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Freedom in the World 2010 - Kuwait

Capital: Kuwait City
Population: 2,985,000

Political Rights Score: 4 *
Civil Liberties Score: 4 *
Status: Partly Free

Overview

In May 2009, Kuwait held parliamentary elections for the third time in three years. For the first time Kuwait's history, four women won seats in the new parliament. In April, a former member of parliament was arrested and quickly released on bail for criticizing a member of the ruling family. Kuwait's Constitutional Court in October granted women the right to obtain a passport without the permission of their husbands. In December, the parliament questioned Prime Minister Nasser al-Sabah over concerns about corruption.

For more than 200 years, the al-Sabah dynasty has played a role in ruling Kuwait. A year after the country gained its independence from Britain in 1961, a new constitution gave broad powers to the emir and created the National Assembly. Iraqi forces invaded in August 1990, but a military coalition mandated by the United Nations and led by the United States liberated the country in February 1991.

Emirs have suspended the National Assembly two times, from 1976 to 1981 and from 1986 to 1992. After its restoration in 1992, the parliament played an active role in monitoring the emir and the government, often forcing cabinet ministers out of office and blocking legislation proposed by the ruling family. However, the legislature has also served as an impediment to progressive political change by rejecting measures on women's rights and economic reform.

After 28 years of rule, Sheikh Jaber al-Ahmad al-Sabah died in 2006. Despite fears of a contentious succession process, the cabinet and parliament removed his heir for health reasons and elevated Sheikh Sabah al-Ahmad al-Sabah, the half-brother of the previous emir, as the new emir.

Parliamentary elections held in 2006 were the first to include women, having won the right to vote and run for office the year before. However, none of the 27 female candidates secured seats. In 2007, continued pressure from the legislature to end government corruption forced two prominent cabinet ministers to resign.

The emir dissolved parliament in March 2008, leading to another round of elections in May. Members of parliament continued to press for the power to question cabinet members on corruption and the performance of public services. In November 2008, members of the Salafi bloc in parliament demanded the right to question Prime Minister Nasser al-Sabah, a nephew of the emir, on charges of corruption. As a result of parliamentary anger, the prime minister submitted his and the cabinet's resignation in November.

The emir accepted the cabinet's resignation in December 2008. In a display of his displeasure with the parliament, the emir immediately reappointed his nephew Nasser al-Sabah as prime minister, a move that ensured continued frustration. The prime minister finalized the new cabinet in January 2009, making no significant changes to the government. Opposition members of parliament quickly renewed calls to question members of the cabinet for the misuse of public funds. Tensions boiled over again just three months after the formation of the cabinet, leading the government to resign again on March 16. The emir dissolved the parliament two days later, setting up the country's third parliamentary elections in three years.

Elections for the new parliament were held in May 2009. Four women won seats, marking the first time women candidates have been elected in the country's history. Turnout was low, and the results were mixed, with Sunni Islamists, Shiites, liberals and tribal representatives all winning seats.

After renewed calls to question the prime minister on corruption emerged in November, he appeared before the parliament in December, marking the first time a Kuwaiti prime minister had ever been questioned by the legislature. He survived the subsequent no-confidence vote when 35 of the parliament's 50 members voted in support of him.

Kuwait, which holds about 10 percent of the world's proven oil reserves, suffered an economic slowdown in 2009 following the collapse of oil prices in late 2008. Oil dominates the economy, accounting for nearly 90 percent of public revenues.

Political Rights and Civil Liberties

Kuwait is not an electoral democracy. The ruling family largely sets the policy agenda and dominates political life. The emir has overriding power in the government system and appoints the prime minister and cabinet. Under the constitution, the emir shares legislative power with the 50-member National Assembly, which is elected to four-year terms by popular vote. The electorate consists of men and women over 21 years of age who have been citizens for at least 20 years; members of most security forces are barred from voting. A 2006 law reduced the number of multimember electoral districts from 25 to 5 in an effort to curb corruption and manipulation. The emir has the authority to dissolve the National Assembly at will but must call elections within 60 days. The parliament can overturn decrees issued by the emir while it was not in session. It can veto the appointment of the country's prime minister, but then it must choose from three alternates put forward by the emir. The parliament also has the power to remove government ministers with a majority vote.

