



UNITED NATIONS  
**HUMAN RIGHTS  
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*Committee against Torture*

REFERENCIA: CAT/Follow-up-Kuwait

27 April 2026

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honour to refer to the follow-up to the examination of the fourth periodic report of Kuwait, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of its 81st session held from 28 October to 22 November 2024, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/KWT/CO/4, para. 51) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 22 (e), 24 and 28 (a) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 13 November 2025 providing your Government's response to the above-mentioned paragraphs (CAT/C/KWT/FCO/4) and to make the following comments:

Conditions of detention (para. 22 (e) of the Committee's concluding observations)

The Committee takes note of the measures adopted or envisaged by the State Party to address prison overcrowding, improve sanitary conditions, ensure adequate ventilation and access to daylight, expand recreational and educational activities for inmates to foster rehabilitation, and provide quality healthcare, including mental healthcare, for prisoners. It also notes the information provided by the State Party that, in accordance with Prisons Act No. 26 of 1962, solitary confinement is applied only in exceptional circumstances, for a limited period of time and commensurate with the seriousness of the disciplinary offence committed by inmates while serving their sentence. It further notes the information that a study is under way to examine the possibility of amending article 58 (2) of the Prisons Act of 1962, which currently permits "limiting the types of food that may be distributed for a period not exceeding seven days." However, the Committee remains concerned that the State Party has not yet amended article 58 of the Prisons Act of 1962 to put an immediate end to all

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disciplinary measures involving restraints on movement or deprivation of food, which may amount to violations of the Convention, such as the use of iron rods to handcuff or bind the feet of inmates “for no more than a month” and the withholding of certain types of food for up to one week (2/C).

Human Rights Diwan and monitoring of detention facilities (para. 24 of the Committee’s concluding observations)

The Committee takes note of the information provided by the State Party that the Ministry of the Interior cooperates with the Human Rights Diwan and allows human rights organizations to visit prisons and meet with inmates, that the Diwan has called on national authorities to adopt a clear and time-bound plan of action for the implementation of its priority recommendations, and that the Ministry of Justice is currently reviewing legislation to guarantee that it complies with international standards governing the oversight of places of detention. The Committee remains, however, concerned about the lack of concrete measures taken to ensure the effective implementation of the Diwan’s recommendations, in particular with regard to follow-up to investigations and prosecutions and to the outcome of cases referred by the Diwan to the Office of the Public Prosecutor concerning torture allegations. It is also concerned about the dearth of specific measures taken to establish an effective and independent national system to inspect all places of deprivation of liberty and to ensure that monitoring bodies mandated to visit such facilities are able to carry out regular, independent and unannounced visits to all places of deprivation of liberty, to communicate confidentially with any persons deprived of their liberty during these visits, and to follow up on the outcome of such systematic monitoring. The Committee further notes with concern that the State Party has not taken any steps to become a party to the Optional Protocol to the Convention against Torture. Moreover, it regrets that the State Party has not provided any information on the legal, institutional and budgetary measures adopted to establish a national human rights institution that is fully compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and to guarantee the independence of the Human Rights Diwan, including by ensuring that it is not placed under the authority of the Council of Ministers (1/C).

Allegations of torture or ill-treatment and the lack of accountability (para. 28 (a) of the Committee’s concluding observations)

The Committee takes note of the information provided by the State Party that all allegations of torture and ill-treatment are treated as criminal offences and investigated by the Office of the Public Prosecutor, including ex officio; that preliminary inquiries into complaints against Ministry of the Interior personnel are carried out by the General Department for Oversight and Inspection, which is placed under the direct authority of the Minister of the Interior; and that members of the security forces suspected of human rights violations are immediately referred to the Office of the Public Prosecutor, suspended from duty for the duration of the investigation and subjected to adequate sanctions if found guilty. The Committee also takes note of the information that prosecutors are required, without delay, to refer alleged victims of torture or ill-treatment to forensic medical examination by independent medical personnel so that any resulting injuries or sequelae are documented and recorded in medical files and can serve as supporting evidence in judicial proceedings. However, the Committee remains

concerned by reports that existing investigation bodies, principally the Office of the Public Prosecutor, the General Department of Oversight and Inspection, and the Human Rights Diwan, still lack the necessary independence from the executive branch, and regrets that the State Party has not taken concrete measures since the adoption of its previous concluding observations to implement its recommendation. It therefore reiterates its recommendation to the State Party to ensure that all complaints of torture and ill-treatment are investigated in a prompt, effective and impartial manner by an independent body and that there is no institutional or hierarchical relationship between that body's investigators and the suspected perpetrators of such acts (3/C).

Implementation plans (para. 51 of the Committee's concluding observations)

Lastly, the Committee regrets that the State Party has not provided information about its plans for implementing, within the coming reporting period, the remaining recommendations included in its concluding observations (C).

The Government of Kuwait is encouraged to provide additional information, if there is any, which would further contribute to the Committee's analysis of the progress made regarding the specific issues of concern cited above. This additional information may be provided in any subsequent report by the State Party pursuant to the Committee's request in its concluding observations on the fourth periodic report of Kuwait or other future periodic reports.

The Committee looks forward to a continued constructive dialogue with the authorities of Kuwait on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



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