



Convention on the Rights of Persons with Disabilities

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**Consideration of reports submitted by parties to the
Convention under article 35**

List of issues in relation to the initial report of Kuwait

Addendum

Replies of Kuwait to the list of issues*, **

[Date received: 30 July 2019]

* The present document is being issued without formal editing.

** The annexes are on file with the Secretariat and available for consultation.



Replies of Kuwait to the list of issues in relation to its initial report under the Convention on the Rights of Persons with Disabilities

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

Response to paragraph 1 of the list of issues

1. The Public Authority for the Disabled reviewed Act No. 8 (2010) with a view to strengthening, promoting and protecting the rights of persons with disabilities. As a result, Act No. 101(2015) and Act No. 5 (2016) were promulgated.

2. We will set out in detail the achievements of the State and the measures that it has taken in relation to various articles of the Convention.

Response to paragraph 1 (b) of the list of issues

3. The Authority's strategy for the period 2020–2025 covers four main areas: education, employment, health care and community leisure activities. The Authority is currently developing four plans for each of the four areas and defining the roles that Government, private and civil society organizations will play in implementing the strategy.

4. Article 49 of Act No. 8 (2010) provides that the Authority shall have a higher council that is responsible for establishing goals and overall policy for the Authority. The council shall be chaired by the First Deputy Prime Minister or his substitute and its membership shall comprise the Minister of Social Affairs and Labour, the Minister of Health, the Minister of Education, the Minister of Higher Education and the Chair of the Board Governors of the Public Authority for Youth and Sport, as well as representatives of public welfare associations and clubs involved in disability affairs. Article 52 of the Act provides that the Authority shall have a board of directors that is established by a decision of the supreme council. The board shall be headed by the director-general and its membership shall comprise representatives of the Ministry of Health, the Ministry of Education, and the Ministry of Higher Education, the Ministry of Social Affairs and Labour, the Public Authority for Youth and Sport, and the Civil Service Commission, each of whom must hold the post of Assistant Deputy Minister or higher. The board shall also include four representatives elected from public welfare associations and clubs involved in disability affairs and two experts on disability from the outside the Authority who are nominated by the Director-General. Their term of membership shall be four years, renewable once.

5. The State promotes the establishment of civil society institutions, including institutions concerned with disability, by providing financial support to such institutions. Annual financial support is limited to associations the establishment of which was announced before 2004. The State has continued to provide special support for capacity development. Such support includes the provision of assistance to attend a conference or workshop that is relevant to the association's area of specialization. The State provides 234,000 Kuwaiti dinars (\$770,000) in assistance to three associations that work with persons with disabilities.

6. Article 22 of the Public Welfare Associations Act (No. 24 of 1962) provides that any association or club that has been registered and publicly announced may request authorization to collect funds once a year for the purpose of attaining its aims, provided that it adheres to the regulations and conditions set out in the act on authorization to collection funds for public purposes.

Response to paragraph 2 of the list of issues

7. It should be noted that article 166 of the Constitution of Kuwait guarantees the right to litigate for all and sets out the procedures, laws and conditions for the exercise of that right.

8. Article 167 of the Constitution of Kuwait provides that the Office of the Public Prosecutor shall initiate public proceedings on behalf of the people and be responsible for the work of the judicial police, the application of criminal laws, the prosecution of offenders and the enforcement of sentences.

9. Under article 45 of the Constitution, all individuals may address the public authorities in writing, under their own signature. From this it follows that the Constitution grants all people the right to address the authorities, lodge complaints and submit reports.

10. Kuwaiti lawmakers believe that it is the right of all persons to litigate, and, in particular, to lodge an appeal in respect of any law, decree-law or regulation with the Constitutional Court if it is believed to violate the provisions of the Constitution. Accordingly, Act No. 109 (2014) amending certain provisions of Act No. 14 of 1973, by which the Constitutional Court was established, grants any natural or legal person the right to lodge an appeal directly with the Constitutional Court in an original proceeding.

11. Article 5 of Act No. 8 (2010) provides that the Government shall take all effective administrative measures and provide the necessary equipment to ensure that persons with disabilities enjoy their civil and political rights. The Government is obligated to have offices in all Government institutions and bodies that provide special services for persons with disabilities, including a sign language interpreter for the deaf and an assistant for the blind to ensure that they enjoy their rights on an equal basis with others.

12. With regard to the implementation of rulings handed down by the courts of Kuwait against authority, it should be noted that pursuant to article 58 bis of the Criminal Code (Act No. 9 of 1996), a civil servant who deliberately fails to implement judicial decisions that are enforceable within of 30 days after being informed thereof by a judicial officer shall be imprisoned and separated from employment. A civil servant who uses the power of position to stop the execution of a judgement shall be imprisoned and/or fined.

Specific rights (arts. 5 to 30)

Equality and non-discrimination

Response to paragraph 3 (a) of the list of issues

13. The general principle of opposition to racism is laid down in article 29 of the Constitution, which establishes the concepts of equality, non-discrimination and respect for the human dignity of all, provides that all persons are equal in respect of human dignity and all are equal before the law in respect of their public rights and obligations, regardless of sex, origin, language or religion.

14. Article 7 of the Constitution provides that justice, liberty and equality are the pillars of society, and mutual assistance and compassion are the firmest bonds between citizens.

15. The foregoing is reaffirmed by article 8 of the Constitution, which provides that the State shall safeguard the foundations of society and guarantee security, peace of mind and equal opportunities for its citizens.

16. The rights of persons with is something to which Kuwait devotes great attention. Accordingly, it promulgated Act No. 8 (2010) on the rights of persons with disabilities, and the amendments thereto.

17. It began the process of accession to the Convention with the adoption of Act No. 35 (2013), which was promulgated on 26 May 2013.

18. Instruments that Kuwait ratifies become an integral part of Kuwaiti national law and are incorporated in the corpus of domestic law from the date of their entry into force. All governmental bodies and institutions, as well as individuals, therefore have an obligation to comply with the provisions of the Convention, and the Kuwaiti judiciary is required to ensure that they are complied with and protected.

19. This legal obligation arises from article 70 of the Constitution of Kuwait, which provides that the Amir shall conclude treaties by decree and shall promptly transmit them to

the National Assembly, together with an appropriate statement. A treaty shall acquire force of law once it has been concluded, ratified and published in the Official Gazette.

20. Kuwaiti lawmakers have strived to ensure that national laws contain provisions that are aimed at strengthening and promoting human rights and fundamental freedoms. For example, Act No. 16 (1960) on the promulgation of the Criminal Code stresses the principle of equality in the relation to the application of its provisions. Article 11 of that Act provides that the Code shall apply to any person in Kuwait who commits any of the crimes set out in the Code.

21. As part of efforts to combat racism and religious hatred, Kuwait promulgated Decree-Law 19 (2012) concerning the protection of national unity. Article 1 of the Decree-Law prohibits calling for or inciting, by any means, hatred or contempt for any social group; provoking sectarian or tribal factionalism; disseminating ideologies that are based on the assumption that people of a particular race, group, skin colour, origin, religion, sex or lineage are superior to others; encouraging any act of violence to that end; and disseminating, propagating, printing, broadcasting, re-broadcasting or producing any printed matter or audiovisual material, or spreading or retransmission of false rumours that are likely to lead to any of the above.

Response to paragraph 3 (b) of the list of issues

22. Services provided by PADA to non-nationals and illegal residents:

- Disability identification card;
- Vehicle number plate;
- A referral letter to Bayt al-Zakat/Patient Benefits Fund for persons with moderate to severe disabilities;
- Recommendation to reduce working hours (if the mother is Kuwaiti);
- Educational fees (if the mother is Kuwaiti);
- Residential care in social care homes;
- Enrolment in vocational training workshops at the Vocational Training Department.

Response to paragraph 3 (c) of the list of issues

23. In respect of access to buildings, Ministerial Decree No. 206 (2009) on construction regulations includes a table of accessibility requirements and specifications. In addition, article 36 establishes penalties and fines for failure to adhere to those requirements. The fines imposed range from 300 to 1,000 Kuwaiti dinars.

Response to paragraph 3 (d) of the list of issues

24. The Authority, in cooperation with persons with disabilities, held a workshop on the appropriate use of language when addressing persons with disabilities. As a result of this workshop, an awareness-raising handbook entitled "Language is the Basis of Inclusion" was published. In addition, a press conference was held to discuss the use of language and many television discussions were held on the topic. Work is under way to develop a plan to change degrading language in all laws.

