



**Parallel Report to State of Kuwait's second periodic report submitted to the
Committee on Economic, Social and Cultural Rights.**

50th Session

June 2013

Group 29 submits a parallel report to the Committee on Economic, Social and Cultural Rights reviewing the second periodic report of the State of Kuwait while hoping to provide some useful information for the committee and to express concerns about the situation of economic, social and cultural rights in the State party.

This report focuses on the situation of stateless in Kuwait highlighting some of the violations of their rights that are acknowledged by Conventions.

Group 29 (NGO) submits this report to the Committee on Economic, Social and Cultural Rights in the United Nations desiring to activate the role of civil society and emphasizing on the role of censorship, as declared constitutionally and democratically, in order to detect violations of the International Covenants which were ratified by Kuwait, to reveal the official authorities' failure to implement the international Conventions' term, and to push to further implementation.

Based on the Group concerns of human rights situation in Kuwait, in general, and the situation of stateless in specific, this report focuses on the situation of stateless, the most pressing issue and the worst violated.

The report is divided into three sections. The first section reviews cases of violation of International Covenant on Economic, Social and Cultural Rights. The Second section is Group 29 response to the list of questions that have been addressed to Kuwait. The third section includes attachments and documents that were used by the monitoring and documentation team to prepare this report.

Section One: monitored violations related to the articles of the International Covenant on Economic, Social and Cultural Rights.

Given that the Government of the State of Kuwait has expressed reservations on the following articles and items (item 2 of Article 2, Article 3, paragraph "d" of Item 1 of Article 8, Article 9); Group 29 refers to several violations of the rights of stateless that fall under the mentioned items, including women's rights and property and inheritance rights. Group 29 recommends the Committee on Economic, Social and Cultural Rights' experts at ask the State of Kuwait to lift its mentioned reservations that effect promoting and protecting the rights of individuals and ensuring gender equality. Lifting the reservations will contribute to the solution and the reduction of the growing problem of statelessness in Kuwait through giving the right to transfer citizenship from Kuwaiti female citizens to their husbands and children similar to Kuwaiti male citizens in accordance with Kuwaiti Constitution.

Recommendations:

- 1- Urging the Kuwaiti government to withdraw its reservations to articles 2 and 3 of the Covenant since they do not contradict with the basic principles of the Kuwaiti Constitution particularly Article 29.
- 2- Revising legislations to ensure gender equality in the issue of transferring citizenship from Kuwaiti women to their husbands and children similar to Kuwaiti men and in accordance with the Constitution of Kuwait and the International Covenant.
- 3- Granting the right to own and inherit assets to the stateless children of Kuwaiti mothers.

Articles 6-7 the right to work

Bedoon workers do not have the opportunity to choose the appropriate area of work freely (the term 'stateless' will be used in the following paragraphs of the report instead of the term 'Bedoon' that is used locally). This is due to the presence of the so-called "security restrictions" set by The Central Agency for Illegal Residents that was appointed by the Kuwaiti government to study and solve statelessness in Kuwait (established by an Amiri decree No. 467/2010). Stateless are not allowed to check upon these restriction or to appeal courtly or administratively. Although Committee on Economic, Social and Cultural Rights, General Comment 9, The domestic application of the Covenant (Nineteenth session, 1998), U.N. Doc. E/C.12/1998/24 (1998) commanded that "the Covenant norms must be recognized in appropriate ways within the domestic legal order, appropriate means of redress, or remedies, must be available to any aggrieved individual or group, and appropriate means of ensuring governmental accountability must be put in place,¹" stateless right to litigate is not granted generally for each of their rights, particularly the right to work. The general comment refers to the importance of considering issues related to the application of the Covenant at the local level in the light of the principles of international law as reflected in Article 27 of the Vienna Convention on the Law of Treaties, which is that "A party may not invoke the provisions of its internal law as justification for its failure to perform a treaty."²

Ownership and Administrative Promotion

Kuwaiti Law No. 15 of 1960 of the issuance of Commercial Companies Law states that "The amount of the capital and each partner's contribution, provided the percentage of the Kuwaiti partners' holdings in partnerships that are formed after the operation hereof, shall not be less than 51 (fifty-one) per cent of the capital."³ Although the law implies the right of non-Kuwaitis of 49%, Kuwait does not allow stateless to acquire a share in any company. Moreover, stateless are not allowed to be appointed as General Director authorized signatory even if they are qualified despite that fact that it allows the job for expatriate. Stateless is deprived of the right of ownership and management even he/she is the actual owner of the company.

In September 5, 2000 the Ministry of Trade issued a Ministerial resolution no. (205) for year 2000 concerning regulating the participation of non-Kuwaitis in the Kuwaiti shareholding companies that allows non-Kuwaitis to own shares of joint stock companies listed on the Kuwait Stock Exchange. The resolution also allows non-Kuwaitis to participate in the establishment of public joint stock companies in accordance with the procedures prescribed in this regard for Kuwaitis. The purpose of this resolution is to encourage foreign investment, to attract capital, and to ensure easiness of joining or exiting the companies listed on the local market through trades or what entails their ownership shares of the right to participate in corporate governance and participation in profit-sharing. Non-Kuwaitis are defined by the

resolution as “any individual person or company (entity) not carrying the Kuwaiti nationality and is investing his capital in Kuwait shareholding companies”⁴. However, stateless remains administratively barred from taking advantage of this decision due to the denial of the right to legal capacity that clearly classify them either as Kuwaitis or non-Kuwaitis. Thus, stateless status remains outside law not able to work or to compete according to appropriate rules.

Recruitment and dismissal from governmental sector

In March 29, 2012, the Central Agency for Illegal Residents sent a letter (not mandatory) to the Civil Service Bureau on the appointment of some illegal residents - stateless - in governmental offices. The letter asked about the procedure and the actions to be taken when any of the stateless applies to work, particularly diploma and higher certificates holders. However, stateless were not hired, except 137 teachers in September 17, 2012. It should be noted that the appointment’s instructions declared by the Agency require the applicant to be of a Kuwaiti mother, a military father, 1965 population census holder, does not have any security restrictions, and holds a valid identification card in addition to advanced educational qualifications.

The International Labour Organization (ILO) Convention No. 185 on Termination of Employment (1982) in Article 4 on the legal termination from work states “The employment of a worker shall not be terminated unless there is a valid reason.” The conviction also declares that “a worker whose employment is to be terminated shall be entitled to a reasonable period of notice or compensation”⁵. Despite all that, In October 2011, the Ministry of Awqaf (Religious Endowments) and Islamic affairs terminated the services of more than 500 imams and muezzins assigned to work for the ministry. The assignment period has been also reduced for those who had worked in two shifts. Thus, the ministry reduced the number of expatriates and stateless employee to the half. Note that those workers are contracted with the ministry in private contracts to ensure the ministry competent to take advantage of their services according to a different system from the one used with their Kuwaiti counterparts. They receive lower wages and salaries compared to citizens in similar jobs. They, also, are not entitled to what other Kuwaitis and immigrant labor entitled to such as leaves, social allowances and end of service. In aftermath of the decision, the Central Agency for Illegal Residents interfered to determine who deserves to return to his job in accordance with the requirements of the Agency that which requires dealing with stateless through it and according to its own criteria which do not permit working for those who do not have valid security cards.⁶

Attached documents issued by the Ministry of Awqaf inquiring from the Central Agency the status of some of the stateless workers and the possibility of reappointing them, in addition to decisions of the Central Agency to prevent the appointment of any person in the state ministries without referring to it. (Appendix 1,2,3,4).

In the General Comment No. 31 [80] Nature of the General Legal Obligation Imposed on States Parties to the Covenant (on Civil and Political Rights) CCPR/C/21/Rev.1/Add.13 session Eighty of 2004 that was adopted at the 2187 meeting on 29 March 2004⁷, and the General Comment of the Human Rights Commission (on Civil and Political Rights) HRI/GEN/1/Rev.9 (Vol.I) No.15 for the year 1986 that state “the general rule is that each one of the rights of the Covenant must be guaranteed without discrimination between citizens and aliens.⁸”

The lack of fair conditions and equal work bonuses

Although the Covenant on Economic, Social and Cultural Rights confirms in article 7 that “the States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of work⁹,” the Central Agency sets exceptional conditions to assign stateless in governmental jobs. The Central Agency restricts stateless job appointments in technical sectors through private contracts that prevent career development, reduce salaries, prevent rewards, and subject them to the arbitrary dismissal contributing in keeping them below the poverty line. (Appendix 6, 7, 8).

