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Freedom in the World - Kuwait (2007)

Population: 2,700,000

Capital: Kuwait City

Political Rights Score: 4

Civil Liberties Score: 4

Status: Partly Free

Ratings Change

Kuwait's civil liberties rating improved from 5 to 4 due to the removal of long-standing legal restrictions on freedom of assembly.

Overview

In January 2006, amid much speculation, Kuwaiti leaders accomplished a smooth transition of power following the death of the emir, Sheikh Jaber al-Ahmad al-Sabah. His ailing successor, Saad al-Abdallah al-Sabah, was removed by the Parliament and cabinet in favor of Sheikh Sabah al-Ahmad al-Sabah. Parliamentary elections were held on June 29, a year ahead of schedule, due to a dispute over redistricting electoral constituencies. A series of powerful protests by the Orange Movement in favor of the redistricting had given momentum to the opposition in Parliament and led to the early elections. Meanwhile, a court ruling removed long-standing restrictions on freedom of assembly, allowing public gatherings without a permit.

For more than 200 years, the al-Sabah family has played a role in ruling Kuwait. A year after Kuwait gained its independence from Britain in 1961, a new constitution gave broad powers to the emir and created the National Assembly. In August 1990, Iraq attacked and invaded Kuwait. 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, forcing cabinet ministers out of office and blocking legislation proposed by the royal family. However, the legislature has also served as an impediment to progressive political change, rejecting measures that would have granted women the right to vote or accelerated economic reforms.

After 28 years of rule, Sheikh Jaber al-Ahmad al-Sabah died on January 15, 2006. Despite fears of a contentious succession process, the cabinet and Parliament removed

his heir, Sheikh Saad al-Abdallah al-Sabah, for health reasons and elevated Sheikh Sabah al-Ahmad al-Sabah as the new emir. By custom, Kuwait's leadership alternates between two branches of the al-Sabah family known as the al-Salem and al-Jaber lines. Suspicions have grown of late that the al-Jaber faction is pushing the al-Salem out of key cabinet positions, while the former retain 6 of the 16 posts, including those of energy, defense, interior, and foreign affairs.

On June 29, Kuwait held parliamentary elections. They were originally scheduled for October 2007, but were brought forward to break a deadlock over redistricting constituencies. Reformers in the Parliament had sought to reduce the 25 electoral districts to 5 in an effort to prevent corruption and political manipulation. The case was referred to the constitutional court, and the Parliament made an unprecedented request to question the prime minister on the matter, suggesting that compromise was impossible. As a result, the emir dissolved the Parliament on May 21 and set the stage for elections. Of 249 candidates competing for the 50 seats, 27 were women. In 2005, women had won the right to vote and run for office, and the new national elections were the first in which women participated.

The candidates fell into two broad groupings. The first, known as the Kuwait Rally, included a coalition of liberals, Islamists, and nationalists campaigning against corruption. The other group consisted of government loyalists and members of the ruling family. The former won 35 seats, up from 29, with the Islamists alone winning 21. Six Shiite candidates participated in the elections, but only four were voted in, one less than in the dissolved Parliament. None of the 27 women candidates were elected.

Public participation in the elections was 66 percent of registered voters, with female participation at 35 percent. Women and youth were heavily represented in the campaign due to the emergence in May of the Orange Movement. Seizing on the momentum to redraw the electoral districts, Kuwaiti youth had campaigned in favor of the five-district plan by organizing a series of May protests. The campaigners used the internet and text messages to effectively spread word of the events. Their activity coalesced in a May 16 demonstration at the National Assembly, where they were met by police. Lawmakers joined the protesters in defiance of the Parliament, leading to the May 21 dissolution and the call for new elections.

In July, the new Parliament approved the election reform law, cutting the number of constituencies from 25 to 5.

Kuwait, which has about 10 percent of the world's proven oil reserves, continued to enjoy strong economic growth as a result of high global oil prices. Oil dominates the economy, accounting for nearly 90 percent of public revenues. The National Assembly continued to delay action on Project Kuwait, a proposed \$8 billion investment by foreign oil companies to develop oil fields close to the Iraqi border.

Political Rights and Civil Liberties

Kuwait is not an electoral democracy. The royal family, from which the emir is drawn, 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 by a limited popular vote involving only about 15 percent of the country's 900,000 citizens. 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, and it has exercised this power in a number of cases. It can veto the appointment of the country's prime minister, but then it must choose from three alternates put forward by the emir. It also has the power to remove government ministers with a majority vote of elected members.

Formal political parties are banned, but political groupings, such as parliamentary blocs,

have been allowed to emerge. In 2005, a group of Kuwaiti Islamists announced the formation of the Umma Party, but like other political groupings, it was not granted a permit by the government. After the Umma Party announced its formation, the government imposed a travel ban on 15 of its top members and interrogated several of the party's leaders.