Women with disabilities (art. 6)

Response to paragraph 4 (a) of the list of issues

25. With regard to women with disabilities, both the Constitution of Kuwait and Islamic law promote equality between women and men. Article 29 of the Constitution provides that people are equal in human dignity and are equal before the law in respect of their public rights and obligations, without discrimination on grounds of sex, origin, language or religion.

Response to paragraph 4 (b) of the list of issues

26. Kuwait has constantly strived to ensure that integration of women into the labour market is part the Government's programme of work. To that end, the Government has created a special indicator for measuring women's participation in the labour market as one of its development priorities in relation to the regulation of the labour market.

Response to paragraph 4 (c) of the list of issues

27. Kuwait is concerned about all social groups, including women, and that is concern is reflected in the pillars of its development plan. The most important of those pillars are developing human capital and empowering women. In addition, Kuwait has strived assiduously to attain the Sustainable Development Goals that relate to promoting the role of women in society. It has also strived apply the principles of justice and equality, and to ensure that those goals are in harmony with the goals that relate to the empowerment of women in the five-year development plan, namely, caring for Kuwaiti women and developing their capacities.

Response to paragraph 4 (d) of the list of issues

28. Women are vital participants politics, the economy, social activities and sport. Women are members of the Cabinet, governmental and private bodies, and civil society organizations, attaining the highest ranks. In addition, women currently head civil society organizations that are concerned with the rights of persons with disabilities. It should be noted that a woman currently heads the Authority.

Children with disabilities (art. 7)**Response to paragraph 5 (a) of the list of issues**

29. Kuwait has promulgated Act No. 16 (2016) on protection of the rights of the child. The Act contains several provisions guaranteeing the protection and rehabilitation of disabled children, including:

- Article 19: A licence must be obtained from the Ministry of Education in order to establish a kindergarten. Such institutions are subject to the plans and programmes of the Ministry and its financial, administrative and technical supervision. Kindergarten building must conform to certain specifications, including some that pertain to persons with special needs (...).
- Article 20: Scientific methods must be used to organize the work of kindergartens and attain their goals, including:
 - Kindergartens must have equipment and teaching tools that are suited to the age group and its needs, including children with special needs.
 - In addition to regular teachers, kindergartens at which children with disabilities are enrolled must employ a teacher who specializes in disabilities.
- Article 24: Slots shall be made available for the dissemination of awareness-raising and guidance programmes in the media in order to highlight the rights of persons with disabilities and educate caregivers and society.
- Article 25: Institutions and facilities licensed by the Authority to provide children's rehabilitation services must be accredited by the Ministry of Education, the Ministry of Higher Education or the Public Authority for Applied Education and Training, as appropriate, and must comply with the applicable standards.
- Article 26: The priority shall be to educate children with disabilities and mainstream them into public schools. The Minister of Education shall take a decision setting forth procedures to regulate that process. The Ministry of Education shall establish schools or classes for children with disabilities who do not meet the conditions for mainstreaming in a manner that befits their abilities and aptitudes. Those bodies shall be known as special education schools or classes (...).

- Article 27: The establishment of special education schools and classes is intended to provide an appropriate form of education or training, along with appropriate psychological and social care, for pupils with disabilities who, according to reports by doctors, experts and teachers, and with the agreement of their guardians, are not deemed susceptible to mainstreaming into public education (...).
- Article 28: The Ministry of Education shall announce, by all available channels, which special education schools and classes take in children with disabilities, and under what conditions; which schools offer educational mainstreaming; and what are the benefits of such mainstreaming.
- Article 29: Guardians shall apply for enrolment in whichever school or class they wish the person with disabilities to join (...).
- Article 30: Special education school and classes shall refer all children who apply for enrolment to a specialized team that shall be established through cooperation among the Ministry of Health, the Ministry of Education and the Authority (...).
- Article 31: Children with disabilities shall be admitted to special education schools and classes, and shall be provisionally assigned to a classroom pending completion of the procedures and medical, intellectual, cognitive and psychological reports that are needed in order to make a final determination (...).
- Article 32: Specialized teachers at schools and classes for children who have visual, motor, intellectual or auditory disabilities or exhibit autistic behaviour shall conduct the necessary testing in order to ascertain each pupil's attainment levels and verbal skills. The results of those tests shall be kept in each pupil's file.
- Article 33: A technical assessment committee shall be established at each special education school and each school that has special education classes. The committee shall be chaired by the head teacher, and its member shall comprise a specialist doctor, a specialized social worker, an expert in special education, a representative of the teaching staff and representatives of the pupils' guardians appointed by the parents' council. The committee shall examine each case separately (...).
- Article 34: At any point in the school year, the assessments made at specialized schools or class may be reviewed with the knowledge of the aforementioned technical committee (...).
- Article 35: At the start of the academic year, special education pupils and classes shall re-take the aforementioned examinations and tests (...).
- Article 36: Conditions for the admittance of children with disabilities at special education schools and classes at all levels of education and in all courses specific to persons with disabilities shall be subject to the applicable decisions and regulations, in addition to the relevant decisions of the Minister of Education. The Ministry of Education shall continually assess specialized education schools and classes, and develop plans for their development.
- Article 37: Attendance at specialized education schools and classes of all types shall begin at the same time as public schools at every education level (...).
- Article 39: Children with multiple disabilities who, in the opinion of the assessment committee mentioned in article 34 of the present regulation, cannot be included in mainstream public education classes, shall be enrolled in a category of special education school appropriate for the type and degree of disability. The physical environment and teaching methods shall be adapted, as necessary and in consultation with expert opinion, in order to enable them to remain at those schools. The Ministry of Education may also establish specialized schools and classes in order to absorb those pupils.
- Article 40: the academic year shall end upon completion of examinations held either with a view to general certificates of special education or with a view to transfer (...).
- Article 42: All institutions and facilities involved in providing rehabilitation services for children with disabilities that are established or licensed by the Authority, and all

schools and classes established by the Ministry of Education for the purpose of teaching children with disabilities, shall provide a certificate, without charge or fee, to every child with a disability who has been habilitated or trained, or to the person responsible for the child (...).

- Article 43: a comprehensive plan shall be developed with a view to establishing children's libraries in every area and every location at the governorate level. The libraries shall house books of all types (...). In implementing the plan, the following points shall be addressed:
 - Premises shall be made available that are suitable for the establishment of a children's library.
 - The premises shall be equipped and furnished so as to enable their use, and the necessary resources shall be provided for the library's activities. For that purpose, recourse may be had to civil society organizations.
 - Every building housing a children's library shall meet the following conditions and specifications (...).
 - In any event, there must not for any reason whatsoever be any books or publications catering to children's lower instincts or glamorizing forms of behaviour contrary to exalted values or paramount principles, or that may encourage deviancy (...).
- Article 45: cinemas and similar public places are prohibited from showing to children any visual or audio recordings or theatrical productions, or from broadcasting any songs, that allude explicitly or implicitly to anything that runs counter to patriotism, the celebration of belonging to the nation, loyalty to its wise leadership, lofty humanitarian values, equality among all people, and respect for others (...).

Response to paragraph 5 (b) of the list of issues

30. There are no stateless persons in Kuwait; the official term is "illegal residents". Kuwait is renowned as a humanitarian nation, and no distinction is made between Kuwaiti and non-Kuwaiti children.

31. By virtue of Cabinet decision No. 409/2011, the Central Agency has taken responsibility for providing and sustaining humanitarian and social services and facilitation in all their aspects. In cooperation with all Government entities, the Central Agency provides numerous forms of facilitation, including the following:

(1) Free education: the Government is committed to providing a free education for all illegally resident children, whether in Government schools or special schools. The Charitable Fund for Education bears the education costs at every academic level. As of the 2018/2019 academic year, there are 58 illegally resident male and female pupils registered at specialized Government schools for persons with disabilities.

(2) Free treatment: in accordance with Ministerial Decree No. 86 (2011), illegal residents receive the same treatment as Kuwaitis with regard to costs and fees. Holders of insurance cards issued by the Central Agency and holders of health insurance cards are exempted from all fees.

(3) The issuance of official documents includes birth certificates, death certificates, deeds of marriage and divorce, powers of attorney, inheritance documents and bequests.

(4) Issuance of driving licences.

(5) Employment in the public and private sectors.

(6) Treatment of persons with disabilities.

(7) Food assistance: Food, including children's formula, is provided at nominal prices, as it is for Kuwaitis.