For instance, stateless does not have equal opportunities at work for employees in the military in both Interior and Defense ministries. No matter of their efficiency and the period of their work in maintaining internal security and on the border of the State of Kuwait, they cannot be promoted to the rank of officers. The irony is that the author of “the Police System” that is being studied for promotion from the rank of staff sergeant to agent officer is stateless who was not promoted to the rank of Undersecretary Officer, the highest level stateless can achieve in military, until he served 39 years. Worth mentioning is that the percentage of stateless in various military institutions prior to Iraq's invasion of Kuwait (Second Gulf War) in 1990 was 70% of the total military. (Appendix 9, 10).

Regarding the unequal salaries or bonuses for the same work, while Kuwaiti nurses receive salaries and bonuses of around 4500 \$, expats receive a salary of up to \$ 1,800 rather than other bonuses that may reach to \$ 2,700, and stateless nurses receive a salary of \$ 1,200. It is worth mentioning that the stateless nurses are appointed as contractors not as direct employees like Kuwaitis and expatriates nurses, which means the denial of bonuses, allowances, vacations and sick leaves. They are only entitled to emergency leave, which must be reported one month earlier. Moreover, stateless nurses are deprived of end of service benefits, thus they live in a state of career anxiety and discrimination in salary for the same work of Kuwaitis or expats.

At the same ministry, stateless dentist work by a private contract and are directly employed by the Ministry of Health. While their salaries do not exceed \$ 1,800, they are not entitled to end of service and annual leave similar to stateless nurses. The salary of Kuwaiti dentist, who works

at the same place, starts from \$ 5400 and expats salary starts from \$ 2700. Moreover, stateless dentists' work during the summer period, lasts for three months, is considered overtime (half the basic salary).

Attached the unjust and discriminatory terms and condition for stateless appointment in the Ministry of Health. (Appendix 11, 12).

Discrimination against stateless working women

Regarding to stateless teachers in the Ministry of Education, the ministry issued in summer of 2012 a decision denying stateless teachers from maternity leave and summer salaries, in a clear discrimination between stateless teachers and the rest of the workers in educational and administrative positions in schools. Worth mentioning is that stateless teachers work by special contract "remuneration" as most of the hired stateless recently.

Protecting children and adolescents from social and economic exploitation

Stateless families, especially poor, dysfunctional or families that lack breadwinners, suffer from the absence of social welfare programs. Thus, children of these families work at an early age to support the family. The Zakat House provides - as a charitable government institute- a modest financial assistance ranging between \$ 500-800 every 3-4 months and sometimes once a year. Except this financial assistance, the state does not provide any form of financial, social, or physical support to stateless families.

Child labor as street vendors, for themselves or for the benefit of others, is the most common form of labor in dangerous circumstances threatening their health, safety, morals, and their lives. Although the state tries to prevent children through the prosecution and the confiscation of their goods, any other alternative of living is not provided for them, which means having to resume work due to the need and poverty.

Recommendations

- 1- Making the necessary legislative amendments to include stateless in labor law and to grant them the right to ownership and management.
- 2- Providing an opportunity for stateless to work in ministries through direct contracts that guarantee fair wages.
- 3- Providing the possibility of resorting to the judiciary to ensure the right to work as approved by the State party according to the Covenant.
- 4- Calling the State of Kuwait to the ratification of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness to ensure their economic, social and cultural rights.

- 5- Calling Kuwait to withdraw its reservation on social security to include stateless and migrant workers.

Article 10 – Social Rights

Although article 10 talks about removing obstacles for family formation and issuance of marriage contracts and birth certificates, the Central Agency has asked governmental offices to refer to it when making any transaction relating to stateless persons in order to know whether they are stateless or hold citizenship of any other country.

Marriage Certificates

Despite that fact that there are some cases in which obtained a court ruling, first of its kind to be ruled by the court for a stateless lady who is married to Kuwaiti, the concerned administration – Legal Authentications - declined to issue her a marriage certificate indicates that she is a stateless. The rejection came under the pretext of referring to the Central Agency to check on the wives nationality before issuing the certificate.¹⁰

Court compelled the Ministry of Justice – Legal Authentication Department to issue marriage certificate indicating nationality of the wife as "unspecified nationality" based on documents provided by the wife without referring to the Central Agency.

Birth Certificates

While issuing birth certificate for children over the age of six years, parents face many extended procedures that take around 15 months. Procedures start with examining the DNA to prove filiation, then suing several parties to obtain a court ruling in their favor. Attachments for a stateless couple married in 2003; the husband filed a lawsuit in 2012 to prove paternity in order to issue birth certificate. (Court ruling, appendix 13, 14, 15) (Execution of judgment, appendix 16).

Recommendations

Urging Kuwait government to enable stateless to prove marriage cases and birth registration without any restriction and provide preventive vaccinations for all stateless children.

Article 12 – The Right to Health

Statelessness has direct and indirect impacts on the right to health especially when some of stateless people are not covered by the decision of issuing birth certificates nor hold a valid security card which leads to the following:

- 1- The inability of the child who did not get a birth certificate to receive treatment at government hospitals and to enjoy medical services granted to Kuwaitis, resulting in the denial of access to any health care and forcing his family to treat him in private hospitals which can be very expensive, especially when parents are not allowed to work.
- 2- In some cases when children are not granted birth certificate, vaccinations may not be recorded on a regular basis resulting in the risk of epidemics or infectious diseases for newborns as recommended by World Health Organization.

Dispensing of medicines to stateless patients

There are some categories of stateless people (who do not have invalid security cards or are not registered in the Central Agency for illegal residents or those who issued foreign passports under governmental pressure and received official residency, then found out that passports are forged) are not entitled to free health care in government hospitals. The received treatment, if available, is not similar to what Kuwaiti citizens receive. Moreover, drugs' quality given to them is often not the same quality that should be obtained. They receive ineffective drugs of generic brands forcing stateless patients to buy the required drugs, which can be expensive even for middle-income citizens.

Passports issuance for patients

When stateless patients need to travel abroad for treatment due to the lack of specialized expertise locally, the procedures of issuance temporary passports are delayed and procrastinated. Worth mentioning is that patients are of a critical condition and need to rapidly transferred to specialized hospitals abroad which may lead to serious complications and deaths in some cases such as the child Abdulaziz Al-Onan, who was waiting for three years to obtain a passport for free treatment in Saudi Arabia until he passed away, in addition, the case of Hamid Eid who passed away a few months ago after suffering from stomach cancer in waiting for the issuance of a passport to be treated in China. (Appendix 17).

Stateless with special needs and disabilities

Stateless with special needs - the disabled – suffer from excluding them from health care and the law of care for people with special needs that states the rights of the disabled and their priority to basic health services, including educational services. Stateless with special needs do not find alternative but the private expensive educational institutions.

Recently the General Organization for disabled adopted financial aid for - moderate and severe disabilities – for children of non-Kuwaiti who serve in military excluding the rest of the special needs of stateless.

Recommendations

- 1- Not discriminating against stateless children in health care and providing appropriate therapy and medications to all stateless people.
- 2- Covering stateless with special needs in the law without discrimination against them in all aspects of health care and other various rights.
- 3- Exempting stateless with critical cases that require treatment abroad from routine procedures and accomplishing procedures for treatment.

Article 15 on Cultural Rights

Cultural rights of stateless are violated in many respects. There is clear distinction between the Kuwaitis and stateless people in their cultural rights. They even do not receive the same rights as expatriates in many cases.

Kuwaiti Journalists Association (Sample)

Kuwaiti Journalists Association has allocated two kinds of subscriptions; one for Kuwaitis and the other for foreign expatriate. There is no subscription allocated for stateless who wants to join as they are not included within the expatriates subscriptions. When asked, Secretarial Department answered that stateless people are not entitled to membership of the organization in accordance with the decision of the Council of Ministers on the terms of membership to Public Welfare Societies. Article 4 of Law No. 28 of the Year 1965 that had amended some terms in law 24 of 1962 on Clubs and Public Welfare Societies, states that “Number of founders shall not be less than ten persons provided that all of them are Kuwaiti nationals¹¹.”

These requirements deprived large segment of journalists, mostly stateless who are practicing journalism from subscribing to the association. The administrative Board of the Kuwaiti Journalists called at one of its periodic meetings to issue a third subscription form to enable stateless journalists from subscription since they represent the vast majority in the local press. However, the response of the Ministry of Social Affairs on the Minutes of meeting that has been sent to them that Journalists Association should abide by the terms of establishing associations. Even after the revision and amendment of the law in 2005, the second section article 4 declares associations membership shall be in accordance with the following rules:

- 1- Active Member: a member which enjoys full membership of the Assembly and the start of his rights and led its obligations in accordance with the provisions of this system.

- 2- Honorary member: is a prominent Kuwaiti dignitary assigned by administrative Board enjoying membership in accordance with the provisions of Articles 5 and 6 of this system.

The above article shows that stateless people are not entitled to be active member or even honorary member of any association. This law applies to all Kuwaiti associations.

