

**Gender Action Plan III - 2021-2025**  
**Country Level Implementation Plan (CLIP)**

**Kuwait**

## 1. Context for EU action, gender equality and women's empowerment in the country

Kuwait is party to key **international instruments** on gender equality and women's empowerment, including the *Convention on the Elimination of Discrimination Against Women* (CEDAW) and the Beijing Declaration and Platform for Action. Kuwait is also committed to achieve the UN SDGs, including SDG 5 for gender equality. However, nationality and status are still central to defining the rights of women in Kuwait.

Among the main institutions tasked with women's issues in Kuwait are the Supreme Council for Planning and Development and the Higher Council for Women and Children at the Ministry of Social Affairs and Labour.

The Gender Gap Report of the 2021 World Economic Forum<sup>1</sup> places Kuwait at 143<sup>rd</sup> out of 156 countries globally in four gender-related domains: education, health, economic, and political. Kuwait leads among GCC neighbours in terms of women's health and education, however, it scores low in terms of women's economic and political participation.

The World Bank's *Women, Business, and the Law* Index in 2021 gave Kuwait 28.8 points out of 100 (a drop from the 35 points Kuwait earned in 2019). Kuwait did not score any points in the areas of regulations protecting workplace equality, pay equality, or parenthood.

Kuwait has a vibrant network of women's Civil Society Organisations (CSOs) that actively contribute to the promotion of women's and girls' rights.

Notable thematic reforms in the past 10 years include:

- It was announced that women will be allowed to join the military, with roles limited to medical and military support services (2021);
- Women were allowed to hold posts of prosecutors (2011) and judges (2020);
- Improved domestic worker rights in the 2015 Domestic Workers Law;
- Amendment to the Health Guardianship Law (2020) allows mothers to sign off on medical procedures for their children;
- Law on Protection from Domestic Violence (2020) provides for support services for survivors of domestic violence;
- Launch of the Women's Empowerment Principles (2018) in the private sector.

### Main challenges:

- Political:
  - Lacklustre track record in implementing and adhering to core international gender instruments; lack of disaggregated gender data to allow for advanced analysis of progress, especially with view to SDG 5;

<sup>1</sup> WEF. (2021). *Global Gender Gap Report: Insight Report* Retrieved from Geneva: [http://www3.weforum.org/docs/WEF\\_GGGR\\_2021.pdf](http://www3.weforum.org/docs/WEF_GGGR_2021.pdf).

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- Absence of a centralised policy and a well-resourced national mechanism for promoting women's rights;
- Judicial:
  - Continued legal discrimination on the grounds of **parallel civil and religious legal systems (Shari'a law)**.<sup>2</sup>
- Socio-economic:
  - In spite of equal rights under the Constitution, strong social norms around women's roles and responsibilities continue to **affect their economic opportunities**.<sup>3</sup>
  - Migrants and Bidoon women face major obstacles in accessing the same rights, protective services, and opportunities as Kuwaiti women. A once exemplary Domestic Workers Law (2015) lacks punch in view of today's regional developments.

### **Opportunities for cooperation:**

- International:
  - Government's renewed commitment to the protection of human rights (UNGA 76, HR fora, HR Council) should be used for joint action;
- Domestic:
  - Encourage implementation of existing legislation and share EU technical expertise;
  - Cooperate with a vibrant network of women's CSOs;
  - Support efforts to build a data-base (evidence-based) for gender equality.

## **2. Selected thematic areas of engagement and objectives**

In the absence of a Multi-Annual Indicative Programme (MIP) for Kuwait, in line with the Gender Action Plan III, we have identified the following areas for engagement with Kuwaiti authorities and CSOs:

- **Encourage** the promotion of gender equality and women's empowerment by strengthening adherence to international women's rights instruments and standards;
- **Encourage** domestic reforms aimed at eliminating discrimination, promoting gender equality and political and economic empowerment for women and girls;
- **Support** women's increased participation in decision-making processes and positions;
- **Support** awareness-building about the international gender-related standards.

## **3. Targeted actions under GAP III**

### **Thematic area of engagement 1: Ensuring freedom from gender-based violence (GBV)**

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<sup>2</sup> For instance legal discrimination in citizenship rights: Unlike men, Kuwaiti women are denied the right to pass on their nationalities to their children from non-Kuwaiti spouses.

<sup>3</sup> A relatively high participation rate in the overall labour force (51.6%, 2019) is starkly contrasted by a low representation in management positions (13%), a large part of whom are foreign women in the private sector.

***Thematic objectives:***

- *Strengthen the national system of protection from GBV and provision of services for survivors for all women in Kuwait, including vulnerable groups (such as Bidoons, migrant and domestic workers);*
- *Improve collection and public accessibility of data on GBV;*
- *Increase awareness on GBV and how to address this phenomenon.*

***Rationale and potential partnerships/synergies:*** The COVID-19 pandemic has exposed once again the vulnerability of women, especially migrant and Bidoon women. The recent murder of Ms Farah Akbar, for instance, as well as murders of domestic workers have catalysed public action against femicides. The 2020 Law on Protection from Domestic Violence has not been fully implemented yet; the newly approved shelter for victims of domestic violence remains non-operational to date.