32. The services listed under issue 3(b) are also provided.

Awareness-raising (art. 8)

Response to paragraph 6 of the list of issues

33. The Authority and the Ministry of Information signed a cooperation protocol on 3 May 2016. Under the protocol, the Ministry of Information undertakes to organize media campaigns on its television and radio channels in order to ensure that persons with disabilities and their families are aware of their responsibilities and duties under Act No. 8 (2010). The media campaigns will be provided for free. The two parties will organize awareness-raising campaigns in all media in order to propagate a positive image of persons with disabilities and mainstream them into society on an equal footing.

34. The Group of Friends of Persons with Disabilities organization was established pursuant to article 68 by disability stakeholders. Its functions include organizing awareness-raising campaigns regarding the most significant violations affecting persons with disabilities, once those violations have been identified through studies.

35. The Public Authority for the Disabled has organized awareness-raising campaigns to mainstream persons with disabilities. The campaign is entitled “My abilities distinguish me”. It is intended to remove social obstacles facing persons with disabilities and, in particular:

- To encourage persons with disabilities to use their skills and invest in their abilities;
- To ensure that persons with disabilities enjoy the appropriate standing as an important human resource in society;
- To foster constructive dialogue concerning ways to better integrate Kuwaiti society and change perceptions of the potential of persons with disabilities.

36. On 30 July 2018, a campaign was launched entitled “My abilities distinguish me - what are yours?”.

Accessibility (art. 9)

Response to paragraph 7 (a) of the list of issues

37. The Authority has established a committee to review table 15 of Ministerial Decree No. 206 (2009) on construction regulations. Table 15 spells out requirements and specifications to facilitate mobility and usability for persons with disabilities in the interior and exterior of all constructions across Kuwait. A Kuwaiti Accessibility Code has been compiled as an alternative to table 15. The Authority is currently in the process of adopting the new Code.

38. A group of engineers has been trained on the Kuwaiti Code, how it can be applied to new projects, and how solutions can be found to make existing buildings accessible for persons with disabilities.

Response to paragraph 7 (b) of the list of issues

39. The Authority has published a national plan to make electronic content accessible. The purpose of the plan is to facilitate access to the internet and electronic content for persons with disabilities. Operational plans and actions to implement the plan are divided into two phases. The first consists of preparing the Authority and relevant agencies in the country by examining the universal standards, organizing training regarding their application, and making websites accessible. The second consists of application and follow-up.

Response to paragraph 7 (c) of the list of issues

40. The Public Authority for the Disabled has adopted a Kuwaiti code on facilitating accessibility in accordance with universal design in the internal and external environments of buildings. That code is being disseminated with the agreement of Kuwait Municipality.

The code is intended to put in place the necessary engineering standards to design and create an accessible environment for everyone, irrespective of age, capability or disability.

41. A working group has been established comprising several agencies in order to put in place the necessary laws and regulations to enact and apply the code, examine how to apply it to existing buildings, and train engineers at public and private entities in the area of disability and construction.

42. A mechanism has been established to evaluate buildings in the light of the accessibility code. Four buildings have been evaluated; a report of the observations has been compiled; and recommendations and appropriate solutions have been formulated for each building.

Response to paragraph 7 (c) of the list of issues

43. The Council of Ministers has asked the Authority, in coordination with the Minister of Public Works and the Minister of State for Municipal Affairs, to take the necessary steps and actions to put in place a strategy to apply the code to modern and existing buildings with a view to making them user-friendly. Buildings such as schools, hospitals and cultural and sports centres that were built after the adoption of Ministerial Decree No. 209 (2019) are accessible.

Situation of risk and humanitarian emergencies (art. 11)

Response to paragraph 8 of the list of issues

44. The Ministry of the Interior, acting through the Directorate-General of Civil Defence, has given considerable attention to the issue of persons with disabilities in situations of risk and emergency situations and the additional arrangements that such situations require. The following actions are being taken:

1. During operations to evacuate buildings in a situation of risk or an emergency situation, emphasis is placed on the role of civil defence teams, which identify and tackle those situations, and every resource is made available to facilitate a safe evacuation.

2. During public emergencies and early warning situations, alerts are disseminated to officials and their supervisors including methods to interact safely with persons with disabilities, the conditions that should be provided in safe places in order to afford the necessary protection.

3. In emergency situations and situations of risk, advice and recommendations are disseminated stating that persons with disabilities should leave their homes only when absolutely necessary. Coordination takes place with the emergency services across the country for that purpose.

4. In emergency situations and situations of risk, if a person or persons with disabilities are outside, they and their accompanying people and assistants are advised to repair to the closest shelter or refuge.

5. In order to ensure that the necessary protections are provided, the Ministry of the Interior holds continuous periodic training sessions for persons with disabilities, in cooperation with the competent agencies (namely the Ministry of Social Affairs and Labour and other Government bodies) to train and inform such persons and officials and their supervisors regarding appropriate procedures in emergency situations and situations of risk.

6. The Ministry of the Interior prints and publishes educational and guidance pamphlets that set out the following:

- Procedures for the use of emergency exits, which specify that persons with disabilities and certain other categories should have priority access to exits during emergencies.
- Measures for specific categories, such as persons with disabilities, to evacuate to safe places at a sufficient interval before the genuine threat occurs.

- When the warning siren is heard, one of the priorities is to assist sick persons and persons with disabilities.
- In emergency situations, no head of household may leave his family members, in particular persons with disabilities, those who are unable to move, children and elderly persons, on their own.

Equal recognition before the law (art. 12)

Response to paragraph 9 of the list of issues

45. With respect to the competence of persons with disabilities, the Civil Code of the State of Kuwait, promulgated by Act No. 67 (1980), includes a number of relevant provisions. Article 84 provides that every person has the legal capacity to conclude contracts, unless the law states that he or she is legally incompetent or of diminished capacity. Article 96, paragraph 1, provides that any person who has attained the age of majority is fully competent to carry out legal transactions.

46. Article 107, paragraph 1, of the Code provides that the court may appoint a legal assistant to help a person with a disability conduct his or her legal transactions when it deems such assistance to be in the person's best interest. That applies to persons who have a physical disability so severe that it is difficult for them to become acquainted with the terms of a contract or, in particular, if they are unable to express their wishes owing to the fact that they are deaf and dumb, blind and deaf or blind and dumb.

47. Article 109 provides that, if a person cannot, due to physical condition or illness, conclude a transaction even with judicial assistance, the court may permit the judicial assistant to conclude it unilaterally, on that person's behalf, if failure to conclude would threaten the person's interests.

Access to justice (art. 13)

Response to paragraph 10 of the list of issues

48. Access to justice in Kuwait is guaranteed to all. Article 166 of the Constitution provides that the right to litigation is guaranteed to all in the State of Kuwait and that the law shall determine the procedure and conditions necessary for the exercise of this right. There can be no doubt that this article applies to persons with disabilities, with the exception of persons with mental disabilities, on whose behalf an agent is appointed to act before the courts when such a person is acting as a witness, juror, plaintiff, defendant or in any other capacity.

49. Article 5 of Act No. 8 (2010) provides that the Government shall take all effective administrative measures and provide the necessary facilities to ensure that persons with disabilities enjoy their civil and political rights. The Government is obligated to make offices available to provide special services for persons with disabilities in all Government institutions and bodies, including a sign language interpreter for the deaf and someone to assist the blind to ensure that they enjoy their rights on an equal basis with others. The State of Kuwait has also made sure to train staff to work with persons with disabilities and look after their interests in all ministries.

50. The Ministry of Justice has taken a number of measures to facilitate access to justice for persons with disabilities. That includes measures to facilitate access by persons with disabilities to all court buildings and all the services provided therein.

Liberty and security of person (art. 14)

Response to paragraph 11 of the list of issues

51. The Public Authority for the Disabled shall designate the Friends of Persons with Disabilities organization as the entity charged with applying the provisions of this law and the decisions issued in implementation thereof, whether through its own staff or outside personnel. The Authority shall issue a decision specifying the competences and legal

enforcement authority they shall have under the Act. In implementation of the provisions of that article, the Authority has formed the Friends of Persons with Disabilities Committee to monitor violations of the rights of disabled persons, address their issues, and prepare and publish professional and objective periodic reports detailing patterns of violations, those responsible, and the parties responsible for the rights of persons with disabilities. It is to supply the Authority with reports that meet the highest professional standards, provide the widest coverage, and address the real problems of society. The Committee shall also create a database on the violations it monitors to help document violations and provide comprehensive information about patterns, victims and perpetrators. It shall analyse violations with a view to determining the causes and finding ways for the Government to address them.