Kuwait Cinema Club (Sample)

Kuwait Cinema Club is one of the clubs that fall under the Ministry of Social Affairs and Labor. However, the club policy differs from the policy of any other union and professional association. Since it is a cultural institution that is concerned with cultural affairs and the Seventh Art in Kuwait, stateless are accepted only as associate members through a standard form given to Kuwaitis and other nationalities. Nevertheless, they require stateless persons not to run for membership of the club's administrative board or even to vote in elections. The Kuwait Cinema Club decision is based upon law No. 28 of 1965, Article 11 that states “any management board member must be a Kuwaiti national and entitled to attend the general assembly¹².”

Public competitions by state institutions

Some of the manifestations of stateless people deprivation of their cultural rights are the general terms of competitions which are under the terms and conditions of participation in state institutions competitions that indicate identity and nationality as requirement for contestants that deprive many stateless people from participation. Below are examples of these competitions.

1- Kuwait Competition for Quran memorizing and reciting

It is an annual competition held at the State level under the auspices of the Ministry of Awqaf and Islamic Affairs. The competition requires the contestants to be Kuwaitis. In some cases, stateless were allowed to participate; nevertheless, when won the first places, the stateless contestant was deprived of receiving the cash check for the prize after winning under the pretext of not carrying civil card. The Ministry of Awqaf requires bank account to hand the cash awards (which requires the presence of an identity card) this is another obstacle standing in front of the stateless. (Attached copy of the terms of the contest) (Appendix 19).

2- Public Authority for Youth and Sport

The literary competition arranged by the Public Authority for Youth and Sport is considered one of the prominent cultural events for writers as being the only annual competition in Kuwait that is concerned with poetry, short story, and the playwriting. However, stateless are not allowed

to participate in the competition because the competition's terms require the participants to be Kuwaitis which deprive many stateless writers and poets the chance to compete.

Kuwaiti Writers Association

An association concerned with writers and poets in Kuwait. Although it is expected to welcome all literary talents in Kuwait regardless of their nationality and identity, the association as a cultural platform does not recognize stateless writers and poets in clear violation to the International Covenant on Economic, Social and Cultural Rights that was ratified by Kuwait. Stateless are not allowed to join the Association as members of the administrative board, or even as regular members. Many writers are not allowed to membership such as some of the prominent literary names like the poets Saadia Mefreh and Dakheel Al-Khalifa.

The Association allowed stateless young writers to participate in literary saloons and events that are held on a weekly basis at the headquarters of the Association as attendees not as active members enjoying the same space allowed to Kuwaiti writers. The Association's events are organized by Kuwaitis who are also chosen to delegation representing Kuwait in overseas without considering choosing stateless writers among the delegate. Moreover, the annual book published by the Association only accepts Kuwaiti writers' submissions

Discrimination against writers and poets

1- Poet Saadia Mefreh:

Mefreh is a poetess and a distinguished literary figure of contemporary literature in Kuwait. She won several international awards in the poetry and wrote several collections of poetry and critical studies that should allow her to be a member of the Kuwaiti Writers Association. Despite the fact that her writings have been translated to several languages such as French, Spanish, German, Swedish, Tajik, and Persian, the association refused her membership in accordance with the decision of the Ministry of Labor and Social Affairs mentioned above regarding not allowing stateless to join public welfare associations.

The poet Saadia Mefreh says: I could not travel outside Kuwait since when I was born. Only recently after four decades of my life, I was given a passport in accordance with Article 17 allowing me to travel to perform Hajj. Sadia Mefreh received many invitations to represent Kuwait in cultural events and poetry evenings for 15 years, but that what stands in the way of her representation is identity.

Recently Mefreh was selected by The Guardian, British newspaper, as a representative of Kuwait in the map of International Poetry published by the occasion of the Olympiad, which

was held in London during the period from 27 July to 12 August of 2012. She was unable to attend since she is a stateless.

While writing the report, Mefreh reported to us that a few days ago an incident happened to her explaining the complexity of her suffering as a poetess with respect to her identity. She carries security card stating personal details in addition to a note that says “this card is not identification.” Mefreh received a package from Riyadh, KSA capital, from colleagues. When she went to receive it, the officer asked for ID. When he read that the card is not identification, he asked her “how can I know you're Saadia Mefreh?”

2- Poet Dakheel Al-Khalifa:

“I belong to crushed people, trying to flourish through poetry.” Al-Khalifa is a stateless poet who does not have membership in Kuwaitis Writers Association even though most of his poems revolve around the idea of home, which he does not carry its paper.

Although the Association of writers does not recognize Al-Khalifa as a member, the National Council for Culture and Arts invites him to poetry evenings. These invitations are supposed to act as recognition of his presence although it is not full recognition. It worth mentioning that Al-Khalifa is one of the founders of (Tuesdays Cultural Forum) that doesn't get any financial support from National Counsel for Cultural, Arts and Literature despite its clear contribution to the cultural and literature in the state of Kuwait. Al-Khalifa faces many difficulties in getting visas to participate in cultural festivals outside of Kuwait, where many countries don't grant visas for travel documents, or it takes too long to issue these visas, losing the chance to participate in regional or international festivals.

Section Two: Group 29 response to the list of questions that have been addressed to Kuwait

After releasing the list of issues for the fiftieth session (3-7 December 2012) of the Committee on Economic, Social and Cultural Rights (reference E/C.12/KWT/Q/2), Group 29 prepared answers to questions related to issues of statelessness in Kuwait as follows:

I. General information

1. Please indicate whether the State party's report was prepared in consultation with civil society organizations and explain why the report does not respond to the questions in the Committee's guidelines (E/C.12/2008/2).

A: Regarding questions in the general information item about whether the State party's report was prepared in consultation with civil society organizations, please be advised that no consultation was made with civil society organizations in the preparation of the report.

2. Please confirm that the economic, social and cultural rights in the Covenant before courts can be invoked in courts by the Covenant, and if so, please provide examples of cases where the Covenant has been invoked before or by national courts.

A: Please note that the Group knows of no person who has obtained his rights under the International Covenant on national courts.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)

Article 2, paragraph 2 – Non-discrimination

3. Please indicate whether the State party's legislation prohibits direct and indirect discrimination in the enjoyment of economic, social and cultural rights on the grounds specified in article 2, paragraph 2 of the Covenant.

- There is discrimination in the right to own property and inherit assets to the stateless sons of Kuwaiti mothers. Kuwaiti men by law are entitled to transfer their nationality to their sons and to have access to all their rights unlike the sons of Kuwait women who only can transfer their nationality to their sons in case of widowhood and divorce.

- Gender discrimination with respect to social allowance that is issues only for men while women get it in special cases, such as divorce, children custody or having an unemployed husband.

- Gender discrimination in acceptance rates at Kuwait University between male and female students.

- Depriving stateless writers from exercising their cultural right through joining associations and cultural clubs and participating in some of the exhibitions and competitions of the public institutions of the state.

4. Please provide information on results achieved by the implementation of the Royal Decree 467/2010 on 9 November 2010, which grants benefits and civil, social and humanitarian facilities to

illegal residents registered with the Central System, as well as on obstacles to guaranteeing equal enjoyment of economic, social and cultural rights by the Bedoun.

- These features and facilities have not been granted for all categories of stateless persons as identified in the report. Still, there is a large segment of stateless people who cannot receive official papers and documents in addition to restricting their right to work.

- Other violations were monitored and indicated in the above report are affecting human, social, economic and cultural rights.

5. Please indicate to what extent the quota of employment of persons with disabilities of 4 per cent in companies with more than 50 employees is enforced. Please also explain how the concept of 'reasonable accommodation' is translated in the legislation of the State party, and enforced in practice, particularly as regards obligations for employers.

A: With regard to stateless right to work, while it is restricted for healthy people, violations of persons with disabilities' rights are even worse. Statelessness in addition to disability makes their chances of work almost non-existent, as addressed earlier in the report.

Article 3 – Equal rights of men and women

6. Please inform the Committee of the nature and the impact of measures taken to address the negative gender stereotypes and the persistence of discriminatory attitudes resulting in women's inferior role in the family and society.

A: There are no legislation and awareness campaigns to address the negative gender stereotypes against women in general and stateless women, in particular, as addressed earlier in the report.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – The right to work

7. In view of the fact that only 43.37 per cent of women are part of the workforce, please indicate the nature and impact of measures taken to increase the employment of women. Please also provide information on measures taken to increasing their representation in high level positions in public offices.

A: With regard to stateless women, they are deprived of work in general. If one of them is able to work, it happens under difficult conditions such as a requiring 1965 census and having a Kuwaiti mother. They do not receive the same treatment as citizens and migrant workers.

Article 7 – The right to just and favourable conditions of work

8. Please inform the Committee (a) whether the draft law mentioned in paragraph 81 of the State party's report which intends to introduce sector-specific minimum wages has been adopted, (b) of the categories of workers to which these minimum wages apply, and (c) whether their level provides all workers and their families with a decent living, taking account of the inflation rate.

