



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: AA/follow-up/Kuwait/57

8 April 2014

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honour to refer to the examination of the combined third and fourth report of Kuwait, at the Committee's fiftieth session, held in October 2011. At the end of that session, the Committee's concluding observations (CEDAW/C/KWT/CO/3-4) were transmitted to your Permanent Mission. You may recall that in paragraph 60 on follow-up on the concluding observations, the Committee requested Kuwait to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraph 31 and 35 of the concluding observations, namely:

“31. The Committee urges the State party:

(a) To compile data regarding the number of reported cases of domestic and sexual violence against women, the number of criminal investigations and prosecutions, and the sentences imposed on perpetrators, as well as regarding the remedies, including compensation provided to victims since 2005, disaggregated by sex, age, nationality and relationship between victim and perpetrator;

(b) To adopt specific legislation to criminalize acts of domestic and sexual violence, including the amendment to article 186 of the Criminal Code to criminalize marital rape, seeking inspiration from other countries with similar cultural specificities which have taken steps in this regard;

(c) To assist women victims to report incidents of domestic and sexual violence to the police, including by providing legal, medical and psychological assistance and rehabilitation, including adequate shelters;

(d) To ensure that all reported incidents of domestic and sexual violence are promptly and impartially investigated and prosecuted, and that victims thereof receive adequate remedies;

(e) To provide regular training for the police, prosecutors and judges on effective investigation, prosecution and punishment of acts of domestic and sexual violence against women, including on the guarantees of the right to be represented by an attorney of one's own choice, and to inform the general public on the criminal nature of such acts;

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(f) To review the existing legal provisions relating to divorce in case of injury as a result of domestic or sexual violence, with a view to facilitating divorce of women victims of such acts, and to provide legal aid to non-citizen women seeking divorce from Kuwaiti men based on the grounds of domestic violence;

(g) To amend article 153 of the Criminal Code in order to remove diminished criminal liability and provide more stringent penalties for men who commit so-called “honour crimes”;

(h) To further amend the Criminal Code so as to provide equal sanctions for both men and women in relation to killings motivated by adultery;

(i) To ensure that women are under the supervision of female guards in all places of detention; and

(j) To provide for a sufficient number and sufficient quality of shelters for all female victims of violence without restrictions linked to age or marital status.

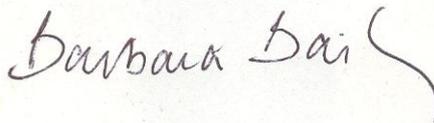
“35. The Committee urges the State party to further encourage and facilitate women’s representation in Parliament and ministerial positions, and their appointment as prosecutors and judges and at the senior level in the civil service, and to increase the representation of women in the diplomatic service, including as heads of its diplomatic missions abroad.”

Although the information sought by the Committee was due in October 2013, it has not been received to date. Accordingly, I would be grateful for clarification as to the current status of your Government’s response on the matters, and as to when the information requested will be forthcoming.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Kuwait on the implementation of the Convention. In this context, the Committee seeks to receive your response to this reminder without further delay. Please also send a Word electronic version of the information requested to the Secretariat of the Committee on the Elimination of Discrimination against Women by email to cedaw@ohchr.org. For ease reference, please find attached a document providing information on the follow-up procedure, which includes guidelines on the drafting of Follow-up reports by State parties.

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Barbara Bailey
Rapporteur on follow-up
Committee on the Elimination of Discrimination against Women