

# Statelessness in Kuwait

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**Cover photo:** Yousra Owayed, 31, holds her baby Nour in the kitchen of the apartment in Chios she and her husband received through UNHCR. The family of seven are members of Kuwait's stateless Bidoon community. They arrived by sea from Turkey to Greece in July 2018; © UNHCR/Daphne Tolis



*This document provides information on the profiles of stateless individuals and persons who may be at risk of statelessness in Kuwait. The analysis presented here is based on a desk review of relevant sources, conducted between August 2018 and February 2019. The research was informed by, and draws from, the previous work of the Institute on Statelessness and Inclusion in collaborating with partners in the country (academics, community members and human right activists) to monitor developments relating to statelessness in Kuwait since 2014. A full bibliography of the resources used can be found at the end of this document. Please note that the information presented should not be understood as fully comprehensive of all nationality and statelessness problems in Kuwait. There may be other situations in which statelessness arises in the country, or other specificities, that differ from the information given here. Kuwaiti policies towards the various stateless communities have changed over time and continue to evolve. It is therefore challenging to provide general information which accurately encapsulates all situations faced by individuals who are stateless or at risk of statelessness in Kuwait.*



## SUMMARY OF MAIN ISSUES

- The Kuwaiti Nationality Law contains various gaps and flaws that could either lead to statelessness or prolong it. It discriminates against women in their ability to transfer their nationality to their children and imposes religious restrictions for naturalisation.
- Kuwait has engaged in the withdrawal of nationality including as a response to civil society activity in the wake of the Arab Spring with deprivation also extended to the individuals' children. This withdrawal of nationality can directly lead to statelessness as Kuwaitis are only permitted one nationality.
- Kuwait has historically been home to a large stateless population of people known as the Bidoon – a literal translation of the Arabic word for 'without'. The Bidoon missed out on nationality following state formation. They are deemed to be illegal residents and face severe restrictions of their rights, including in access to education, healthcare and employment. The Bidoon live in relative poverty and social segregation.
- Many Bidoon have been unable to access any form of documentation, making their status in the country even more precarious and increasing the risk of arbitrary arrest or detention. The situation of undocumented Bidoon has been considered so severe as to amount to persecution, although those Bidoon who do have documentation (such as the 'security document') also face severe restrictions of rights.
- Kuwait has no measures in place to ensure the child's right to a nationality or to prevent the inheritance of statelessness. As a result, any child born to a stateless Bidoon father automatically inherits statelessness, regardless of whether they are born in Kuwait or if the mother is a Kuwaiti national. Kuwaiti legislation discriminates against women preventing them from passing on their nationality to their children.
- In addition to the Bidoon, Palestinians make up a considerable proportion of the stateless population in Kuwait. The flaws in the Kuwaiti Nationality Law, and the withdrawal of nationality, result in the creation of other stateless groups.
- Even though there have been promises made by the Kuwaiti Government to solve the statelessness problem in the country, there has been little to no improvement of the situation on the ground. Instead, in reaction to protests that Bidoon have participated in over recent years, there has been a rise in harassment, arrests, detention and other extra-legal attempts to curtail public and civil society efforts to advocate for the position of the Bidoon.

**RELEVANT POPULATION DATA**

Official Language:	<b>Arabic</b>
Estimated Population:	<b>4.2 million<sup>1</sup></b> ( <i>1.3 million Kuwaiti citizens</i> )
Estimated number of stateless people (UNHCR 2018):	<b>93,566<sup>2</sup></b>
Estimated number of Internally Displaced Persons (IDP) (UN 2018):	<b>0</b>
Estimated number of refugees hosted by Kuwait:	<b>0</b>
Estimated number of refugees from Kuwait:	<b>Unknown</b>

**KUWAIT'S NATIONALITY LAW**

Acquisition and withdrawal of nationality is regulated in Kuwait by the 1959 Nationality Law.<sup>3</sup> The law has been reformed a few times since 1959, but these changes have made it more restrictive.<sup>4</sup> The following summary identifies problems relating to the law or its application that may lead to statelessness.