A: In Kuwait, there is no minimum wages that leads to exploiting stateless labor by employers which affect the status of their lives.

9. Please inform the Committee of the impact of the measures mentioned in paragraphs 110 and 112 of the report, such as the Decrees on the recruitment of workers from abroad and on the rules and procedures for obtaining permits as well as the activities undertaken by the General Department for Migration, on curbing the exploitation of migrant workers, especially domestic workers.

A: Since this report is dedicated to stateless people's status, it will not address this question.

10. Please indicate whether the State party has adopted and effectively implemented legislation that specifically criminalizes sexual harassment in the workplace, and describe the mechanisms to monitor such implementation. Also indicate the number of registered cases, the sanctions imposed on perpetrators and the measures taken to compensate and assist victims of sexual harassment.

A: Since this report is dedicated to stateless people's status, it will not address this question.

11. Please indicate the mechanisms in place to monitor and to ensure safety and healthy conditions at the workplace, especially in the oil and construction industries.

A: Since this report is dedicated to stateless people's status, it will not address this question.

12. In view of the very important gender pay gap in the State party which stands at 34 per cent according to sources available to the Committee, please provide information on measures taken to reduce the gap and the impact thereof.

A: Kuwaiti women suffer from discrimination in wages between the sexes with regard to social allowances that is issued for men. In this respects, stateless women suffer from the same violation.

Article 8 – Union rights

13. Please provide information, including statistical data, on strikes held during the reporting period, including those where the authorities have intervened to stop them as well as the reasons of their prohibition. Moreover, in the absence of laws regulating strikes, please inform the Committee of the safeguards in place to guarantee the respect of workers' right to strike and the protection against reprisals and sanctions.

A: Since this report is dedicated to stateless people who are not allowed to join unions, it will not address this question.

Article 9 – The right to social security

14. Please provide information on measures taken by the State party to extend social insurance coverage to work accidents and occupational diseases, as well as to migrant workers as well as other non-Kuwaiti workers, as recommended by the Committee in 2004. Please provide information on groups who are at risk of not having access to social security.

A: Stateless people are not covered by social security or private coverage that includes work-related accidents and occupational diseases. Please refer to the above report.

Article 10 – Protection of the family, mothers and children

15. Please indicate whether there is legislation in the State party which specifically criminalizes acts of domestic violence, in particular violence against women and children, including marital rape and sexual abuse. Please provide information on the number of registered cases as well as the sanctions imposed on perpetrators. Please also indicate whether there is a national action plan to combat domestic violence, and the measures in place to support and rehabilitate victims, such as legal advice, psychological assistance and the provision of shelter.

A: There is no law that criminalizes domestic violence. Due to the lack of legislations and laws, no statistics are declared by the concerned authorities with regard to the number of registered cases and actions taken.

16. Please indicate whether the State party has adopted a national action plan to combat human trafficking and whether medical, social and legal assistance is extended to victims. Please also inform the Committee of the obstacles to the adoption of the law to combat trafficking as well as the extent to which current criminal sanctions and administrative measures have had an effective deterrent effect on traffickers. Please provide information on the number of trafficking cases reported as well as the sentences imposed on perpetrators and the redress and compensation offered to victims.

A: There is no national action plan to combat human trafficking which results in lacking statistics declared by concerned authorities regarding the numbers of registered cases and actions taken.

17. Is the State intending to prohibit and combat marriage of children under 18 years of age as well as its registration.

A: Since this report is dedicated to stateless people's status, it will not address this question.

Article 11 – The right to an adequate standard of living

18. Please inform the Committee on the measures taken to ensure access to adequate and affordable housing by marginalized and disadvantaged groups, especially Bedouin and migrant workers. Please also provide information on the measures taken to abolish discriminatory legislative provisions and practices, such as those prohibiting unmarried couples and single persons from renting housing.

A: large groups of stateless people live in tin houses that lack the most basic elements of a decent living. Some other stateless turn to living in the desert to escape high rents. Some cases of families living in the desert have been detected and monitored.

Article 12 - The right to physical and mental health

19. Please inform the Committee of the impact of measures taken, including those implemented by the Nutrition Education Department, to address the growing rate of obesity, resulting from unhealthy lifestyles.

A: Since this report is dedicated to stateless people's status, it will not address this question.

20. Please provide information on the accessibility of mental health-care services. Please also inform the Committee of legislation and regulations in place as well as measures taken to ensure adequate treatment and care in psychiatric facilities for mental health patients, as well as periodic review and effective judicial control of confinement.

A: Since this report is dedicated to stateless people's status, it will not address this question.

21. Please provide information on the measures taken to implement the Committee's recommendation to broaden the circumstances that could justify legal abortion. Moreover, please indicate the measures taken to promote sexual and reproductive health, and the related services available, including for adolescents. Please also provide information on the incidence of sexually transmitted diseases in the State party.

A: Since this report is dedicated to stateless people's status, it will not address this question.

Articles 13 and 14 – The right to education

22. In view of the fact that information provided in the State report concerns exclusively children who are citizens of the State party, please indicate the measures taken to ensure that non-Kuwaiti children living in the State party also have access to free compulsory education, as recommended by the Committee in 2004.

A: Compulsory education is not granted for all stateless children; many segments are deprived from free education. Education is used as a mean of pressure on stateless at the beginning of academic year. Decisions are made to hinder the enrollment of students in a way of creating pressure against their parents to amend their legal status. The only solution for parents in such situations is forged passports. Requirements of stateless children education are:

- **Child's birth certificate or certified birth registration for children who did not finish the procedures of issuing birth certificate.**
- **Valid security card: while some stateless are not registered in the Central Agency, many others have their cards withdrawn while renewal.**
- **Valid residency for those who amended their legal status. Mostly, their statuses were amended through buying forged passports and are not recognized by countries. Thus, they cannot renew their residency.**

These and other requirements impede the free compulsory education.

23. Please provide information on the measures taken to ensure access to higher education for the Bedoun as well as children of migrant workers. Please supply updated data on enrolment at the various levels of education, disaggregated by year, sex, and by Kuwaiti/Bedoun/other non-Kuwaiti.

A: In previous years, Ministry of Education had allocated 15 seats per year at Kuwait University for outstanding stateless students of both sexes. "Right to Education" campaign led by Group 29 for the academic year 2011/2012 and the direct intervention of the Amir resulted in increasing the number of seats up to 100 seats. This initiative was not declared as a policy permanently. There are no guarantees to avoid this problem in the coming years. There are no statistics declared by the concerned authorities for registration in the various levels of education.

Article 15 – Cultural rights

24. Please provide information on the measures taken to protect cultural diversity, promote awareness of cultural heritage of non-Kuwaitis and other minorities, and create favourable conditions for them to preserve, develop, express and disseminate their identity, history, culture, language, traditions and customs.

A: Since this report is dedicated to stateless people's status, it will not address this question.

25. Please provide information on the measures taken to ensure the protection and conservation of the State party's archaeological sites in urban planning, infrastructure development and building projects, as well as to enhance access to them by the public.

A: Since this report is dedicated to stateless people's status, it will not address this question.

26. Please provide information on the legal provisions in place to protect the freedom of cultural and creative activity. In particular, please provide information on the standards and procedures followed by the State party on censorship of publications and cultural activities.

A: depriving stateless writers from exercising their cultural right like joining associations and cultural clubs and participation in some of the exhibitions and competitions of public institutions of the state. Moreover, depriving students of stateless persons from participation in competitions of the state institutions and international competitions as discussed earlier in the report.

Appendix:

1. Professional Department of the Ministry of Awqaf sends the names of applicants who passed the test, some are stateless.

١٧ من ربيع الآخر ١٤٣٣ هـ الموافق ٢٠١١/٣/٢٢ رقم أ.ق.م.ف / ٧٠٨ / ٢٠١١

السيد الفاضل / مدير إدارة الإسناد
السلام عليكم ورحمة الله وبركاته ...