The Parliament has pursued cases of alleged corruption by cabinet ministers, and a desire to combat corrupt practices helped to propel the early 2006 elections. Transparency International ranked Kuwait 46 out of 163 countries surveyed in its 2006 Corruption Perceptions Index.

The authorities allow some open criticism and debate on politics in the press. In March 2006, the government implemented a revised press law, under which officials are no longer permitted to close down newspapers without a court order. The law also opens the door for the licensing of new dailies. However, the changes did not abolish a prison penalty for writers who insult God, the prophets, or Islam. Kuwait has five Arabic newspapers and two English-language dailies. The state maintains a significant presence in the broadcast media, with four television stations and nine radio stations. There are also a number of private outlets, including the satellite television station Al-Rai. In 2002, the government shuttered the local office of Qatar-based satellite television station Al-Jazeera over objections to its editorial positions, which were deemed anti-Kuwaiti. However, Al-Jazeera was allowed to resume local operations in May 2005. Other foreign media outlets work relatively freely in Kuwait. In some cases during the June 2006 parliamentary elections period, the government sought to shut down satellite stations for airing allegedly biased content, but many foreign journalists were able to cover the 2006 elections without interference.

Kuwaitis have access to the internet, though the government has directed internet service providers to block certain sites for political or moral reasons. The total number of internet users is estimated at 700,000.

Islam is the state religion, but religious minorities are generally permitted to practice their faiths freely in private. The Roman Catholic, Anglican, National Evangelical, Greek Orthodox, Armenian Orthodox, Coptic Orthodox, and Greek Catholic churches operate freely. Kuwaiti law bans missionaries from proselytizing among Muslims. Academic freedom is generally respected, though some scholars exercise self-censorship. Kuwait has a tradition of allowing relatively open and free private discussions, often conducted in traditional gatherings and usually including only men, called *diwaynyas*.

The government imposes restrictions on freedoms of assembly and association, although those rights are provided for by law. In May 2006, a court ruling removed 27-year-old restrictions on freedom of assembly that had required government approval for public gatherings. Under the new rule, Kuwaitis must notify authorities of a public meeting or protest, but no longer need a permit. 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. In August 2004, the Ministry of Social Affairs and Labor officially recognized the existence of the Kuwait Human Rights Society, which had been founded 10 years earlier but operated without official status. Representatives of licensed NGOs must obtain government permission in order to attend foreign conferences and gatherings on behalf of their organizations.

Workers have the right to join labor unions, but the government mandates that there be only one union per occupational trade. Kuwait has experienced labor unrest similar to that in other Gulf countries. In April 2006, Bangladeshi immigrants stormed their own embassy to protest poor working conditions.

Kuwait lacks a truly independent judiciary. The emir appoints all judges, and the executive branch of government approves judicial promotions and renewals of judicial appointments. According to Kuwaiti law, 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. Four Kuwaiti Islamists in 2005 accused government authorities of torturing them to extract confessions in a case in which they were accused of conspiring to attack foreign forces in Kuwait and Iraq. There were no reports of arrests or torture in 2006. 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 more than 80,000. They are considered illegal residents and do not have full citizenship rights. Over the year, the government granted citizenship to hundreds of *bidoon*. Kuwait is a destination country for human trafficking, with many people coming from Bangladesh, India, Pakistan, the Philippines, and Sri Lanka. Kuwait is a majority Sunni country, with the Shia comprising about one-third of the population. Unlike in some of Kuwait's neighboring countries, Sunni-Shia relations are generally good, and while regional conflicts have brought increased attention to the issue, few if any tangible problems have resulted.

Both male and female citizens have the right to own property and establish businesses.

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. Regulations stemming from Sharia (Islamic law) discriminate against women in matters like divorce and inheritance. Kuwait is a destination country for the trafficking of women. Domestic abuse and sexual harassment are not specifically prohibited by law, and foreign domestic servants remain particularly vulnerable to abuse and sexual assault. In July 2006, the prime minister appointed Masouma al-Mubarak as minister of communications. She had become the country's first female cabinet minister in 2005, when she was appointed to lead the planning and administrative development ministry. Women comprise more than 60 percent of the student body at several leading universities in Kuwait. In May 2005, Kuwait's Parliament passed an amendment allowing women the right to vote and run for Parliament and local elections. The change allowed women to fully participate in the June 2006 parliamentary balloting, although some female candidates faced harassment and intimidation, and at least one reportedly withdrew after receiving death threats. The fact that the balloting was held a year ahead of schedule was seen by some observers as a disadvantage to inexperienced female candidates.

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