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

Response to paragraph 12 of the list of issues

52. Kuwait ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by Act No. (1996). Treaties ratified by Kuwait become an integral part of national legislation and are incorporated into the country's legal system. As a consequence, all Government institutions, as well as individuals, are bound to abide by their provisions and the judiciary is under the obligation to ensure that those provisions are duly respected.

53. The Constitution guarantees that human freedom may not be restricted unlawfully. In order to combat torture and inhuman or degrading treatment, articles 31, 32, 33 and 34 of the Constitution all affirm that the State of Kuwait rejects and opposes all such abuses. The principle of *nulla poena sine lege* applies. Suspects are presumed innocent until proven guilty. The principle that punishment is personal is affirmed. Those articles read as follows:

- Article 31: No person may be arrested, detained, searched, compelled to reside in a specified place, or subjected to restrictions on his or her freedom of residence or movement except in accordance with the law. No person may be subjected to torture or degrading treatment.
- Article 32: No crime or penalty can be established except under the law; a penalty may be imposed only for offences under a law in force.
- Article 33: Penalties are to be imposed on the individual.
- Article 34: Accused persons must be presumed innocent until proven guilty in a legal trial at which guarantees for the exercise of the right to defence are afforded. Physical or mental torture of the accused is prohibited.

54. The Constitution also provides for penalties. There are a number of general provisions that prohibit and criminalize the following acts: murder, injury, battery, torture and endangerment. That is evident from articles 149–173 of the Criminal Code (No. 16 (1960)).

55. Article 70 of the Criminal Code (No. 16 (1960)) provides that when sentencing public officials for using bribery or torture to extract a confession from an accused person, judges shall ... dismiss them from office for a period specified in the sentence, which shall be no less than one year and no more than five years.

56. Article 53 of the Criminal Code (Act No. 31 (1970)) states that any public official or employee who, either directly or through another, tortures an accused person, witness or expert to force them to confess to an offence, or to make statements or provide information in that regard, shall be liable to imprisonment (...). If torture results in death, the punishment shall be that for premeditated murder (...).

57. Similarly, article 56 of the Code provides that a public official, employee or person charged with public service who exploits his position by using force against others in such a way as to violate their honour or cause physical suffering shall be sentenced to a term of imprisonment.

58. Articles 160–166 of the Kuwaiti Criminal Code criminalize any act of physical harm.

59. In keeping with Kuwaiti legislation’s efforts to protect persons with disabilities against all forms of neglect and exploitation, Act No. 8 (2010) includes special, punitive provisions. Article 61 of that Act provides that without prejudice to any more severe penalty prescribed by another law, any person who is charged with the care of a person with disabilities, whatever the origin of that obligation, and is negligent in carrying out his or her duties towards that person or in doing what is necessary to for those duties to be carried out, or fails to carry out his or her obligations, shall be penalized by imprisonment for a term not exceeding one year and a fine not exceeding 1,000 Kuwaiti dinars, or one of these two penalties. If such neglect results in harm to the person with a disability, the penalty shall be imprisonment for a term not exceeding three years and a fine not exceeding 3,000 Kuwaiti dinars, or one of these two penalties. If it results in the death of the person with a disability, the penalty shall be imprisonment for a term not exceeding five years and a fine not exceeding 5,000 dinars, or one of these two penalties. If the offence is repeated within three years from the date of the final judgment, the penalty shall be doubled.

60. Article 9 of Act No. 67 (2015) concerning the establishment of a National Human Rights Bureau provides for the creation of standing committees within the governing council, each headed by a council member. They include a committee on civil and political rights; a committee on family rights; a committee against torture, racial discrimination and human trafficking; and a committee for complaints and grievances. Those committees shall operate as independent mechanisms.

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

Response to paragraph 13 (a) of the list of issues

61. Act No. 8 (2010) on the rights of persons with disabilities contains a number of provisions to prevent exploitation, violence and abuse of persons with disabilities. They include the following:

- Article 16: The Authority shall determine the measures necessary to guarantee that all forms of abuse of persons with disabilities are prevented.
- Articles 61 and 68, which have been cited above.

Response to paragraph 13 (b) of the list of issues

62. Ongoing care is provided in all public and private hospitals with priority given to providing services for persons with disabilities. Where there is evidence of abuse, violence, or ill-treatment, the case is referred to the hospital’s social services office for review. If there are grounds for any suspicion, the case is referred to the Ministry of the Interior for investigation.

63. There is also an office for protection of the rights of the child and a higher committee for the protection of children of the Ministry of Health, created by Ministerial Decree 1116 (2013) to implement all provisions relating to safeguarding the rights of the child, which includes those relating to children with disabilities.

Response to paragraph 13 (c) of the list of issues

64. There is insufficient training provided to persons with disabilities, their family members and caregivers, and workers in recognizing all forms of exploitation, violence and abuse. However, the Authority has begun providing special courses to raise awareness of rights of persons with disabilities as set forth in Act No. 8 (2010) and the International Convention.

Response to paragraph 13 (d) of the list of issues

65. Kuwait has begun registering cases with the child protection office (see table in response to 13 (e)), and will develop systems and mechanisms to record other data and information on the rights of persons with disabilities for various age groups.

Response to paragraph 13 (e) of the list of issues

66. The following table shows statistics on cases at the office of child protection:

<i>Hospital</i>	<i>Gender</i>		<i>Nationality</i>	<i>Type of disability</i>	<i>Type of violation</i>
	<i>Female</i>	<i>Male</i>			
Adan		2	Kuwaiti		Negligence
		1			Physical
Mubarak	1	1	Kuwaiti	Physical	Physical neglect, ill-treatment
	1	1		Mental	Physical abuse, ill-treatment, sexual abuse
Jahra		1	Kuwaiti	Mild mental	Sexual abuse
Farwaniyah	1	2	Kuwaiti	Autism spectrum	Neglect, physical abuse, suspected sexual abuse
		2		Motor	Neglect, physical abuse
	1	5		Quadriplegia	Neglect, medical neglect, physical neglect, Munchausen syndrome
		1		Quadriplegia, mental	Medical neglect
		3		Down syndrome	Physical abuse
	1	5		Mental	Physical abuse, sexual abuse
Amiri	2		Kuwaiti		Neglect, sexual abuse
Sabah		2	Kuwaiti	Motor	Neglect
		2	Kuwaiti/ non-Kuwaiti	Attention Deficit Hyperactivity Disorder	Physical abuse, sexual

Protecting the integrity of the person (art. 17)**Response to paragraph 14 of the list of issues**

67. The law in the State of Kuwait, internal regulations of the Ministry of Health, and implementing decisions and regulations prohibit, criminalize and do not permit forced sterilization and forced abortion for women and girls with disabilities. Social service offices work with any women enrolled for services who might have been subjected to abuse, and provide full support. If necessary, the matter is referred to the police for investigation and the necessary measures to be taken if there is suspicion of threat or harm to the patient.

Liberty of movement and nationality (art. 18)**Response to paragraph 15 of the list of issues**

68. The issue of nationality is a sovereign matter that is subject to numerous considerations in accordance with what has been established by international law. It must be assessed by each State as it sees fit. The grounds for the reservation continue to be valid. As a general matter, the Kuwaiti Nationality Act is subject to periodic review in the light of evolving circumstances.

Living independently and being included in the community (art. 19)**Response to paragraph 16 (a) of the list of issues**

69. Institutions that house persons with disabilities in Kuwait are reserved for cases in need and persons who have demonstrated that they are unable to take care of themselves. There are only two such institutions. Such cases involve persons with severe disabilities who do not have anyone to look after them. Persons with a disability have the full right to choose their place of residence. The Act on the rights of persons with disabilities guarantees such persons financial and residential benefits to enable them to live independently.

Response to paragraph 16 (b) of the list of issues

70. Kuwait is currently studying the option of replacing institutions with alternative solutions, especially for those in need of constant care whose health conditions do not allow for independent living.