الموضوع: أسماء الناجحين
في مقابلة لجنة اختيار شاغلي الوظائف الدينية

يهديكم مكتب الشؤون الفنية أطيب تحياته، راجياً لكم دوام التوفيق والسداد، وبالإشارة إلى الموضوع أعلاه، فإننا نرسل لكم كشف بأسماء الناجحين الذين اجتازوا الاختبارات المقررة لشغل وظيفة (إمام - مؤذن) في محضر الاجتماع رقم: (٢٠١١/٩) بتاريخ: (٢٠١١/٣/٢١) وبياناتهم كالتالي:-

| الاسم | الوظيفة | الدرجة | رقم الهاتف | ملاحظات |
|------------------------|----------|-----------------|------------|---|
| بدر ناصر أحمد المنصوري | كويتي | إمام وعقيد معين | ٩٩٧٥٠١٥٣ | تعميل وضع من إمام إلى إمام وعقيد (مقاطعة حربي) |
| سلطان علي صالح العقيد | يمني | إمام | ٥٥٩٩٢٧٣٣ | تعميل وضع من مؤذن إلى إمام (مقاطعة الأحمدية) |
| حسام ستان أحمد النقيب | يمني | إمام | ٥٥٥٣٥٧٩٧ | تعميل وضع من مؤذن إلى إمام (مقاطعة سارك الكبير) |
| متشعل زهير عذاب ضاري | غير محدد | مؤذن | ٩٩٨٨٧٦٤١ | شهادة دار القرآن الكريم |
| محمد لايت وادي موسى | غير محدد | مؤذن | ٩٩١٩١٨٦٠ | شهادة دار القرآن الكريم |

مع العلم بأن المذكورين أعلاه من الوافدين قد قاموا بالتوقيع على إقرار يلزمهم بالتصديق بالمحافظة التي يتم توزيعهم عليها من قبل قطاع المساجد دون المطالبين بغيرها، وذلك بناءً على تعليمات الوكيل المساعد لشؤون المساجد.

مع خالص التقدير ...

مدير مكتب الشؤون الفنية

الإمام عبد الله بن محمد بن القاسم - يدانة - ٢٢٢٦٢٧٠٠ - داخلي: ٢٧٦٧ - فاكس: ٢٤٨٢٨٩٦
Kuwait - Al Reqee - Mohammed Bin Al Qasim St. - Tel.: 22262700 - Ext.: 2767 - Fax: 24882896

2. Inquiry issued by the administration of the Ministry of Awqaf prompt for Administrative Affairs on the status of acceptance of some individuals for appointment two of them are stateless.

١٧/٣/٢٠١١ هـ الموافق ٢٠١١/٣/٢٢ للرقم ٧٠٨ / ٢٠١١

السيد الفاضل / مدير إدارة الشؤون الإدارية
السلام عليكم ورحمة الله وبركاته ...

الموضوع: تعيين بعض العاملين

تهديكم إدارة الإسناد أطيب تحياته لكم ولجميع العاملين معكم، راجين لكم دوام التوفيق والسداد .

بالإشارة إلى الموضوع أعلاه، نود الإحاطة بأن قطاع المساجد يرغب في تعيين المذكورين أدناه حيث أنهم قد اجتازوا الاختبار المقرر لشغل الوظيفة المدونة قرين كل منهم وذلك في اجتماع لجنة اختيار شاغلي الوظائف الدينية رقم ٢٠١١/٩ المؤرخ ٢٠١١/٣/٢١ وبياناتهم كالتالي :-

| الاسم | الوظيفة | الدرجة | رقم الهاتف | ملاحظات |
|------------------------|----------|---|------------|--------------|
| بدر ناصر أحمد المنصوري | كويتي | تعميل وضع من إمام إلى إمام وعقيد علي الوظائف العامة | ٩٩٧٥٠١٥٣ | حولي |
| سلطان علي صالح العقيد | يمني | تعميل وضع من مؤذن إلى إمام علي العهد الثاني | ٥٥٩٩٢٧٣٣ | الأحمدية |
| حسام ستان أحمد النقيب | يمني | تعميل وضع من مؤذن إلى إمام علي العهد الثاني | ٥٥٥٣٥٧٩٧ | مبارك الكبير |
| متشعل زهير عذاب ضاري | غير محدد | مؤذن | ٩٩٨٨٧٦٤١ | الجهراء |
| محمد لايت وادي موسى | غير محدد | مؤذن | ٩٩١٩١٨٦٠ | الجهراء |

لذا يرجى الإيعاز من يلزم نحو استكمال إجراءات تعيينهم .

وتفضلوا بقبول فائق الاحترام والتقدير

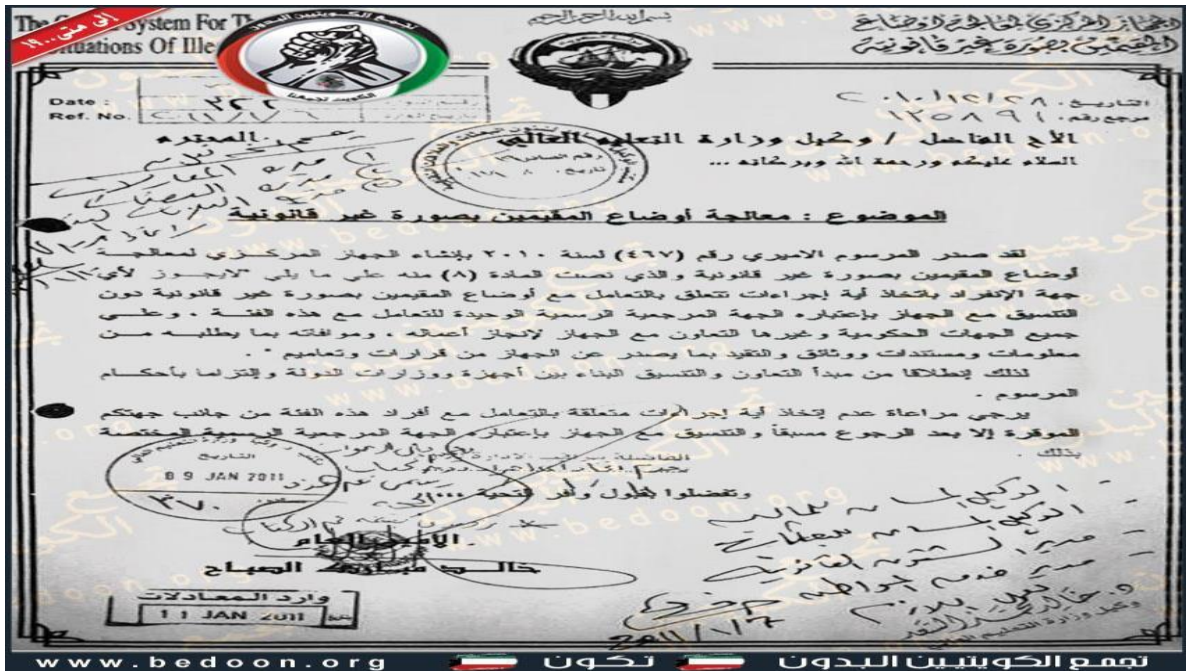
مدير إدارة الإسناد

الإمام عبد الله بن محمد بن القاسم - يدانة - ٢٢٢٦٢٧٠٠ - داخلي: ٢٧٦٧ - فاكس: ٢٤٨٢٨٩٦
Kuwait - Al Reqee - Mohammed Bin Al Qasim St. - Tel.: 22262700 - Ext.: 2767 - Fax: 24882896

3. The Ministry of Awqaf query sent to the Central Agency asking about its stateless employees' status and announces its willingness re-assigning them.



4. An official letter from the Central Agency to the Undersecretary of the Ministry of Higher Education restricting the right to act on the issue of stateless only through it.



5. Ministry of Justice refuses the appointment of Amal Al-Enzi as a translator since decisions limit the type of jobs assigned to stateless.

State of Kuwait
Civil Service Commission

دولة الكويت
ديوان الخدمة المدنية

الإشارة: ٢٠١١/٣/٧
التاريخ: ٧/٣/٢٠١١

Ref.:
دائرة الأوقاف والشؤون الإسلامية
الرقم: ٧ MAR 2011
التاريخ: ١٧٥٢

الأخ المحترم / وكيل وزارة الأوقاف والشؤون الإسلامية
تحية طيبة وبعد ..

بالإشارة إلى كتاب معالي نائب رئيس مجلس الوزراء للشؤون القانونية ووزير العدل ووزير الأوقاف والشؤون الإسلامية رقم (89) المؤرخ 2011/2/8 بشأن طلب الموافقة على الإستعانة بخدمات السيدة / أمل عبدالله سلطان العسيري - من فئة مقيم بصورة غير قانونية - للعمل في مجال الترجمة بمكافأة شهرية قدرها (310) د.ك .

وإستناداً للمرسوم الأميري رقم (467) لسنة 2010 بشأن إنشاء الجهاز المركزي لمعالجة أوضاع المقيمين بصورة غير قانونية .

ولما كانت ترد من وزاراتكم بعض الطيات المتعلقة في الإستعانة أو تجديد الإستعانة بهذه الفئة (المقيمين بصورة غير قانونية) .