Multilevel **dialogues** between relevant stakeholders **could be encouraged to improve the implementation of existing legislation**, especially on services for survivors of domestic violence and on domestic workers' rights. Furthermore, collaboration with CSOs and central statistical authorities should be explored to provide technical and peer-exchanges on the collection of globally comparable, gender-disaggregated GBV data.

In the context of GBV, the EU could explore opportunities for collaboration with the Government (including Ministry of Health and the Public Authority for Disability Affairs, Supreme Council for Planning and Development, Ministry of Foreign Affairs) and Kuwait-based CSOs on GBV (e.g. Eithar, Abolish 135, etc.).

**Thematic area of engagement 2: Promoting sexual and reproductive health rights**

***Thematic objectives:***

- *Improve the legal, political and societal environment in order to allow women improved access to quality healthcare and services, also with a view to protecting their sexual and reproductive rights.*

***Rationale and potential partnerships/synergies:*** The topic is culturally sensitive. Existing legislation criminalizes sex outside marriage and prevents women's access to quality healthcare services.

Therefore, local domestic actors should be seen as taking the lead in raising awareness about the potential dangers emanating from gaps in the service system. Such actors may include the Women Doctor's Association, the Ministry of Health and the Public Authority for Disability Affairs. Women's health events and information campaigns, possibly supported by the EU, can generate more attention and knowledge in this respect.

**Thematic area of engagement 3: Promoting economic and social rights, and empowering women and girls**

***Thematic objectives:***

- *Encourage gender equality in the workplace and decent work standards (including pay, safety, and non-discrimination);*
- *Encourage women's participation in leadership and decision-making roles;*
- *Increase access to entrepreneurship opportunities, including loans for SMEs.*

***Rationale and potential partnerships/synergies:*** Kuwait has not yet ratified ILO Conventions on equal pay or violence and harassment in the workplace. The domestic Labour Law continues to restrict women's employment in terms of time (Article 22) and sectors (Article 23). Furthermore, article 89 of the Personal Status Law states that the wife's job should be in accordance with family interests. Despite the launch of the UN Women's Empowerment Principles (WEPs) in 2018, women remain underrepresented in leadership positions and discrimination in the workplace remains a challenge.

The government sector, as principal employer and leading private companies, especially in finance (e.g., National Bank of Kuwait), telecommunications (e.g., Zain), and energy (e.g., Equate), and those participating in the WEPs, could be potential partners for collaboration with the EU in promoting economic and social rights. SMEs deserve special attention in this regard as they are often a secondary choice of employment for women in Kuwait.

Peer exchanges between women entrepreneurs within Kuwait as well as with EU female entrepreneurs could provide opportunities for exchanges, for instance on best practices and normative challenges. In addition, public diplomacy and social media will be employed to further support women economic empowerment.

#### **Thematic area of engagement 4: Promoting equal participation and leadership**

##### ***Thematic objectives:***

- *Improve political participation of women, including in decision-making;*
- *Support mainstreaming and gender responsive coverage in the media.*

***Rationale and potential partnerships/synergies:*** Women are still underrepresented in political and economic decision-making. Although women have the active and passive right to vote since 2005, lingering cultural and political bias still works against larger numbers of women being elected in the Parliament and participating in politics, in general. Not a single woman was elected to Parliament in 2020.

Enhanced EU and Member States' interparliamentary dialogues and exchanges with the Kuwaiti parliament seem a suitable tool to engage with local stakeholders to demonstrate best practices and to lobby for the inclusion of women in all spheres of political life. The EU could devise training programmes for suitable female candidates. To reach young people, the EU could draw on activities of specialized CSOs such as LOYAC, INJAZ, En.v, VO, with focus on voting and public accountability. The EU will explore technical exchanges with the local authorities, media companies and journalists as a means to promote a gender-responsive approach in their media and communications work.

#### **Thematic area of engagement 5: Women in climate change, environment and digitalisation**

##### ***Thematic objectives:***

- *Increase participation in decision-making processes;*
- *Promote digital opportunities, including entrepreneurship and start-ups.*

***Rationale and potential partnerships/synergies:*** Both the government and CSOs have a role to play in and are committed (in various degrees) to achieving climate change goals. Kuwait has signed up to the major climate change instruments most importantly the UN Framework

Convention on Climate Change. However, Kuwait has not yet produced its National Determined Contributions (NDCs).

The EU should use the more receptive environment for climate action in the run-up to the COP 26 (and subsequent COPs) to push practical climate targets and follow up action. The EU could enter into a dialogue with the relevant authorities such as the Kuwait Environmental Protection Agency (EPA), to explore the role of women in future climate policies and action in Kuwait especially when incorporating NDCs into the development plans and strategies developed within the framework of its Kuwait Vision 2035.

In addition, there are a number of research and academic institutions, such as Kuwait Institute for Scientific Research (KISR) and Kuwait University driving the agenda of environmental protection across the system. The EU could consider thematic partnerships with them to mainstream the involvement of women in environmental protection. The EU can also offer workshops and training to help women build better skill-sets to participate in the **digital economy**.