Response to paragraph 16 (c) of the list of issues

71. Act No. 8 (2010) contains provisions on enabling persons with disabilities to live independently. They include the following:

- Article 32: Persons with disabilities and their families who meet the conditions for housing benefits are eligible for a grant of 10,000 dinars, over and above the residential loan to which persons without disabilities are entitled. The residence must be built in accordance with certain specifications, that is to say, in accordance with conditions and guidelines set forth in the decision issued by the Authority in conjunction with the savings and loan bank. Persons with mild disabilities or their families also receive a 5,000 dinar grant (...).
- Article 33: A family containing a person with a disability is entitled to a real estate loan from the savings and loan bank. Article 30 of Act No. 47 (1993) concerning housing benefits does not apply unless the value of the real estate exceeds the value provided for in that article by more than 50 per cent.
- Article 34 provides that persons with disabilities or their families who meet the conditions for housing benefits based on the report of the technical committee shall be granted precedence for up to five years of the housing benefit based on the type and severity of the disability.

Response to paragraph 16 (d) of the list of issues

72. Under Kuwaiti law, women have the right to a housing benefit in the following cases:

- Article 35 of Act No. 8 (2010) provides that Kuwaiti women married to non-Kuwaiti men who are caring for a child or spouse with a severe disability shall be granted housing with specific facilities available.
- The Act on housing benefits for divorced women and widows grants a loan of 70,000 Kuwait dinars for the provision of suitable housing (building an addition or the purchase of a house or apartment). If the purpose is to enhance the functionality of an existing dwelling, the loan cannot be over 30,000 dinars for a private residential house or over 25,000 dinars for Government housing with a rental stipend or residential loans.

Personal mobility (art. 20)**Response to paragraph 17 of the list of issues**

73. The State of Kuwait has tried to provide a fully developed legislative umbrella in support of the rights of persons with disabilities. Act No. 8 (2010) focuses on facilitated access and universal design. The State of Kuwait has a network of roads that facilitates access to all residential areas in Kuwait. The Government is also working to supply persons

with disabilities with assistive devices such as wheelchairs and medical hearing aids free of charge. In addition, it exempts rehabilitative and prosthetic devices and personal mobility vehicles from duties and taxes. It should be noted that all regions in the State of Kuwait are urbanized, and services are available to all inhabitants.

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

Response to paragraph 18 (a) of the list of issues

74. The Authority has set forth a national framework to make electronic content accessible in the State of Kuwait, based on the concept of universal design and the most up-to-date international standards. It is characterized by inclusiveness and ensures a comprehensive national framework. It consists of four chapters: policies, standards, procedures and a guide. Several Government agencies are working to make their websites more accessible.

Response to paragraph 18 (b) of the list of issues

75. Several Government agencies are conducting training and awareness courses on sign language for a number of staff, with a view to facilitating transactions and procedures for persons with hearing disabilities. The Ministry of Interior disseminates bulletins with a sign language interpreter.

76. Bound by article 23 of Act No. 8 (2010), the Ministry of Information has acted to provide sign language interpretation on the official television channels for its news and cultural programmes, and the live transmission of sessions of the National Assembly and conferences.

Respect for privacy (art. 22)

Response to paragraph 20 of the list of issues

77. The Authority formed the Group of Friends of Persons with Disabilities to monitor violations of the rights of persons with disabilities, ensure that they receive the necessary protection, raise social awareness of the rights that preserve their humanity and dignity, and prevent abuse. The Group presents proposals for improving the living conditions of persons with disabilities, verifies compliance on the part of those charged with their care, and monitors violations. There have been around 50 complaints per year.

78. With regard to implementation of article 59, the Authority has referred some 88 fraud complaints to the Public Prosecutor for legal action.

79. The Authority archives all data on persons with disabilities. It applies security and confidentiality systems to preserve the privacy of personal data. Certain authorities are given to Authority staff commensurate with the tasks they perform in their administrative units.

Respect for home and the family (art. 23)

Response to paragraph 21 of the list of issues

80. The general principle of opposition to racism is laid down in article 29 of the Constitution, which establishes the concepts of equality, non-discrimination and respect for the human dignity of all, provides that all persons are equal in respect of human dignity and all are equal before the law in respect of their public rights and obligations, regardless of sex, origin, language or religion.

81. In its explanation of article 29, the explanatory memorandum for the Constitution of the State of Kuwait notes that the article provides for the general principle of equality of rights and duties. It specifies the most important applications of that principle when it states that rights and duties apply regardless of sex, origin, language or religion. It was deemed preferable for the article not to include the expression "colour or wealth", even though it appears in the Universal Declaration of Human Rights, since there is not even the slightest

suspicion of racial discrimination in the country and the wording of the article is, in itself, sufficient to dispel any such suspicion. In any case, the idea of distinguishing between people on grounds of wealth is alien to Kuwaiti society and, consequently, there is no need to make specific mention of this.

82. Article 7 of the Constitution provides that justice, liberty and equality are the pillars of society, and mutual assistance and compassion are the firmest bonds between citizens.

83. The foregoing is reaffirmed by article 8 of the Constitution, which provides that the State shall safeguard the foundations of society and guarantee security, peace of mind and equal opportunities for its citizens.

84. Accordingly, article 24 of Act No. 51 (1984) concerning personal status provides as follows: (a) In order to be eligible for marriage, a person must have attained the age of majority and must be of sound mind. (b) A judge may authorize the marriage of a person with a mental illness or dysfunction, whether male or female, if a medical report shows that marriage will be conducive to that person's recovery, and the other is accepting of the person's condition.

85. As regards measures taken to prevent early marriage, early marriage is when either one or both of the spouses has not reached the minimum age for marriage as per the customs of society. One of the steps taken to prevent early marriage is the requirement to undergo a premarital medical check in accordance with Act No. 31 (2008) concerning medical tests for persons wishing to marry in Kuwait.

86. Kuwaiti legislation does not prohibit the marriage of persons with disabilities as long as both parties consent to the marriage contract and the conditions of being of sound mind and having reached the age of majority are met.

87. Article 3 of Act No. 21 (2015) on children provides for protection against any form of discrimination by reason of the child's place of birth, parentage, gender, religion, origin, disability or other status, and guarantee of effective equality among children in regard to the enjoyment of all their rights. Chapter VI of that Act deals with the protection and rehabilitation of children with disabilities as follows:

- Article 57: The provisions of Act No. 8 (2010) on the rights of persons with disabilities shall be applicable to any matter regarding which there is no applicable provision in this chapter.
- Article 58: The State guarantees the protections of children from disability and from any action that might damage their health or physical, intellectual, spiritual or social development. The State shall take the necessary measures to ensure early detection of disability and to train and employ persons with disabilities when they reach working age (...).
- Article 59: Children with disabilities have the right to enjoy special social, health and psychological care to increase self-reliance and facilitate integration and participation in society. Children with disabilities have the right to receive education, training and vocational training in the same schools, institutes (...).
- Article 60: A child with a disability shall have the right to rehabilitation, meaning the social, psychological, physiotherapeutic, educational and vocational services (...).
- Article 61: The Public Authority for the Disabled shall establish the institutions and facilities needed to rehabilitate children with disabilities. The Authority shall issue licences for the construction of these institutions and facilities under the terms and conditions set out in the implementing regulation (...).
- Article 62: The bodies referred to in the previous article shall, without charge or fee, award a certificate to each child with a disability who has undergone training. The certificate shall, inter alia, state (...).
- Article 63: The training bodies shall advise the Civil Service Bureau, non-governmental sector and oil sector to the effect that children with disabilities have been trained. The Bureau shall enter the names of the children who have been

trained in a special register. The child with the disability or person acting on his/her behalf shall receive confirmation of the entry free of charge. The Bureau undertakes to help those who are registered as having a disability to find work appropriate to their age and abilities and near to where they live. The employer must provide the Authority with a monthly report on children with disabilities in his employ.

- Article 64: The Director General of the Authority, the Civil Service Bureau and the non-governmental and oil sectors shall issue a decision determining the particular jobs in the administrative apparatus of the State and public authorities, organizations and corporations wholly owned by the State (...).

Education (art. 24)

Response to paragraph 21 (a) of the list of issues

88. The Government is committed to educating all illegally resident children without cost, whether in Government schools or special schools. The Charitable Fund for Education bears the education costs at every academic level. As of the 2018/2019 academic year, there are 58 illegally resident male and female pupils registered at specialized Government schools for persons with disabilities.

89. The Constitution of Kuwait also contains articles on education, as follows:

- Article 10: The State shall foster the younger generation (...).
- Article 13: Education is a cornerstone for the advancement of society; the State shall guarantee and nurture it.
- Article 40: Education is a right of Kuwaitis guaranteed by the State.