تود إقادتكم بما يلي :

أولاً : بالنسبة لطليات تعيين بعض الأشخاص من فئة (مقيم بصورة غير قانونية) فيرجى عدم مخاطبة الديوان بشأنها ، والتأكيد على ما ورد بتعميم الديوان رقم (9) لسنة 2009 بشأن وقف الترخيم على يد المكافآت لغير الكويتيين - علماً بأن التعيين على يد المكافآت لهذه الفئة يقتصر حالياً على وظائف الأطباء والمرشدين والمنسقين فقط وبعد مخاطبة الجهاز المركزي لمعالجة أوضاع المقيمين بصورة غير قانونية .

ثانياً : بالنسبة لطليات تجديد الإستعانة بخدمات هذه الفئة والتي سبق للديوان الموافقة عليها ، فيرجى مخاطبة الجهاز لأخذ التعليمات لكل حالة قبل العرض على ديوان الخدمة المدنية لبحث موضوع التجديد للإستعانة من عدمه .

وتفضلوا بقبول فائق التقدير والاحترام ..

رئيس الديوان

7 MAR 2011

Managrial Shuwaikh B. Airport. St. - P.O.Box: 1074 Safat Code 13011 Kuwait - Tel. 22533333 - Fax: 24922022
www.csc.net.kw

6. Kuwait Municipality end stateless staff members' services at the request of the Civil Service Commission.

بلدية الكويت
13001 الكويت - الصفاة
ماتلف: 22449001
www.municipality.gov.kw

الإشارة: ٩٠٥
التاريخ: 18 AUG 2011

المسيد / مدير إدارة الأغبية المستوردة
تحية طيبة وبعد ...

الموضوع: إيقاف عن العمل

بالإشارة إلى الموضوع أعلاه ، يرجى وقف المذكورين أدناه عن العمل اعتباراً من نهاية دوام 2011/8/31 .

| م | الاسم | هبة | الرقم المدني |
|---|-------|-----|--------------|
| 1 | هبة | ٢٩٠ | |
| 2 | نعمة | 272 | |
| 3 | زينب | 285 | |
| 4 | بشار | 284 | |
| 5 | سليم | 286 | |

بناءً على كتاب ديوان الخدمة المدنية رقم (201101037511) المؤرخ في 2011/8/10 ومراجعة إدارة شؤون الموظفين لأصرف جميع مستحقاتهم الفترة من 2011/4/1 وحتى 2011/8/31 .

وتفضلوا بقبول فائق الاحترام ...

مدير إدارة شؤون الموظفين
مدير إدارة شؤون الموظفين

www.bedoon.org

7. Kuwait Municipality ends the service of other stateless staff members at the request of the Civil Service Commission.

بلدية الكويت
 P.O. Box: 24 Safat - Kuwait 13001
 Tel.: 22449001
 Website: www.municipality.gov.kw
 13001 Safat - الكويت - الصفاة 24
 هاتف: 22449001
 الموقع الإلكتروني: www.municipality.gov.kw
 التاريخ: 2011/8/31
 2011/8/31

الموضوع: إيقاف من العمل

بإشارة إلى الموضوع أعلاه، يرجى وقف المذكورين أدناه عن العمل اعتباراً من نهاية يوم 2011/8/31.

| الرقم المدني | الأسم | م |
|--------------|-------|---|
| 284 | زهدي | 1 |
| 253 | بطي | 2 |
| 273 | حامد | 3 |
| 289 | نواف | 4 |
| 277 | سعد | 5 |

بناء على كتاب ديوان الخدمة المدنية رقم (201101037511) المؤرخ في 2011/8/10 ومراجعة إدارة شئون الموظفين لصرف جميع مستحقاتهم الفترة من 2011/4/1 وحتى 2011/8/31.

وتفضلوا بقبول فائق الاحترام ...

مُنائب المدير العام
 للشؤون المالية والإدارية

www.bedoon.org

8. Civil Service Bureau's decision addressed to Kuwait Municipality mentioning the reasons for firing of stateless workers.

ديوان الخدمة المدنية
 Civil Service Commission
 رقم الملف: 201101037511
 التاريخ: 10/8/2011

معالتي / وزير الأشغال العامة ووزير الدولة لشؤون البلدية الموقر
 (بلدية الكويت)
 تحية طيبة وبعد ..

الموضوع : تجديد الاستعانة بخدمات بعض الأشخاص على بند المكافآت .

بالإشارة إلى كتابكم رقم (3282) المؤرخ 2011/7/7 بشأن طلب الموافقة على تجديد الاستعانة بخدمات السادة المذكورين بكتابكم المشار إليه أعلاه وعددهم (55) موظف - فئة مقيمين بصورة غير قانونية - على بند المكافآت لمدة سنة .

وبناء على كتاب الجهاز المركزي لمعالجة أوضاع المقيمين بصورة غير قانونية رقم (ج م 1/1/2011) المؤرخ 2011/7/4 بشأن الموافقة على تجديد الاستعانة بخدمات السادة المذكورين بشرط حملهم بطاقة أمنية سنارية المفعول خلال مدة الاستعانة .

نود الإحاطة بأنه تم عرض الموضوع ، حيث تقرر الآتي :

- 1 - بوافق الديوان على تجديد الاستعانة لمدة سنة للسادة المقيمين بصورة غير قانونية الذين قامت إدارة بلدية الكويت بتعيينهم قبل تاريخ 2007/9/1 (وهو تاريخ بدء العمل بقرار مجلس الخدمة المدنية رقم 2007/5) وقد كانوا يعملون بأجر مقابل عسقل .
- 2 - أما من قامت البلدية بالاستعانة بهم بعد تاريخ 2007/9/1 دون أخذ الموافقة المسبقة من قبل الديوان فيته لا يجوز استمرارهم بالعمل لدى البلدية بعد تاريخ 2011/3/31 (وهو التاريخ الذي حدده الديوان في كتابه رقم 201101012634 بتاريخ 2011/3/29) .

وبما كانوا استمراروا في العمل خلال الفترة من 2011/4/1 وحتى الآن - فلا مانع لدى الديوان من استمرارهم بأجر مقابل عمل حتى 2011/8/31 حيث يتزامن هذا الموعد مع نهاية شهر رمضان المبارك ولا يجوز استمرارهم بعد ذلك .

هذا وترفق لكم صورة كتابنا السابق بذات المعنى للتفضل بالتحديد به .

وتفضلوا بقبول فائق التقدير والاحترام ..