**Discrimination in access to nationality****Acquisition of nationality at birth**

The Kuwaiti Nationality Law is based on paternal jus sanguinis.<sup>5</sup> Article 2 of the Nationality Law, states that: "any person born in, or outside, Kuwait whose father is a Kuwaiti national shall be a Kuwaiti national himself."<sup>6</sup> This means that a Kuwaiti father passes Kuwaiti nationality to his child regardless of where the child is born. The law has two negative consequences for statelessness in Kuwait:

1. Statelessness can be transferred from a stateless father to a child, even if the child is born in Kuwait. So, a child born in Kuwait to a stateless father will be stateless as well. The law thereby facilitates intergenerational statelessness and the inheritance of statelessness.<sup>7</sup>
2. The law discriminates against women as it prevents them from passing on their Kuwaiti nationality to their child. As stipulated in Article 3 of the Nationality Law, a Kuwaiti mother may only legally transfer her nationality to a child: "*whose father is unknown or whose kinship to his father has not been legally established*".<sup>8</sup> In practice, this limited safeguard is rarely implemented<sup>9</sup> and a child will therefore rarely acquire nationality through their mother.

<sup>1</sup> CIA, The World Factbook. Access via: <https://www.cia.gov/library/publications/the-world-factbook/index.html>

<sup>2</sup> UNHCR (2019). *The World in Numbers*. Available at: <http://popstats.unhcr.org/en/overview>

<sup>3</sup> Kuwait 1959 Nationality Law. Available online at: <http://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>4</sup> Legal Agenda (2016). *Nationality and cases of Statelessness in the Middle East and North Africa*. Available at: <http://legal-agenda.com/uploads/1501236997-Eng%20Stateless%20Report%20.pdf>

<sup>5</sup> The principle whereby a child acquires the nationality of a country through their parent(s).

<sup>6</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>7</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>8</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>9</sup> Womens Refugee Commission (2013). *Our Motherland, Our Country*. Available at: <https://www.womensrefugeecommission.org/resources/239-refugee-protection/942-our-motherland-our-country-gender-discrimination-and-statelessness-in-the-middle-east-and-north-africa>



## Naturalisation

Naturalisation requirements in Kuwait are very strict and include residency in the country for a minimum of 15 to 20 years.<sup>10</sup> A religious criterion is also applied. According to Article 4(5) of the Nationality Law, to be eligible for naturalisation, a person must *“be an original Muslim by birth or [have] converted to Islam according to the prescribed rules and procedures and a period of at least five years passed since he embraced Islam before the grant of naturalisation”*. A person can subsequently be denationalised (the naturalisation rendered void) if the person renounces Islam or *“behaves in such a manner as clearly indicates his intention to abandon Islam”*.<sup>11</sup>

## Prohibition on dual nationality

Kuwait has a prohibition on dual nationality, as is prescribed under Article 12 of the Nationality Law.<sup>12</sup> A Kuwaiti citizen should not obtain any other nationality and individuals who wish to naturalise as Kuwaiti must renounce the nationality of their country of origin. If they do not do this, the law allows for their Kuwaiti nationality to be withdrawn. The Kuwaiti Government has used alleged hidden foreign nationalities as justification to withdraw nationality from Kuwaiti citizens, which may in fact lead to statelessness.<sup>13</sup>

## Deprivation of nationality

There is an active practice of deprivation of nationality in Kuwait often leading to statelessness. Children may also be affected through so-called ‘derivative deprivation’, where their nationality is lost following the withdrawal of nationality from their parent.

### Key resources:

[HRW, Kuwait Government Strips Citizenship from Critics, 2014](#)

[Kuwait Times, Crackdown on dual citizens, 2017](#)

[Kuwait Times, The Appeals Court overturns ex-MPs citizenship verdict, 2016](#)

The grounds on which an individual may be deprived of Kuwaiti nationality differ between those who are naturalised citizens (Article 13) and those who are citizens by birth (Article 14). They include grounds relating to fraud, loyalty and other forms of behaviour, including some broadly formulated powers such as where a person *“disseminated opinions which may tend seriously to undermine the economic or social structure of the state”*.<sup>14</sup>

Since 2011 there has been increased denationalisation in Kuwait, because of a crackdown on dissent after the so-called ‘Arab Spring’ which led to increased protest.<sup>15</sup> There are no

