categorically rejected, declaring their permanent adherence to their right to Kuwaiti nationality.

In this context, it should be noted that the State should grant its nationality on a non-discriminatory basis and ensure that persons granted Kuwaiti nationality are treated equally with other Kuwaiti citizens with regard to voting rights (articles 25 and 26 of the International Covenant on Civil and Political Rights).

The serious impact on the situation of children born to non-Kuwaiti parents living in Kuwait, particularly with regard to education, medical care and the issuance of birth and death certificates, is further concerned about this file. All this needs serious and objective review by the Kuwaiti Government, which continues to turn a blind eye to its duties in this regard.

The International Council Supporting Fair Trial and Human Rights calls upon Kuwait to ensure respect for and guarantee all the rights enshrined in its Constitution and in the International Covenant on Civil and Political Rights. The International Council demands that all individuals within Kuwait's territory and subject to its jurisdiction be able to enjoy full human rights and that no violations of their rights be exercised under any circumstances whatsoever.