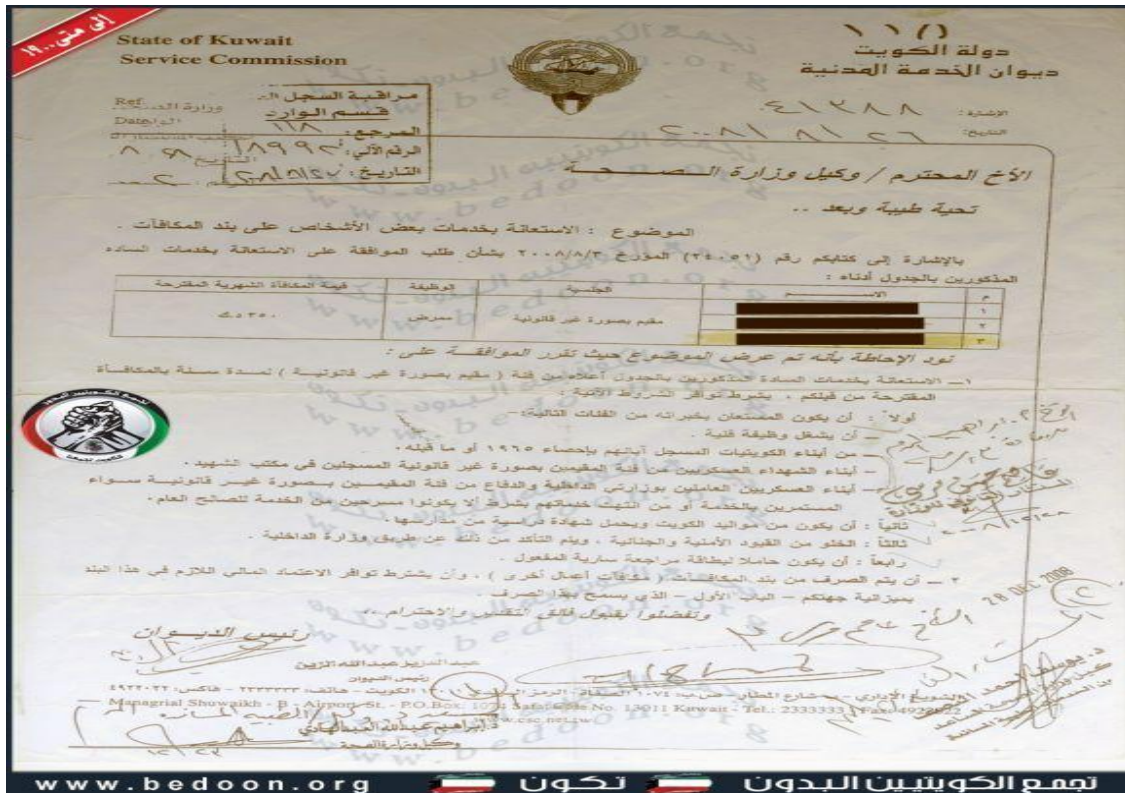
رئيس الديوان
 عبدالمؤيد عبدالمجيد

www.bedoon.org

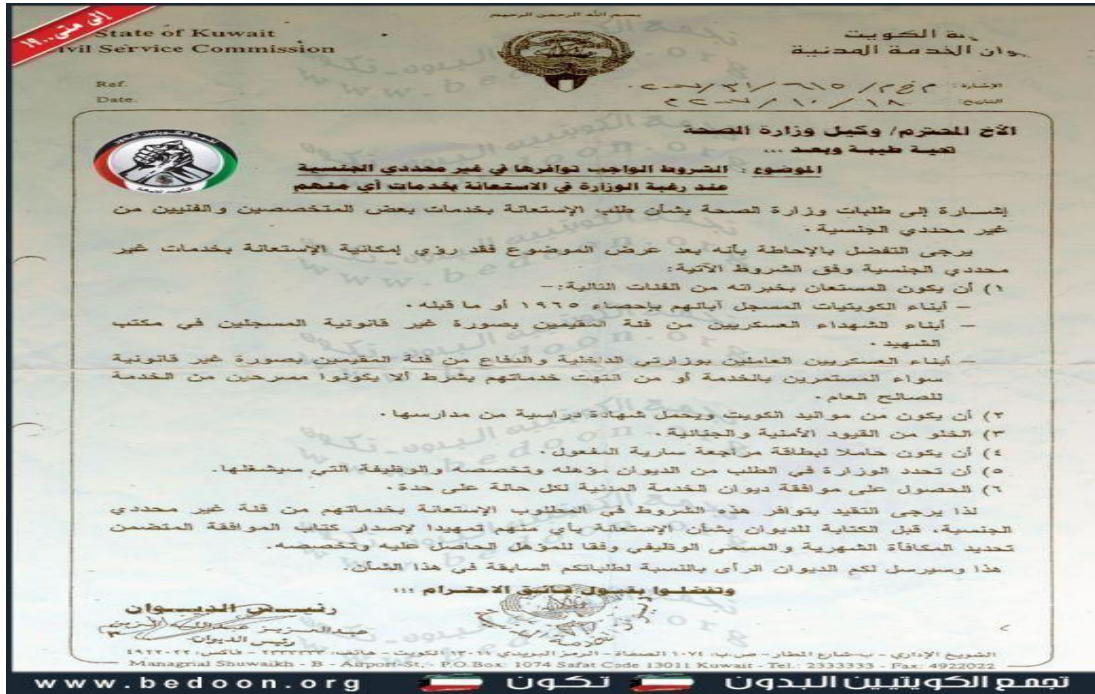
9. The cover of a book written by one of the stateless employees of the police force for passing courses and promotions. Thousands of Kuwaiti military were promoted after studying the book. However, the author did not get the same promotion mentioned in his the book, only after working for more than 39 years.



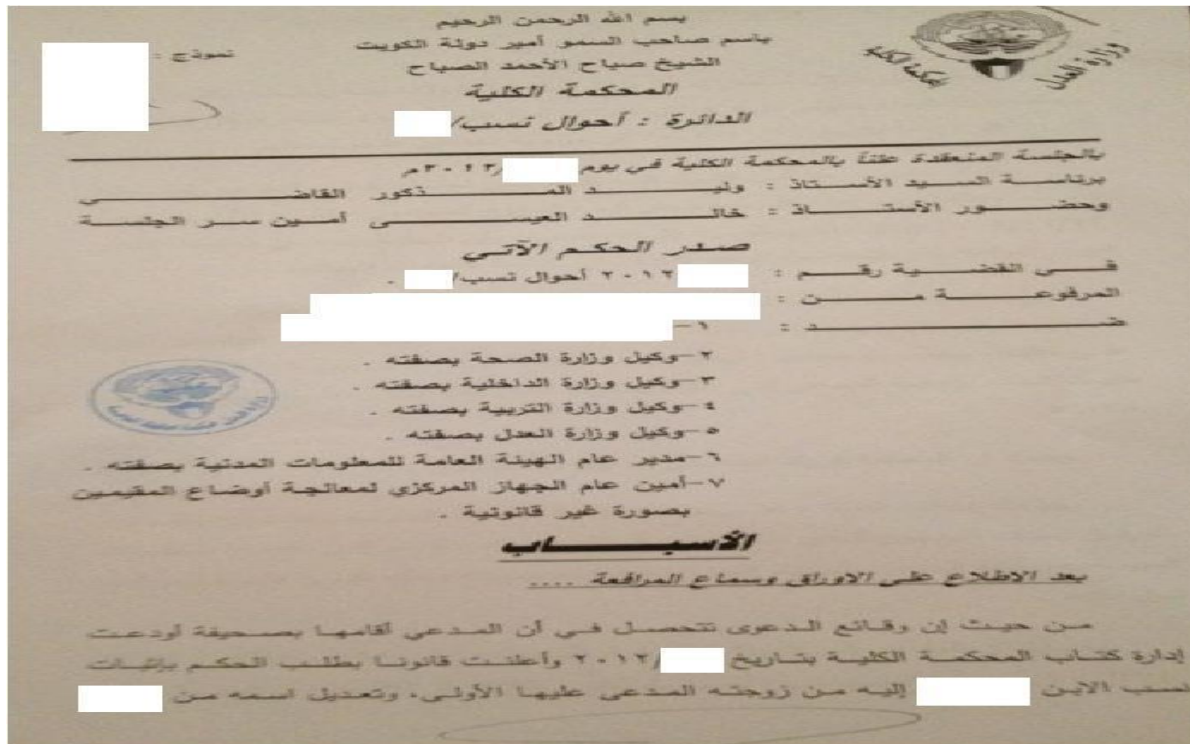
10. Terms of appointment for the long civil service of stateless in the Ministry of Health through rewards system.



11. Official letter from civil service directed to the Ministry of Health to determine the conditions permitting the appointment of stateless.



12. Kuwaiti court ruling requires registration offices to prove filiation of stateless child - the first page.



13. Cont. Second page.

تابع الحكم في القضية رقم [redacted] ٢٠١٣/أحوال نسبه [redacted]

إلى [redacted] في بلاغ ولادة ابنه [redacted] وتعديل اسم زوجته من [redacted] إلى [redacted] في عقد الزواج رقم [redacted] بتاريخ [redacted] ٢٠٠٣ في مواجهة المدعى عليهم بصفتهم.

وذلك على سند من القبول أنه تقدم إلى لجنة دعاوى النسب وتصحيح الأسماء بالطلب السابق بحسبان أنه تزوج المدعى عليها الأولى في [redacted] ٢٠٠٣ ورزق الابن المراد إثبات نسبه، وأن اللجنة بعد أن بحثت طلبه قررت الموافقة على طلبه ومن ثم فقد أقام الدعوى العائلة بالطلبات المذكورة .

وإذا نظرت الدعوى بالجلسات على النحو المبين بمحاضرتها وفيها حضر المدعى بشخصه وصمم على طلبه، وحضرت المدعى عليها الأولى وأقرت المدعى على طلبه، وحضرت محامية الحكومة، والمحكمة أحالت الدعوى إلى النيابة التي طلبت الحكم بإجابة المدعى إلى طلبه بشأن دعوى النسب وأن لا وجه لتدخلها فيما عدا ذلك.

وحيث إن المحكمة قررت الحكم في الدعوى بجلسة اليوم .

وحيث إنه بالإطلاع على ملف لجنة دعاوى النسب وتصحيح الأسماء المرهق بملف الدعوى الذي تبين منه أن المدعى قد تقدم إلى اللجنة بالطلبات المبيضة بصحيفة الدعوى وأجرت اللجنة تحقيقاً ثم حررت بذلك تقريراً انتهت فيه إلى قبول طلبه .

وحيث إن المقرر شرعاً وفقاً لأحكام المواد ١٦٦ ، ١٦٨ ، ١٦٩ ، ١٣٧/١ ، ١٧٤/١ ، أن نسب الولد من أبيه يثبت بالفواش أو الإقرار أو البيضة ، وأن

14. Cont. fifth page.

تابع الحكم في القضية رقم [redacted] ٢٠١٣/أحوال نسبه [redacted]

المقدم، وكان الثابت من أقواله المبرأة من العلم ومن الإطلاع على المستندات المقدمة أن اسمه الصحيح ولقبه بالكامل هو [redacted] ، وأن اسم زوجته المدعى عليها الأولى ولقبها الصحيح هو [redacted] ومن ثم فإن طلبه يكون قائم على أساس له مبرراته متعلفاً لجابته إليه مع تحصيله المصروفات عملاً بنص المادة ٢٢١ من قانون المرافعات.