<sup>10</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>11</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>12</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>13</sup> UNHCR UK. Ending Statelessness. <https://www.unhcr.org/stateless-people.html>

<sup>14</sup> Kuwait 1959 Nationality Law. Available online at: <https://www.refworld.org/docid/3ae6b4ef1c.html>

<sup>15</sup> For more information on the crackdown on the stateless after the 2011 Arab Spring, see: Human Rights Watch (2011). Dozens injured, Arrested, in Bidoon Crackdown. Access at: <https://www.hrw.org/news/2011/02/19/kuwait-dozens-injured-arrested-bidun-crackdown>. For a photo essay see: Constantine, G. *Nowhere People*. Access at: <http://www.nowherepeople.org/kuwait/>.



comprehensive figures on how many people have been stripped of their nationality, but the number is believed to be in the hundreds. The US State Department reported that: “A Council of Ministers committee created in 2017 to review citizenship revocations since 1991, received 200 appeals and sent their recommendations for 70 of those to the Council of Ministers. Seven families had their citizenship restored, while the other 63 were rejected”.<sup>16</sup> It has been reported that Kuwaiti children have had their nationality revoked as a consequence of their parents having their nationality revoked.<sup>17</sup>

The largest stateless population in Kuwait are the Bidoon who have been left without access to nationality for many decades. Since the mid-1980s, their status and rights within the country has deteriorated.

**Key resources:**

[HRW, Prisoners of the Past. Kuwaiti Bidun and the Burden of Statelessness, 2011](#)

[Amnesty International, Kuwait: Submission to the United Nations Human Rights Committee, 2016](#)

[Open Society, Without Citizens: Statelessness, Discrimination and Repression in Kuwait, 2011](#)

[Washington Post, The controversial plan to give Kuwait's stateless people citizenship, 2016](#)

## POPULATIONS AFFECTED BY STATELESSNESS IN KUWAIT

### Bidoon

The most well-known and largest stateless group in Kuwait are known as the Bidoon (also ‘Bedun’, ‘Bidoun’ or ‘Bidun’). The word *Bidoon* is Arabic for ‘without’ and has become shorthand for *bidoon jinsiya* – ‘without nationality’. The United Nations High Commission for Refugees (UNHCR) reports that 93,566 stateless people live in Kuwait.<sup>18</sup> Other sources estimate the total number of Bidoon in Kuwait to be between 80,000–140,000 people.<sup>19</sup>

### Origin of nationality problems

Most Bidoon are descended from nomadic tribes native to the Arabian Peninsula. The causes of statelessness among them vary. For the vast majority, it is because these Bidoon groups were in Kuwait at the time the country gained independence in 1961.<sup>20</sup> The Kuwaiti Government initiated a registration process to identify citizens, but a large number of people were not able to register and were excluded from the citizenship process. This was due to reasons such as the individual or family not understanding the new law or the importance of registering for citizenship, nomadic families not having sufficient proof of their link to the state, or simply that they were geographically too far away

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For more information on the denationalisation of citizens during this period see: Human Rights Watch (2014). *Kuwait Government Critics Stripped of Citizenship*. Access at: <https://www.hrw.org/news/2014/10/19/kuwait-government-critics-stripped-citizenship>

<sup>16</sup> US Department of State (2018). Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>.

<sup>17</sup> See for example: The Guardian (2014, August 11) *Kuwait Media Owner Stripped of his Citizenship*. Access at: <https://www.theguardian.com/media/greenslade/2014/aug/11/press-freedom-kuwait>

<sup>18</sup> UNHCR (2019). *The World in Numbers*. Available at: <http://popstats.unhcr.org/en/overview>

<sup>19</sup> Beauprand, C. (2017). *Stateless in the Gulf: Migration, Nationality, and Society in Kuwait*.

<sup>20</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>



from registration points at the time.<sup>21</sup> As a result, around one third of the population of Kuwait at the time became stateless and classified as *bidoon jinsiya*.<sup>22</sup>

Additionally, a small portion of the Bidoon initially settled in neighbouring Arab states such as Saudi Arabia, Iraq, Syria and Jordan. The newly formed Kuwaiti state was struggling to build a national army and recruited people from these groups, who made up around 80% of the army until the 1980s. The Government registered them as *bidoon jinsiya*, as a way of avoiding political sensitivities. After the Gulf War, many of these Bidoon are thought to have left Kuwait.<sup>23</sup> As set out below, from the mid-1980s onwards, the situation of the Bidoon deteriorated dramatically as they were cast as “illegal immigrants” by the state.