90. Act No. 11 (1965) on compulsory education, as amended by Act No. 25 of 2014 provides as follows:

- Article 1: Education shall be compulsory and free of charge for all male and female Kuwaiti children from the beginning of the primary to the end of the intermediate stage. The State shall have an obligation to provide the school buildings, books, teachers (...).
- Article 12: The prescribed period of study for compulsory education shall extend from the beginning of the primary stage to the end of the intermediate stage.

91. In accordance with provisions of the Constitution, the Ministry of Education provides care to young people without discrimination. It takes measures to guarantee all expenses to ensure that education is free of charge. That includes registration, books and all the needs of students. After Act No. 8 (2010) on persons with disabilities was issued, the State required all institutions to take measures to provide complete coverage to that group. Article 4 regarding education provides as follows: Taking their special needs into account and making the necessary accommodation, the Government shall deliver well-organized, integrated and uninterrupted services for persons with disabilities on an equal basis with others (...).

92. The Ministry of Education has taken a number of actions and measures to ensure that all students with disabilities, both Kuwaiti and non-Kuwaiti, receive a comprehensive education. They include the following:

- Slow learners are integrated into general education schools at the primary and intermediate stages.
- Special schools are designated for students with disabilities in order to respond to all their needs with respect to school buildings, curricula, textbooks, educational and administrative structure, clinics and health programmes in coordination with the Ministry of Health.
- There are some 25 specialized schools serving some 1,500 students with disabilities.

- Curricula are prepared for all categories commensurate with their capabilities, so as to enhance their academic achievement, develop their capacities and prepare them for their academic, social and professional integration into society.
- Non-Kuwaiti students covered under Ministerial Decree 504 (2010) are accepted into Government schools.
- The special education department of the Charitable Fund follows up on people with financial troubles. The Ministry of Education has allocated some 6,500,000 Kuwaiti dinars for the 2016/2017 school year to ensure that education is free of charge. The guardian can submit a file for each child that contains the particulars, the name of the school and the grade and educational stage.
- In December 2018, an agreement was signed between the Ministry of Education and the Zakat House (community foundation) to support the Charitable Fund for Education with an allocation of 750,000 Kuwaiti dinars for illegal residents.

93. It should also be noted that Kuwait University is introducing a plan to enrol students with disabilities each year as part of its planned foreign missions.

94. Some 22 men and women students with disabilities who met conditions were accepted to foreign missions for the 2018–2019 academic year. The total number of students with disabilities sent abroad is 96 male and female students. The number of students with disabilities registered at Kuwait University for the 2018–2019 year is 297.

Response to paragraph 21 (b) of the list of issues

95. The right to education is enshrined in article 40 of the Constitution, according to which it is a right of Kuwaitis guaranteed by the State under the law and within the limits of public order and decency. Education is compulsory and free of charge at the primary level.

96. Under article 59 of Act No. 21 (2015) concerning the rights of the child, children with disabilities have the right to education, training and vocational instruction in the same schools, institutes and training centres attended by children without disabilities. The importance of inclusion, even in exceptional cases, is underscored in article 59, under which the State is obliged, including in such cases, to guarantee the availability of education and training in classes, schools, institutions or special training centres.

97. On the basis of article 24 of the Convention on the Rights of Persons with Disabilities and General Comment No. 4 (2016), drafted by the United Nations to provide guidance to Governments on their obligations in the area of inclusive education, the Authority has developed a three-year road map on the subject, which it is proposed to implement in cooperation with all the relevant education stakeholders.

98. The Ministry of Education provides annual training sessions for its staff through a department set up especially to run countrywide education support programmes. The department has conducted specialized training courses for psychosocial specialists and school principals.

99. A key step in improving the qualifications of specialized staff in the area of disability was the renewal in April 2019 of a memorandum of understanding between the Arab Centre for Education Research and the Ministry of Education on training in how to include students with disabilities in mainstream education, a teacher training programme and other courses on behavioural difficulties and the treatment of autism. In special education schools, internal training courses, lectures and workshops to upgrade staff skills in school management are conducted periodically.

Response to paragraph 21 (c) of the list of issues

100. The following table provides a statistical overview of the number of schools and the number of students taught in the three academic years from 2015 to 2018:

<i>Name of school</i>	<i>Number of schools</i>	<i>2015/16</i>	<i>2016/17</i>	<i>2017/18</i>
Al-Raja (motor impaired)	6	483	480	473
Al-Noor (visually impaired)	4	130	131	128
Al-Amal (hearing and speech impaired)	3	128	132	118
Intellectual Education (mentally impaired)	2	343	362	318
Intellectual Education and Rehabilitation	2	574	605	618
Al-Wafa (Down Syndrome)	6	49	55	52
Autistic Behaviour	1	22	35	32
Al-Ata Kindergarten (cognitive, auditory and visual)	1	11	15	6

Health (art. 25)

Response to paragraph 22 (a) of the list of issues

101. Under Ministerial Decree No. 8 (2019), a committee was established to review Ministry of Health services available to persons with disabilities pursuant to the provisions of Act No. 8 (2010). Services tailored specifically to the needs of such persons and, more generally, those available to all persons suffering from illness were identified, as was the need to give persons with disabilities priority across the gamut of services, whether preventive, diagnostic, in terms of treatment or for rehabilitation.

Response to paragraph 22 (b) of the list of issues

102. Women receive comprehensive medical examinations during pregnancy to prevent any risk of the child being affected by disability and thereby ensure that, from the outset, children, and society as a whole, are protected against any risk or injury that might lead to disability.

103. There is a broad range of health-care services:

- Comprehensive medical examinations, as exemplified by prevention services such as diabetes and immunization clinics, which are provided as part of the system of primary health care to protect people and society from the incidence of all types of disability.
- Specialist ear, nose and throat and audiology and speech pathology clinics for the detection and treatment of hearing impairment.
- Specialist orthopaedic clinics dealing with motor impairments.
- Designated parking spaces for persons with disabilities at all Ministry departments.
- Priority lanes in hospitals to facilitate the entry of adapted vehicles for persons with disabilities and their timely access to services.
- Reserved seating for persons with disabilities in all centres and hospitals associated with the Ministry.
- Availability of special wheelchairs for persons with disabilities.
- Five specialist physiotherapy clinics providing the rehabilitative care needed to treat motor impairments, in addition to the service available in all hospitals.
- Priority provision of services to persons with disabilities in all health-care centres and hospitals.
- Posters displayed in all Ministry departments with details of institutions of interest to persons with disabilities.
- Assistants for persons with disabilities at all Ministry departments.
- Hospitals equipped to meet the physiotherapy and rehabilitation needs of persons with disabilities and provide them with the necessary health-care and advice.

- Psychiatric hospital providing all relevant services to persons with disabilities in terms of counselling, rehabilitation and psychotherapy.
- Prescription of prosthetic devices to persons with disabilities appropriate to each case.
- All recently established hospitals and medical centres are equipped to meet the needs of persons with disabilities in line with the latest relevant universal standards.

Response to paragraph 22 (c) of the list of issues

104. There are admittedly shortcomings in the training of all health professionals but efforts are ongoing to do everything possible with regard to training.

Response to paragraph 22 (d) of the list of issues

105. Nothing stands in the way of girls and women with disabilities obtaining access to the full range of health-care programmes, including sexual and reproductive health services. Indeed, they are given priority access to those services and priority with regard to appointments, admissions and treatment, as well as for diagnostic services and operations.

Work and employment (art. 27)**Response to paragraph 23 (a) of the list of issues**

106. In February 2018, the Public Authority for Manpower, together with the Public Authority for the Disabled, the manpower restructuring programme and Government executive bodies, organized an event at a shopping centre to make people with disabilities aware of job opportunities available to them in the private sector and to encourage them to enter the labour market.

107. Act No. 8 (2010) concerning the rights of persons with disabilities regulates the employment of persons with disabilities. Under article 14, no less than 4 per cent of Kuwaiti national staff of government, private sector and oil industry entities employing at least 50 Kuwaiti nationals must be professionally qualified persons with disabilities. Moreover, article 14 stipulates, in keeping with the principle of equality of opportunity, that governmental and non-governmental organizations shall not be able to refuse to hire applicants with disabilities where they have the same capabilities and qualifications as those without.

108. It has been found that none of the 77 companies employing 50 or more Kuwaiti nationals are in compliance with the recruitment quota of persons with disabilities set forth in article 14. Those companies have been informed of their obligation to hire the legally required quota. Six companies have expressed their willingness to do so and have provided information on the specialist profiles in demand that might be filled by persons with disabilities.