فلسفه الأسباب

حكمت المحكمة: بإثبات نسب الابن [redacted] إليه من زوجته المدعى عليها الأولى، وتعديل اسمه من [redacted] إلى [redacted] في بلاغ ولادة ابنه [redacted] ، وتعديل اسم زوجته من [redacted] إلى [redacted] في عقد الزواج رقم [redacted] بتاريخ [redacted] ٢٠٠٣ في مواجهة المدعى عليهم بصفتهم، وألزمت المدعى بالمصروفات.

أمين سر الجلسة

القاضي

وزارة العدل
المحكمة الكلية
الضبعة الابتدائية


بعد عرض الملف الترخيصة لهذا الطلب أو لغيره إليه من طرفه، وعلى أن سلطة أن يقرر على أمره ولو استعملت في المصروفات المصروفات من طرفه منها ذلك طبقاً للقانون.

بعد الصيغة النهائية: [redacted] [redacted]

التوقيع: [redacted] [redacted]

15. Obligation implementation form.

القاضي



وزارة العدل المحكمة الكلية

الصيغة التنفيذية

يجب على الجهة التي يناد بها التنفيذ أن تبادر إليه متى طلب منها. وعلى كل سلطة أن تعين على إجراءاته ولو باستعمال القسوة الجبرية متى طلب منها ذلك طبقاً للقانون.

سلت الصيغة التنفيذية **المستشار عبد**

التوقيع: [Redacted] بتاريخ: ١٤/١٢/٢٠١١

عبد مدير إدارة كتاب المحكمة الكلية

16. Hamid Eid Medical Report. Hamid passed away waiting the issuance of passport to get treatment for stomach cancer.

وزارة الصحة
الكويت - الخليج العربي

الرقم: التاريخ: ٢٠١٢/١١/٢٢

الاسم: حميد عيد
الجنسية: غير كويتي

العمر: ٣٢ سنة
رقم الملف: ١٩١٨٩٧

تقرير طبي

أدخل المريض المذكور أعلاه الى قسم الجراحة بتاريخ ٢٠١١/١٢/٢٥ بعد إجرائه منظار للمعدة بالعاده لخارجه بتاريخ ٢٠١١/١٢/٢٦ وتم اخذ عينه للتحليل الباثولوجي وقد أظهرت نتيجة تحليل الأنسجه وجود ورم سرطاني بالمعدة وقد أظهرت الأشعه المقطعيه وجود ورم سرطاني بالمعدة مع تضخم بالغدد الليمفاويه حول المعده . تم إجراء جراحه استئصال كلي للمعدة مع استئصال الطحال واستئصال جزئي للبنكرياس مع توصيل المرئ بالأنعاء الدقيقة وذلك بتاريخ ٢٠١١/١٢/٢٩ وقد أخرج المريض من المستشفى بتاريخ ٢٠١٢/١/٩ مع تحويله الى مستشفى مكي الجمعه لبدء العلاج الكيماوي .

وقد أعطى له هذا التقرير من واقع الملف الطبي للمريض

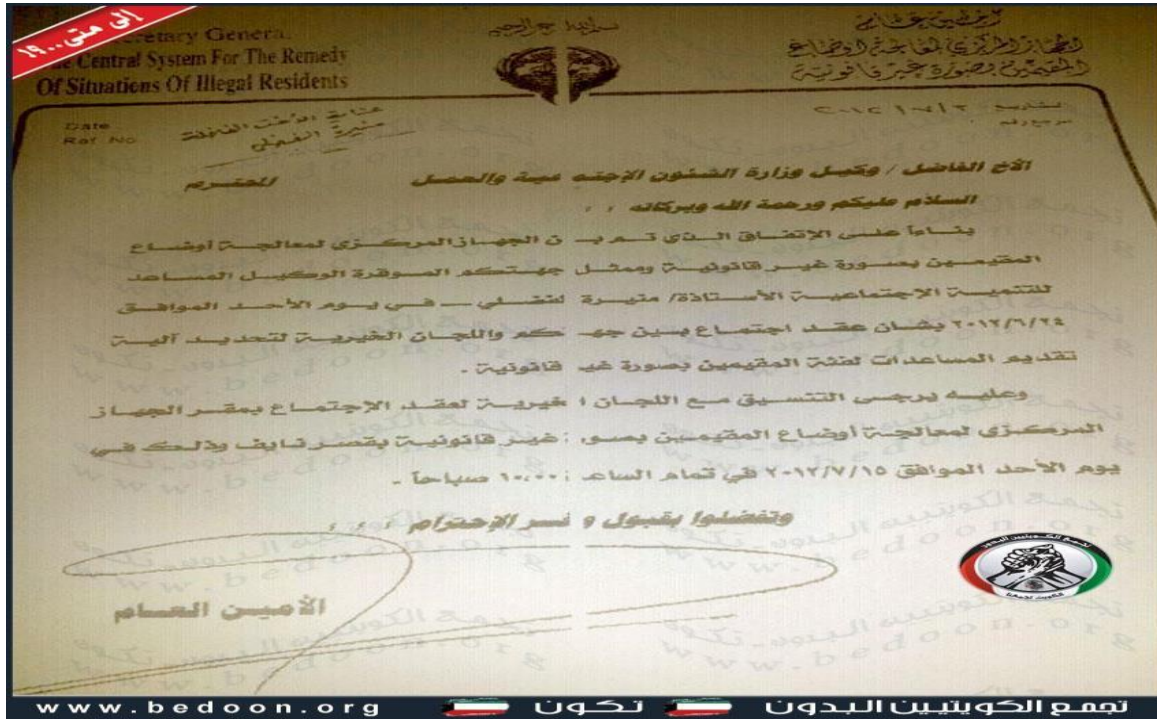
د/ فاروق بلجرامي
إحصائي جراحه

د/ سعيد سامي
مسجل جراحه
Said
د. سعيد سامي صديقي
M.Sc. Surgery

cables: HEALTH KUWAIT
Admin Affairs Financial Affairs Medical Stores
P.O.Box: 5 1510 22636

برقا: صحة الكويت
الوزارة

17. Central Agency requested a meeting with charities to restrict mechanism of aid distribution.



18. Terms of Quran memorizing and reciting Competition.



¹ United Nations International Human Rights Instruments, *Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty*, 12 May 2003, HRI/GEN/1/Rev.6, available at: <http://www.refworld.org/docid/403f2a344.html> accessed May 8th, 2013.

² United Nations, *Vienna Convention on the Law of Treaties*, 23 May 1969, United Nations, Treaty Series, vol. 1155, p. 331, available at: <http://www.refworld.org/docid/3ae6b3a10.html> accessed May 8th, 2013.

³ Law on Commercial Companies. (1960). *World Intellectual Property Organization*. Web. http://www.wipo.int/wipolex/en/text.jsp?file_id=196116 Accessed on May 8th, 2013.

⁴ Ministerial resolution no. (205) for year 2000 concerning regulating the participation of non-Kuwaitis in the Kuwaiti shareholding companies. *Kuwait Stock Exchange*. (2000). Web. <http://www.kse.com.kw/KSE/ministerialresolution.aspx> Accessed on May 7th, 2013.

⁵ Termination of Employment Convention, 1982 (No. 158). *International Labour Organization*. Web. http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C158#A4 Accessed on May 7th, 2013.

⁶ <http://www.sabr.cc/inner.aspx?id=6145> Accessed on May 7th, 2012.

⁷ UN Human Rights Committee (HRC), General comment no. 31 [80], *The nature of the general legal obligation imposed on States Parties to the Covenant*, 26 May 2004, CCPR/C/21/Rev.1/Add.13, available at: <http://www.refworld.org/docid/478b26ae2.html> accessed on May 8th, 2013.

⁸ UN Human Rights Committee (HRC), CCPR General Comment No. 15: *The Position of Aliens under the Covenant*, 11 April 1986, available at: <http://www.refworld.org/docid/45139acfc.html> accessed on May 8th, 2013.

⁹ International Covenant on Economic, Social and Cultural Rights. (1966). *United Nations Human Rights: Office of the High Commissioner for Human Rights*. Web. <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx> Accessed on May 8th, 2013.

¹⁰ Kuwait: Ministry of Justice Provides Marriage Certificate to Stateless Woman. (2009). *Library of Congress*. Web. http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205401242_text Accessed on May 8th, 2013.

^{11 12} Kuwait Law No. 24 of the Year 1962 On Clubs and Public Welfare Societies. (1962). *International Center for Not-for-Profit Law (ICNL)*. <http://www.icnl.org/research/library/files/Kuwait/24-62-en.pdf> Accessed on May 9th, 2013.