### **Inheritance of statelessness**

The discriminatory nationality provisions in Kuwaiti legislation and the lack of safeguards against children being born stateless have meant that statelessness has become an intergenerational issue in Kuwait. Statelessness can be passed down from a stateless father to a child, regardless of whether the mother is a Kuwaiti national and regardless of whether the child is born in Kuwait. The children and grandchildren of those who were not able to register initially as Kuwaiti citizens have therefore also been left stateless.<sup>24</sup>

There have been some efforts over the decades by the Kuwaiti authorities to resolve the situation of the Bidoon; however there has been little meaningful progress and the overall attitude to the Bidoon has changed very little since the 1990s.<sup>25</sup> In 2000, a law was passed allowing the naturalisation of Bidoon on the condition that they could demonstrate their registration in the 1965 census. In practice, very few Bidoon were able to acquire nationality through this process.<sup>26</sup> There are regular announcements of “new” initiatives to naturalise a segment of the Bidoon population, such as the descendants of those who served in Kuwait’s armed services or children of Kuwaiti mothers, but none has ever created a genuine pathway to nationality for more than a few hundred individuals.<sup>27</sup>

Controversially, in 2016, the authorities entered into an agreement with the Union of the Comoros (an archipelago off the east coast of Africa), for the Comoros to grant economic citizenship to stateless persons living in Kuwait. There have been reports of individuals who have obtained this citizenship, although exact figures are unavailable.<sup>28</sup> This deal does not offer a genuine, effective or

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<sup>21</sup> Beaugrand, C. (2017). *Stateless in the Gulf: Migration, Nationality, and Society in Kuwait*.

<sup>22</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>23</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>24</sup> In Kuwait there is no safeguard against childhood statelessness at birth. See UN Committee on the Rights of the Child (2013). List of issues in response to the second periodic report of Kuwait, CRC/C/KWT/Q/2.

<sup>25</sup> Lund-Johansen (2014). Marie, Fighting for Citizenship in Kuwait, and also see, for instance, the news story that came to light in July 2013 around a leaked document from the Kuwaiti “Central Agency for Illegal Residents” which reportedly explained that the authorities were deliberately avoiding the use of the word stateless as follows: “The term stateless will obligate Kuwait to grant rights to those illegal residents according to international agreements. Those are people hiding their original documents to get the Kuwaiti citizenship”. Bidoon Rights, Leaked document: head of Central Agency fears the term “stateless”, 24 July 2013, available at: <http://www.bidoonrights.org/2013/07/24/leakeddocument-head-of-central-agency-fears-the-term-stateless/>

<sup>26</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>27</sup> For the political use of (the promise of) naturalisation and its impact on Bidoon activism see Brokstad Lund-Johansen, M. (2014), Fighting for Citizenship in Kuwait. Available at: [https://www.academia.edu/19225835/Fighting\\_for\\_Citizenship\\_in\\_Kuwait](https://www.academia.edu/19225835/Fighting_for_Citizenship_in_Kuwait).

<sup>28</sup> Abrahamian, A. A. (2015). The Cosmopolite: The Coming of the Global Citizen.





rights-based route to resolving statelessness for the Bidoon population and has been heavily criticised.<sup>29</sup>

## Status and documentation

Different sub-sets of the Bidoon community hold different types of identification and many have been left undocumented altogether. The documented Bidoon are registered with the Government and often have a 'reference card' or 'security card'<sup>30</sup>, and some members of this group may have access to rights, such as healthcare (see below).<sup>31</sup> However, the issuance and renewal of identity cards is subject to the requirement that the Bidoon sign affidavits renouncing any claim to Kuwaiti nationality.<sup>32</sup> The undocumented Bidoon have never been registered, have no identity documentation and face an increased risk of arbitrary arrest and detention.<sup>33</sup> The US State Department reports that *"many adult Bidoon lacked identification cards due to the many administrative hurdles"*.<sup>34</sup>

