

To the Emir of Kuwait,

As Members of the European Parliament, we are writing to express our deepest concern over the systemic ongoing problems in Kuwait regarding the Bidoon community.

Due to a restrictive Nationality Law and various amendments, namely **Decree Law No. 40/1987, Decree No. 1/1982, Statute No. 1/1982, Decree Law No. 100/1980, and Statute No. 30/1970**, the Bidoon population faces continuous discrimination and ill-treatment. Not only are Bidoons denied citizenship, they are also denied access to basic rights, such as public education, healthcare and legal employment, resulting in widespread discrimination and oppression.

The country's restrictive nationality laws, which denies a Kuwaiti mother the ability to pass on her Kuwaiti citizenship to her child, meaning that children born with a Kuwaiti mother and a Bidoon father are denied nationality, is nothing short of discriminatory and in **violation of Article 7 of the Convention on the Rights of Children (CRC)** as well as **Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**. Furthermore, denial of birth certificates for Bidoon children results in the inability to enroll in government-funded public schools, which constitutes a **violation of Article 28 of the CRC**.

In light of the current **COVID-19 situation**, the Bidoon community faces additional extreme challenges. Bidoons without security cards reported that they were **denied access to government clinics and hospitals**. Bidoons who were issued green cards by the State, in order to access public services such as medical treatment (at their own expense) could do so only upon signing documents admitting that they were not Kuwait nationals. This structural discrimination and social stigma experienced by the Bidoons places them in a vulnerable position as the Covid-19 pandemic spread throughout Kuwait and is in direct violation of **Article 12 of the International Covenant on Economic Social and Cultural Rights**.

Furthermore, over the years, the Kuwaiti authorities have used repressive measures to silence human rights defenders protesting for the right to citizenship. Amnesty International has reported that, in July 2019, a dozen protestors, including prominent **human rights defender Abdulhakim al-Fadhli**, were arrested following demonstrations held by Bidoons in Kuwait City and Tayma, which stands in direct **violation of article 9 and 21 of the International Covenant on Civil and Political Rights**.

By continuing to deny the Bidoon community citizenship rights, the Kuwaiti government de facto authorises the legal, social, and economic discrimination which the community has been enduring for decades. The above outlined challenges faced by the Bidoon community clearly violate international human rights standards including the **1961 Convention on the Reduction of Statelessness** as well as the **right to nationality**, which is protected under **Article 24 of the the International Covenant on Civil and Political Rights (ICCPR)**. In addition to the above outlined Conventions and Covenants, the Kuwaiti government finds itself in violation of numerous international human rights provisions within the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Arab Charter on Human Rights (ACHR), all of which Kuwait ratified.

The consequences of these violations can be observed daily. Suicide attempts among members of the Bidoon community are terrifyingly common. Children, men and women continue to suffer under the discriminatory law. The suicide of 11-year-old Khaled Alshammari earlier this year, and most recently the suicide attempt of a Bidoon man who set himself on fire following the death of a young Bidoon boy who was selling flowers, are the direct consequence of the discriminatory actions directed at the Bidoon community, and of a state who will not take responsibility for a vulnerable group within their borders.

We therefore urge the Kuwaiti government to:

1. **Establish** the situation of the Bidoon community as a matter of priority within the EU-Kuwait Human Rights Dialogue;
2. **Open** a national dialogue with the Bidoon community and other members of the civil society in order to find an adequate solution;
3. We welcome the efforts made by the State of Kuwait in collaborating with several Special Rapporteurs these past few years, such as the *Special Rapporteur on the Rights of Persons with Disabilities* and *The Working Group on the Issue of Discrimination against Women in Law*. We therefore **urge** Kuwait to continue down this path by collaborating with other Special Rapporteurs, such as the *Special Rapporteur on the Right to Education* and the *Special Rapporteur on the Right of Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health* in order to improve areas for which Bidoons face many discrimination;
4. **Comply** Kuwaiti Government's international commitments regarding the *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)* and *Racism (CERD)* the *International Convention on Civil and Political Rights (ICCPR)* and the *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*;
5. We welcome the establishment of new human rights national organizations such as the National Bureau for Human Rights, the Supreme National Committee for Child Protection, or the National standing committee for implementing the strategy to combat human trafficking and migrant smuggling. In light of these improvements as well as with regard to the Universal Periodic Review and other concluding observations; we **urge** the Kuwaiti government to ratify the UN Conventions relating to the Status of Stateless Persons (1954) and the Reduction of Statelessness (1961) and to withdraw its remaining reservations to the Convention on the Rights of the Child;
6. **Provide** appropriate medical care to all members of the Bidoon community in light of the current COVID-19 outbreak;
7. **Release** all peaceful Bidoon human rights defenders currently detained due to their human rights activism;
8. **Encourage** transparency in all judicial proceedings and governing bodies.

As Members of the European Parliament, we remain committed to the protection, promotion, and fulfillment of all human rights in Kuwait.

Sincerely,

MEP Ernest Urtasun