### **Thematic area of engagement 6: Women, peace, and security agenda**

#### ***Thematic objectives:***

- *Increase awareness of gender sensitivity in the relevant UN agenda for women, peace and security framework;*
- *Encourage equal participation of women in prevention and conflict settlement.*

***Rationale and potential partnerships/synergies:*** Kuwait is a reputable international humanitarian actor, but has no **National Action Plan** for women, peace, and security.

The EU could reinforce the message to take account of gender-based needs and skills in civilian and humanitarian conflict situations, in line with the UN women, peace and security agenda and flowing from the Resolution 1325 as well as relevant national EU action plans.

## **4. Targeted actions supporting gender equality and women's empowerment**

The EU Delegation discusses regularly the women's and girls' rights with Kuwaiti stakeholders during high level political dialogues.

EU-Kuwait cooperation on gender issues and women empowerment is taking place in implementation of the EU-Kuwait Cooperation Arrangement and annual EU-Kuwait Human Rights dialogue.

As a follow up to the 2021 EU-Kuwait Human Rights Dialogue, the EU Delegation has been working on a high-level event on women's economic empowerment showcasing Kuwaiti and European success stories and companies that have publicly endorsed Women's Economic Empowerment Principles.

Potential targeted EU actions within the CLIP (2021-2025) are listed below:

- Political and human rights dialogues, in line with existing EU policy frameworks on gender equality and women's empowerment;
- Discussions with and outreach towards line ministries, in particular those dealing with women's rights and other relevant state institutions;

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- Support for state and non-state actors on women's empowerment and political participation;
- Engagement and awareness raising with media and CSOs on honour killings, gender equality, and diversity, and to counter gender-based discrimination;
- Support for CSOs working on, *inter alia*, family law reforms and combating violence against women and girls;
- Public diplomacy events to increase the visibility of EU activities regarding women's rights;
- Local coordination and engagement with like-minded countries and UN agencies.

### **5. Engage in dialogue on gender equality and women's empowerment**

There is no dialogue on gender equality and women's empowerment *per se* between the EU and Kuwait. However, these topics are more generally discussed in the framework of the annual informal EU-Kuwait Human Rights Dialogue and followed up with project activities.

EU bilateral consultations and meetings with various stakeholders have also been used to address the matter. Under the CLIP (2021-2025) they will remain the principal framework of engagement with Kuwaiti authorities and stakeholders. Besides, interparliamentary diplomacy will be another avenue to raise gender-related subjects.

### **6. Outreach and other communication / public diplomacy activities**

The EU Delegation has used public diplomacy activities for gender-mainstreaming since its establishment in 2019 and under the Enhanced EU-GCC Political Dialogue and Cooperation project. Every year, the EU Delegation and the EU MS conduct social media outreach in the context of 16 Days of activism against GBV as well as on the International Women's Day. In 2021, the EU Delegation is planning an interview promoting gender equality and empowerment with the leading Kuwaiti newspaper Al-Qabas.

### **7. Technical Facility and financial resources allocated to support GAP III implementation**

**The EU Delegation has no dedicated technical facility and financial allocation to support GAP III implementation.** Outreach activities rely on the limited Press & Information budget. Ongoing Foreign Policy Instrument projects, such as the Enhanced EU-GCC Political Dialogue, Cooperation and Outreach project, could provide *ad hoc* support to some of the planned activities. However, additional activities will likely require extra funds.

Ongoing and future projects will also feature gender balance among the participants and speakers wherever possible.

**Annex**

**Agreed actions on gender equality and women's rights under the Human Rights Strategy for Kuwait (2021-2024)**

<b>Objectives</b>	<b>Envisaged activities</b>
<ul style="list-style-type: none"><li>• Combat all forms of sexual and gender-based violence against women and girls, including social norms</li><li>• Promote gender equality and combat discrimination, in law and in practice</li><li>• Increase political participation of women</li><li>• Increase awareness and support to victims of sexual and gender based violence</li><li>• Encourage the Government to implement the Domestic Violence Law (2020)</li><li>• Encourage the abolition of Article 153 of Kuwait's Penal Code</li><li>• Encourage reforms of the Kuwaiti Nationality Law to allow women to pass their nationality on to their children</li></ul>	<ul style="list-style-type: none"><li>• Political and human rights dialogues, in line with the existing EU policy framework on gender equality and women's empowerment</li><li>• Discussions with and outreach towards line ministries, in particular those dealing with women's rights, and other relevant state institutions</li><li>• Engagement with media and CSOs on honour killings, gender equality and diversity to counter gender-based discrimination</li><li>• Public diplomacy events to increase the visibility of EU activities regarding women's rights, including around the International Women's Day (March 8)</li><li>• Support to CSOs working i.a. on family law reforms and fighting violence against women</li><li>• Awareness-raising on sexual and gender-based violence, including honour killings</li><li>• Support state and non-state stakeholders on women's empowerment and political participation</li><li>• Local coordination and engagement with like-minded countries and UN agencies</li><li>• Follow up on UPR recommendations in this field</li></ul>