109. The Public Authority for the Disabled has been provided with information on specialist profiles that could be filled by persons with disabilities registered with it so that it might publicize them through the available means. The Public Authority for Manpower will continue to coordinate with the Public Authority for the Disabled and all other stakeholders to ensure that such persons are aware of employment options available to them in the private sector and to encourage them to enter the job market. They will also take measures with regard to companies that are not committed to implementing the quota defined by law.

110. The Public Authority for the Disabled, convinced of the importance of making the most of their abilities in the labour market, has implemented a number of strategies for their employment. It is also of the view that the full utilization of those human resources can boost comprehensive development and that the productive participation of persons with disabilities can improve the well-being of the individual and contribute to national output.

111. The Authority has conducted a campaign entitled “Partners for their employment” for the training and employment of persons with disabilities in the private sector. As part of

that campaign, a Kuwaiti bank has helped to train a group of persons with disabilities to work in its service and call centres.

Response to paragraph 23 (b) of the list of issues

112. Kuwait has taken a full range of measures to ensure equality in the workplace. The basis for such measures is article 29 of the Constitution, which states: “All persons have equal human dignity and the same public rights and duties before the law, without discrimination on the grounds of gender, origin, language or religion.” Article 41 of the Constitution states: “All Kuwaitis have the right to work and to choose the nature of that work.”

113. On that basis, a range of legislation upholding the right to work has been enacted, including Act No. 6 (2010) on private sector employment, of which articles 6 and 46 provide for the following:

- Article 6: Without prejudice to any more advantageous workers’ rights or benefits that may be enshrined in individual collective contracts or in special regimes or regulations applied by employers, or in line with professional or general custom, the provisions of this Act shall constitute the basic rights of workers.
- Article 46: It is prohibited to terminate the services of a worker without justification, or on grounds of trade-union activity or because the worker claims or enjoys his or her legitimate rights as stipulated by law. It is likewise prohibited to terminate the services of a worker on grounds of race, origin or religion.

114. Thus, all forms of discrimination are addressed and prohibited under the law.

115. The Group of Friends of Persons with Disabilities monitors violations of the rights of persons with disabilities at work and produces a report on the protections they need to prevent their exploitation in the workplace. It also makes proposals on how to improve their situation, ensures that government and private sector entities and the oil industry comply fully with their obligation to employ a quota of persons with disabilities, and takes legal action in cases of unreasoned refusal to do so. Members of the group have been granted law enforcement powers to record any irregularities and report them to the investigations department.

Response to paragraph 23 (c) of the list of issues

116. As a rule, employees in Kuwait return home to their families at the end of the working day, owing to the fact that Kuwait is a relatively small country and travel time between the workplace and home is no more than half an hour.

Response to paragraph 23 (d) of the list of issues

117. Number of staff: 4,827 Kuwaitis and 545 non-Kuwaitis.

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

Response to paragraph 24 (a) of the list of issues

118. The Central Statistical Bureau, in cooperation with regional and international organizations, is compiling disability-related statistics as part of its efforts to develop databases for the 2030 Sustainable Development Goals. In that regard, it should be pointed out that no one in Kuwait, and especially not illegal residents, is living on the poverty line. The State, through the Central Agency for Remediating Illegal Residence Status, provides anyone who can produce on demand an identity card issued by the Agency with the full range of facilities and benefits. Moreover, government charities, such as Zakat House and the Patients Helping Fund, and many private charities, are working with the Agency to provide material and in-kind assistance in the form of one-off allocations and monthly stipends.

The table below sets out assistance provided by government and private charities in 2018:

<i>Name of charity</i>	<i>Number of beneficiaries</i>
Zakat House	16,311,522 dinars
Social Reform Society	1,058,810 dinars
Al-Najat Charity	2,405,178 dinars
Social Heritage Revival Society	1,006,630 dinars
Patient Helping Fund	279,035 dinars
Basha'ir al-Khayr Society	20,501 dinars
Solidarity Association for the Care of Prisoners	91,839 dinars
Kuwaiti Food Bank	81,000 dinars in monthly assistance 125,000 dinars in annual assistance
Kuwaiti Red Crescent Society	110,145.50 dinars

Response to paragraph 24 (b) of the list of issues

119. Kuwaitis with moderate to severe disabilities are provided with the prosthetic devices they require free of charge where deemed necessary by the competent technical committee and under the following conditions:

- The Authority's competent technical committee determines that the type and degree of moderate or severe disability requires the provision of a prosthetic device.
- The specifications and dimensions of the medical device required by the person with the disability and any accessories are set forth in a certified medical report issued by the competent technical committee of the Authority.
- The person with the disability is not in receipt of similar support from other government bodies.
- The device is brokered and purchased exclusively through the Authority in accordance with the relevant legislation and decisions and in line with the specifications set forth in the report of the competent technical committee.
- New wheelchairs should be provided every three years to persons with disabilities under the age of 16 years and every two years to those over 16 years of age.
- New hearing aids should be provided every three years to persons with disabilities above the age of 16 years and every two years to those under 16 years of age.

Response to paragraph 25 of the list of issues

120. Kuwait views persons with disabilities as a high priority. That is illustrated by the legislation, benefits and facilities put in place for that group, in addition to the efforts made by the State through Government charities such as Zakat House and the Patients Helping Fund. The latter provides material and medical assistance, including contact lenses, glasses, hearing aids, artificial limbs, wheelchairs and crutches. Private charities also provide a great deal of material and in-kind assistance.

Participation in political and public life (art. 29)

Response to paragraph 26 of the list of issues

121. It is our view that legislation, in particular the Electoral Act (No. 35) of 1962, as amended, does not prevent persons with disabilities from exercising their right to vote on the same footing as their peers. As stipulated by article 32 of the Act, voting in Kuwait is carried out by secret ballot, and that applies equally to persons with disabilities.

122. Persons with disabilities have the right to vote in privacy and with total freedom. Where they encounter difficulties in voting owing to their particular circumstances or

because they need assistance, it is the duty of the judge overseeing the elections to facilitate proceedings in such a way as to guarantee their right to vote.

123. The Authority has drafted a bill to amend the Electoral Act with regard to the election of members of the National Assembly. In a letter dated 5 May 2019, it requested input from the Ministry of the Interior on the bill prior to submitting it to the Office of Legal Advice and taking the remaining steps required to complete the process. The bill consists of the following elements:

1. Article 34 shall be replaced as follows: “Each voter shall receive a ballot paper from the electoral officer. The voter shall proceed to cast his or her vote in one of the assigned locations in the polling station. Having done so, he or she shall return the ballot paper to the electoral officer, who shall place it in the ballot box. The registry clerk shall then mark the voter’s name on the list of voters.”
2. Two new articles shall be inserted in the Act, article 34 bis and article 34 bis (a), which shall be worded as follows:
 - Article 34 bis: “Polling stations shall be adapted in a suitably user-friendly fashion so as to enable voters with disabilities to exercise their right to vote. That shall be done in accordance with the conditions and stipulations set forth in a decision by the Minister of the Interior, which shall take into account the views of Kuwait Municipality and the Authority. Voters with disabilities shall exercise their right to vote in conditions that respect the personal and secret nature of the ballot and take into account the needs imposed by the disability. All persons with disabilities holding a valid disability identity card shall be entitled to benefit from such special procedures.”
 - Article 34 bis (a): “On election day, voters with disabilities may designate a person of their own choice to accompany them, provided that the person is a husband, wife, ascendant or descendant.

124. In the absence of such a person, the electoral officer shall direct a voter present at the polling station to meet the request of the person with disabilities for assistance in voting. Mention shall be made of such cases on the list of voters.

125. The accompanying person or voter directed by the electoral officer to help may assist only one voter with a disability.

126. The accompanying person or voter directed by the electoral officer to help shall not attempt to influence the decision of the voter with a disability.

127. That person shall be limited to helping the voter to complete those procedures that the voter would otherwise have difficulty carrying out alone.”

128. On the basis of input from the Authority, the Minister of the Interior shall issue a decree identifying the types and degrees of disability that require the designation of an accompanying person or voter present at the polling station”.

129. Act No. 8 (2010) specifically defines the rights, including civil and political rights, enjoyed by persons with disabilities. With a view to its implementation, the Ministry issued Circular No. 115 (2014) on the rights of persons with disabilities, in which it reminded all agencies of the Ministry, each in its area of competence, of the need to comply with the Ministry’s obligations under Act No. 8, which provides that all persons with disabilities shall enjoy their civil and political rights. The Circular also recalls the State’s obligations in that regard, which apply to all its ministries, bodies and institutions.