Civil documentation such as birth, marriage and death certificates are sometimes accessible for Bidoon with a 'reference' or 'security' card. Bidoon with this card need to request permission to obtain these civil documents and they may still be refused if the Government suspects that they have other nationalities.<sup>35</sup> UNHCR reports that many Bidoon *"are denied access to public services and are not being issued with legal documents, including those related to vital events such as birth and marriage certificates"*<sup>36</sup>, leaving them with no documentation of identity. The lack of birth certificates<sup>37</sup> is another factor that restricts Bidoon children's *"ability to obtain government-issued identification cards, access adequate medical care, attend school and be counted in official statistics"*.<sup>38</sup>

Pursuant to Kuwait's Passport Law (Law No. 11 of 1962), documented Bidoon are theoretically eligible for a travel document commonly referred to as an 'Article 17 Passport'. This passport contains a clear annotation indicating that the holder is not a Kuwaiti citizen.<sup>39</sup> Such passports are

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<sup>29</sup> The Washington Post (2016, May 17). The controversial plan to give Kuwait's stateless people citizenship of a tiny, poor African island. Available on: [https://www.washingtonpost.com/news/worldviews/wp/2016/05/17/the-controversial-plan-to-give-kuwait-stateless-people-citizenship-of-a-tiny-poor-african-island/?noredirect=on&utm\\_term=.a6657e1136d7](https://www.washingtonpost.com/news/worldviews/wp/2016/05/17/the-controversial-plan-to-give-kuwait-stateless-people-citizenship-of-a-tiny-poor-african-island/?noredirect=on&utm_term=.a6657e1136d7)

<sup>30</sup> Human Rights Watch (2011). *Prisoners of the Past. Kuwaiti Bidun and the Burden of Statelessness*, June 2011, <https://www.hrw.org/report/2011/06/13/prisoners-past/kuwaiti-bidun-and-burden-statelessness>

<sup>31</sup> Beaugrand, C. (2017). *Stateless in the Gulf: Migration, Nationality, and Society in Kuwait*.

<sup>32</sup> UN Human Rights Council (2014). Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, A/HRC/WG.6/21/KWT/2. Available at: [https://www.upr-info.org/sites/default/files/document/kuwait/session\\_21\\_-\\_january\\_2015/a\\_hrc\\_wg.6\\_21\\_kwt\\_2\\_e.pdf](https://www.upr-info.org/sites/default/files/document/kuwait/session_21_-_january_2015/a_hrc_wg.6_21_kwt_2_e.pdf).

<sup>33</sup> Albarazi, Z. (2017). Regional Report on Citizenship: The Middle East and North Africa. [http://cadmus.eui.eu/bitstream/handle/1814/50046/RSCAS\\_GLOBALCIT\\_Comp\\_2017\\_03.pdf?sequence=1](http://cadmus.eui.eu/bitstream/handle/1814/50046/RSCAS_GLOBALCIT_Comp_2017_03.pdf?sequence=1)

<sup>34</sup> US Department of State (2018) Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>.

<sup>35</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>36</sup> UNHCR (2014), Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report - Universal Periodic Review: STATE OF KUWAIT. Available at: [https://www.upr-info.org/sites/default/files/document/kuwait/session\\_21\\_-\\_january\\_2015/unhcr\\_-\\_united\\_nations\\_high\\_commissioner\\_for\\_refugees.pdf](https://www.upr-info.org/sites/default/files/document/kuwait/session_21_-_january_2015/unhcr_-_united_nations_high_commissioner_for_refugees.pdf).

<sup>37</sup> UN Committee on the Rights of the Child (2013). Concluding Observations: Kuwait, CRC/C/KWT/CO/2, 29 October 2013. Available at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsqkKv0xrUf%2bC9C%2f9uT1230ixwWkdJgZEzWINC20%2fCcqb9NrxwgM9B9sS8ZKRwBAZ9RQjtdPpjtvEZApU90hTsRcb5%2bld1vyhXu9W3d9KGR%2b8>.

<sup>38</sup> US Department of State (2018) Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>.