Formal political parties are banned. While political groupings, such as parliamentary blocs, have been allowed to emerge, the government has impeded their activities through harassment and arrests.

Corruption has been a dominant political issue in recent years, with lawmakers placing considerable pressure on the government to tackle the problem. Kuwait was ranked 66 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

While a 2006 press law requires officials to obtain a court order to close newspapers, the authorities continue to limit criticism and debate on politics in the press. Kuwait has more than 10 daily and weekly Arabic newspapers and two English-language dailies. The state owns four television stations and nine radio stations, but there are also a number

of private outlets, including the satellite television station Al-Rai. Foreign media outlets work relatively freely in Kuwait. Kuwaitis have access to the internet, though the government has instructed internet service providers to block certain sites for political or moral reasons. Authorities curbed freedom of speech on several occasions in 2009. Daifallah Bouramia, a former member of parliament, was arrested in April for criticizing Kuwait's Defense Minister Jaber al-Mubarak al-Sabah at an election rally, stating that he was "not fit" to be prime minister. Bouramia was later released on bail. From April to June, an Australian woman visiting Kuwait on vacation with her family served four months in prison for insulting the emir during an argument with immigration officials at the airport.

Islam is the state religion, but religious minorities are generally permitted to practice their faiths in private, and Christian churches operate freely. Shiite Muslims, who make up around a third of the population, enjoy full political rights but are subject to some discrimination and harassment.

Academic freedom is generally respected. Kuwait has a tradition of allowing relatively open and free private discussion, often conducted in traditional gatherings (*diwaniyat*) that usually include only men. However, there are indications that these traditional sanctuaries of free speech are under pressure. In November 2009, police arrested the prominent journalist Abdulqader al-Jassem for criticizing the prime minister at a private *diwaniya*. He was released on bail and was awaiting trial at year's end.

The government imposes constraints on freedoms of assembly and association, although those rights are provided by law. Kuwaitis must notify authorities of a public meeting or protest, but do not need a permit. In October 2009, over 700 expatriate construction workers protested inhumane work and living conditions, as well as overdue salaries. Workers also claimed they had not been paid for overtime in a year. Kuwaiti authorities responded favorably, compelling employers to remedy the situation or face stiff fines.

The government routinely restricts the registration and licensing of associations and nongovernmental organizations (NGOs), forcing dozens of groups to operate without legal standing or state assistance. Representatives of licensed NGOs must obtain government permission to attend foreign conferences on behalf of their organizations. Workers have the right to join labor unions, but the country's labor law mandates that there be only one union per occupational trade.

Kuwait lacks an independent judiciary. The emir appoints all judges, and the executive branch approves judicial promotions. Authorities may detain suspects for four days without charge. The Ministry of the Interior supervises the main internal security forces, including the national police, the Criminal Investigation Division, and Kuwait State Security. The government permits visits to prisons by human rights activists, who report adherence to international standards, though with some concern about overcrowding.

Stateless residents, known as *bidoon*, are estimated to number 100,000. They are considered illegal residents, do not have full citizenship rights, and often live in wretched conditions. Kuwait is a destination country for human trafficking, with many people coming from Bangladesh, India, Pakistan, the Philippines, and Sri Lanka.

The 1962 constitution provides men and women with equal rights. Nevertheless, women face discrimination in several areas of law and society and remain underrepresented in the workforce. While women are offered some legal protections from abuse and discrimination, they are only permitted to seek a divorce in cases where they have been deserted or subject to domestic violence. Women are required to have a male guardian in order to marry and are eligible for only one half of their brother's inheritance. Domestic abuse and sexual harassment are not specifically prohibited by law, and foreign domestic servants remain particularly vulnerable to abuse and sexual assault. Kuwait is a destination country for the trafficking of women. Despite efforts by some members of parliament to push forward desegregation, the country's public schools have been segregated since 2001. In December 2009, a parliamentary committee voted to segregate private schools as well, but the measure had not moved beyond the

committee by year's end. Women comprise more than 60 percent of the student body at several leading universities in Kuwait. Kuwaiti women have the right to vote and run as candidates in parliamentary and local elections. In October 2009, Kuwait's Constitutional Court granted married women the right to obtain passports and to travel without their husband's permission, overturning a 1962 law.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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