130. Accordingly, the Ministry is doing its utmost to ensure that persons with disabilities can fully enjoy their political rights, whether as voters or as candidates. For example, they have the option of casting their vote on the ground floor of polling stations; they are provided with movement aids and assistance so that they can move around with a minimum of difficulty and strain; and they have access to every available means to make the voting process straightforward and user-friendly, without prejudice to the procedures provided for by law.

Participation in cultural life, recreation, leisure and sport (art. 30)**Response to paragraph 27 (a) of the list of issues**

131. The Ministry of Information has launched its audio description service for the blind that enables the visually impaired to follow television programmes and series.

132. In accordance with article 23 of Act No. 8 (2010), the Ministry of Information has acted to provide sign language interpretation on the official television channels for its news and cultural programmes, and the transmission of sessions of the National Assembly and conferences.

Response to paragraph 27 (b) and (c) of the list of issues

133. Kuwait established the Kuwaiti Disabled Sport Club in 1977, followed by the Warba Club for the Disabled and the Tamuh Sport Club of Kuwait for the Mentally Disabled. They aim to develop and refine the sporting, cultural, social and recreational skills of persons with disabilities. Aside from participating in world championship sporting events, Kuwaiti sportsmen and women with disabilities have also won many awards at the international level.

C. Specific obligations (arts. 31–33)**Statistics and data collection (art. 31)****Response to paragraph 28 of the list of issues**

134. Please find attached data concerning disability published in the 2011 census, the latest conducted in Kuwait. The census is carried out every 10 years.

International cooperation (art. 32)**Response to paragraph 29 of the list of issues**

135. Kuwait attaches considerable importance to the rights of persons with disabilities and has gone to great lengths to meet their needs and ensure that they fully enjoy the rights that guarantee them a decent life and effective participation in building Kuwaiti society. Steps taken by Kuwait to ensure that persons with disabilities benefit from international cooperation programmes and policies include the following:

- The country is committed to international conventions and instruments guaranteeing persons with disabilities all their rights. It cooperates continuously with the United Nations Development Programme (UNDP) on its project to empower them and enable them to overcome the obstacles that they face through social, educational and professional integration, in keeping with global trends.
- As the government body responsible for the welfare and empowerment of persons with disabilities, the Authority is cooperating with the Supreme Council for Planning and Development and UNDP on a project to make the Kuwaiti Vision 2035 programme work for persons with disabilities in order to develop and make operational the national strategy for such persons. A number of outputs are set forth in the project plan. Their purpose is to improve the Authority's institutional performance, coordinate national efforts to overcome obstacles to the health-care, education and economic integration of persons with disabilities and, lastly, promote a better understanding and the practical application of an overall design template including such elements as the built environment, digital technology and transport.
- The responsibility of the State for development is shared by all development partners, first and foremost by civil society organizations, which in previous years have proven to be a key to success in the development process, especially in terms of social development. A workshop was organized to promote dialogue between civil society organizations working in the field of disability in order to determine the

role of civil society in implementing the measures necessary to ensure, support and protect the rights of persons with disabilities.

- The Training Gate International and the secretariat of the Supreme Council for Planning and Development signed a cooperation agreement on mainstreaming and fostering partnership between the public sector and non-profit companies in the areas of development, consulting, vocations and training, whereby the fourth round of the D-Partners training programme was implemented. Panel discussions were held on improving the lives of persons with disabilities in the framework of the Vision 2035 programme. The aim was to ensure, in cooperation with government and private sector entities, that persons with disabilities are included in decision-making and participate actively in society; to clarify their needs and the barriers they face; and to ensure their positive engagement in society. Panel discussion topics included:
 - Transforming the education system
 - Raising community awareness
 - Facilitating universal access
 - Improving health and environment services
 - Providing job opportunities.
- The second medium-term development plan (2015/2016–2019/2020) ties in closely with many of the Sustainable Development Goals, taking into account facts on the ground in Kuwait, the level of development and the need to respect the country's policies and priorities. The focus is on the concept of inclusive development and the integration of all segments of society, including persons with disabilities, so as to raise public awareness of their human rights and encourage them to participate fully in society on an equal footing with others and in all aspects of life as a key means of ensuring the achievement of the Sustainable Development Goals in an inclusive and accessible society.
- Policies on the welfare and empowerment of persons with disabilities are set out in the second medium-term development plan (2015/2016–2019/2020) as follows:
 - To care for persons with disabilities and protect their interests through the establishment of an integrated system to protect society from the onset of disability; develop a programme for the early detection of disability; provide health, social, psychological and educational care for persons with disabilities; raise public and family awareness of how to interact with persons with disabilities; and encourage people to work with special needs groups.
 - To raise awareness among persons with disabilities of their rights and the opportunities available to them, and increase their involvement in activities designed to raise community awareness, challenge negative perceptions regarding disability and provide a better understanding of disability, particularly mental disability.
 - To establish a comprehensive system, based on the principle of non-discrimination, for integrating persons with disabilities into the community. The idea is to draw them into the labour market and foster workplace conditions commensurate with their needs, integrate them into the education system, improve their prospects through the appropriate training opportunities, and involve them more in culture, the arts, leisure and sports.
 - To encourage the private sector to partner with the public sector and civil society groups working with persons with disabilities in order to integrate, adopt and implement a disability perspective in their corporate social responsibility initiatives, in accordance with national plans, policies and priorities.

Table 1 sets out specific projects for persons with disabilities under the second medium-term development plan (2015/2016–2019/2020):

<i>Project</i>	<i>Project name</i>	<i>Provider</i>
1.	Community integration for persons with disabilities	Public Authority for the Disabled
2.	Census of all persons with disabilities in the country and the creation of a database on them	
3.	Disability prevention and reduction	
4.	Establishment of general specifications for building design incorporating appropriate space for the mobility of persons with disabilities	
5.	Programme for pregnant women and early detection	
6.	Automation of the Authority's processes and their linking with other government bodies	
7.	Updating and development of vocational training workshops	
8.	Expansion of early intervention services for children with disabilities	
9.	Coordination and capacity-building for civil society institutions working in the area of disability	
10.	Sheltered workshop programme for persons with mild, moderate and severe mental impairment	
11.	National disability diagnosis and assessment centre	
12.	Establishment of endowment centres (a specialized centre and two schools) for persons with disabilities	
13.	Establishment of an international centre of excellence for persons with type 2 disabilities	
14.	Public Authority for the Disabled portal	
15.	Design of the Kuwaiti Disabled Sport Club	Public Authority for Youth and Sport

Table 2 illustrates how the development plan aligns with the Sustainable Development Goals for 2030, in particular the goals and targets relating to persons with disabilities:

<i>2030 Sustainable Development Goals</i>			
<i>Medium-term development plan (2015/2016–2019/2020)</i>			
<i>Goal</i>	<i>Target</i>	<i>Pillar</i>	<i>Programme</i>
4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all	4.5 By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations	Innovative human capital	Quality education programme
	4.A Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all		
8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all	8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value		Care for and inclusion of persons with disabilities

<i>2030 Sustainable Development Goals</i>			
<i>Medium-term development plan (2015/2016–2019/2020)</i>			
<i>Goal</i>	<i>Target</i>	<i>Pillar</i>	<i>Programme</i>
10. Reduce inequality within and among countries	10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status		Consolidate social cohesion
11. Make cities and human settlements inclusive, safe, resilient and sustainable	11.2 By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons	Improved infrastructure	Development of the road transport system
	11.7 By 2030, provide universal access to safe, inclusive and accessible green and public spaces, in particular for women and children, older persons and persons with disabilities	Sustainable living environment	Provision of residential care
16. Peace, justice and strong institutions	16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels	Efficient administration	Institutional governance
17. Strengthen the means of implementation and revitalize the global partnership for sustainable development	By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts	International positioning	Promotion of the image of Kuwait at the international level

National implementation and monitoring (art. 33)

Response to paragraph 30 of the list of issues

136. Under Decision No. 1264 of the Council of Ministers, which was taken at its 34th meeting of 2018, on follow-up to implementation of Act No. 8 (2010), all Government agencies are to work with the Public Authority for the Disabled on follow-up to implementation of the Act and all relevant conventions in order to achieve the goals for which the Authority was established. The Authority is mandated to report periodically to the Council of Ministers on the matter. As a result, the Authority has been coordinating the bodies involved in the implementation of the Act and has set up a task group to develop mechanisms and the measures necessary for that purpose.