<sup>39</sup> Canada: Immigration and Refugee Board of Canada (2011). Kuwait: Information on Article 17 passports, KWT37021.E, available at: <https://www.refworld.org/docid/3df4be5914.html>.



only made available in exceptional circumstances and typically issued only with a validity for a particular trip.<sup>40</sup> According to the US State Department, Kuwait has not issued 'Article 17 passports' (temporary travel documents that do not confer nationality) to Bidoon except on humanitarian grounds since 2014, further restricting the ability of the Bidoon to travel abroad.<sup>41</sup>

## **Rights and freedoms**

Up until the 1980s, the Bidoon had near-equal rights to Kuwaiti citizens, including access to employment, education, registration and healthcare. Around the mid-1980s, influenced by unrest and conflict in neighbouring countries, the Kuwaiti Government began considering the Bidoon as a security threat. For instance, it came to light that some of the incoming refugees from Iraq, wishing to avoid military service and/or persecution, were posing as Bidoon by disposing of their identity documents. Consequently, in 1986, the government introduced residence requirements, changing the status of Bidoon to "illegal residents" and rescinding many of their rights.<sup>42</sup>

Nowadays, being a Bidoon in Kuwait means facing severe restrictions on access to fundamental rights and services. The human rights situation of the Bidoon has been reported on in an array of UN, civil society and other reports over the past decade.<sup>43</sup> Overall, the multitude of restrictions of rights faced by the Bidoon have resulted in most of them living in relative poverty and social segregation.<sup>44</sup> The UK Home Office guidance considers undocumented Bidoon to face discrimination "so severe as to amount to persecution" such that "a grant of asylum would normally be appropriate", while the treatment of documented Bidoon is "not in general so severe as to amount to persistent and serious ill treatment".<sup>45</sup> However, both groups are stateless, in limbo and have severe impediments to accessing the most basic of rights.

Education of Bidoon children is heavily restricted as a result of their statelessness. Bidoon children do not have the right to attend public schools since they are not considered Kuwaiti citizens. Many Bidoon children, particularly Bidoon girls, were entirely excluded from education in the 1980s and 1990s. Nowadays, most Bidoon children do receive at least a basic primary education through private schools, but no state funding is provided and so this system is reliant on the support of charitable foundations.<sup>46</sup> These private schools are also reportedly often of a lower standard than public schools and, additionally, Bidoon students were excluded from Kuwait University up until the

<sup>40</sup> Human Rights Watch (2011). *Prisoners of the Past. Kuwaiti Bidun and the Burden of Statelessness*, June 2011, <https://www.hrw.org/report/2011/06/13/prisoners-past/kuwaiti-bidun-and-burden-statelessness>

<sup>41</sup> US Department of State (2018) Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>.

<sup>42</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>43</sup> Including: Human Rights Watch (2014) UPR Submission Kuwait. Available at: [https://www.upr-info.org/sites/default/files/document/kuwait/session\\_21\\_-\\_january\\_2015/hrw\\_-\\_human\\_rights\\_watch.pdf](https://www.upr-info.org/sites/default/files/document/kuwait/session_21_-_january_2015/hrw_-_human_rights_watch.pdf); UK Home Office (2016). Country Information and Guidance. Kuwait: Bidoons. Available at: [https://www.ecoi.net/en/file/local/1424119/1226\\_1518424272\\_cig-kuwait-bidoons.pdf](https://www.ecoi.net/en/file/local/1424119/1226_1518424272_cig-kuwait-bidoons.pdf); Canada: Immigration and Refugee Board of Canada (2016), Kuwait: Employment rights of registered Bedouns, including legislation; requirements to hold employment; whether there are restrictions on employment in certain professions (2012-March 2016), KWT105484.E. Available at: <https://www.refworld.org/docid/5821ea9f4.html>; US Department of State (2018) Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>;

<sup>44</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>45</sup> UK Home Office (2016). Country Information and Guidance. Kuwait: Bidoons. Available at: [https://www.ecoi.net/en/file/local/1424119/1226\\_1518424272\\_cig-kuwait-bidoons.pdf](https://www.ecoi.net/en/file/local/1424119/1226_1518424272_cig-kuwait-bidoons.pdf).

<sup>46</sup> UN Committee on the Rights of the Child (2013). Concluding Observations: Kuwait, CRC/C/KWT/CO/2, 29 October 2013. Available at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsqkKV0xrUf%2bC9C%2f9uT1230ixwWkdJgZEzWINC20%2fCcqb9NrxwgM9B9sS8ZKRwBAZ9RQjtdPpjtvEZApU90hTsRcb5%2bld1vyhXu9W3d9KGR%2b8>.



academic year of 2013-2014. From 2014 onwards, a maximum of 100 Bidoon students are now accepted per year, if they satisfy various conditions. However, the vast majority are still excluded.<sup>47</sup> Bidoon girls face intersectional discrimination, marginalised first by the Kuwaiti state for being Bidoon, and second by their own Bidoon community for being female, with the education of Bidoon boys being prioritised over girls when funds are limited within families.<sup>48</sup>

Similarly, access to healthcare is still a problem for Bidoon in Kuwait. While Bidoon can be treated in public hospitals through a low-cost insurance plan from the Government, many treatments are not included in this plan and treatment can be refused if someone is unable to produce a reference/security card. The alternative private healthcare is too costly for most Bidoon.<sup>49</sup>

Following the Arab Spring in 2011, around 1000 Bidoon demonstrated, demanding their citizenship rights. Even though these protests were forbidden in 2012, the Government announced that certain privileges (such as access to registration, education and healthcare) would be granted to Bidoon. Again, in practice, little has been done to implement these promises.<sup>50</sup> Rather, in reaction to the protests, there has been a rise in harassment, arrests, detention and other extra-legal attempts to curtail public and civil society efforts to advocate for the position of the Bidoon.<sup>51</sup>

## Palestinians

Approximately 80,000 Palestinians currently live in Kuwait, the majority of whom are stateless, though exact numbers are unknown. In the past, there were around 400,000-450,000 Palestinians living in Kuwait. A significant portion of this community were, however, displaced during the 1990-1991 Gulf War, with many of them ending up in Jordan.<sup>52</sup>

There have been some tensions in the past between Palestine and Kuwait. When Iraq invaded Kuwait in 1990, the Palestine Liberation Organisation (PLO) supported this because they believed Saddam Hussein would give them their territory back. Since then, the PLO has apologised for this and relations have been restored. In 2017, Kuwait lifted its restrictions on Palestinians' ability to work in the country and now treat Palestinian passport holders as all other Arab nationalities.<sup>53</sup>

## Others Stateless Groups

In addition to the above groups, other cases of statelessness occur in Kuwait as a result of the country's nationality law and practices. These may include the following:

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<sup>47</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>48</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>49</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>50</sup> Minority Rights Group International (2017). Kuwait, Bidoon Profile. Available at: <https://minorityrights.org/minorities/bidoon/>

<sup>51</sup> UN Human Rights Council (2014). Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21: Kuwait, A/HRC/WG.6/21/KWT/3. Available at: [https://www.upr-info.org/sites/default/files/document/kuwait/session\\_21\\_-\\_january\\_2015/a\\_hrc\\_wg.6\\_21\\_kwt\\_3\\_e.pdf](https://www.upr-info.org/sites/default/files/document/kuwait/session_21_-_january_2015/a_hrc_wg.6_21_kwt_3_e.pdf); US Department of State (2018) Country Reports on Human Rights Practices for 2018: Kuwait. Available at: <https://www.state.gov/documents/organization/289460.pdf>.

<sup>52</sup> Badil Resource Centre (2010). Palestinian Forced Displacement from Kuwait. Available on: <http://www.badil.org/en/component/k2/item/1514-art07.html>

<sup>53</sup> Gulf News (2017, February 06). Kuwait lifts decades-long ban on Palestinian workers. Access at: <https://gulfnews.com/world/gulf/kuwait/kuwait-lifts-decades-long-ban-on-palestinian-workers-1.1973889>



- Children of Kuwaiti women who have not legally substantiated their link to the child's father;
- Individuals who have lived in Kuwait for a protracted period, but have been unable to naturalise in Kuwait and have lost their link to their country of origin<sup>54</sup>; and,
- Individuals who have been deprived of their nationality.

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<sup>54</sup> Beaugrand, C. (2017) *Stateless in the Gulf: Migration, Nationality, and Society in Kuwait*.





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**Statelessness is often overlooked in asylum and migration debates. It is a hidden but very real issue affecting many refugees and migrants in Europe.**

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