الرقم: /2017

## التاريخ: 3 مايو 2017

**يهدي الوفد الدائم لدولة الكويت لدى الأمم المتحدة في جنيف أطيب تحياته إلى مكتب المفوضية السامية لحقوق الإنسان،،**

**وبالإشــــارة إلى المذكرة الواردة من مكتب المفوضية السامية لحقوق الإنسان رقم ADS/YB/MN بتاريخ 6 أبريل 2017 بشأن طلب موجز عن التدابير الجديدة التي اتخذتها الدول الأعضاء للقضاء على العنصرية والتمييز العنصري وكراهية الأجانب لأخذها بعين الاعتبار عند صياغة الأمين العام لتقريره الذي سيقدمه في دورة الجمعية العامة الثانية والسبعين بشأن تنفيذ القرار رقم A/RES/71/181، يود الوفد الإفادة بما جاء في تقرير الأمانة العامة للمجلس الأعلى للتخطيط والتنمية في دولة الكويت حول هذا الموضوع.**

**سنت دولة الكويت القوانين التي ترفض العنصرية والتمييز العنصري وكراهية الأجانب وثبتت أنها ضد تلك السلوكيات التي تعتبر مرفوضة ومذمومة كونها تتعارض كلية مع طبيعة المجتمع الكويتي.**

**ونصت المادة (29) من الدستور الكويتي على أن "الناس سواسية في الكرامة الإنسانية وهم متساوون لدى القانون في الحقوق والواجبات العامة لا تمييز بينهم في ذلك بسبب الجنس أو الأصل أو اللغة أو الدين". وأيضاً المادة رقم (7) من الدستور، والتي تنص على أن " العدل والحرية والمساواة دعامات المجتمع، والتعاون والتراحم صلة وثقى بين المواطنين".**

**وعليه، فإن تكريس مبدأ المساواة بين المرأة والرجل في الإطار العام يبدو واضحاً من خلال النظر في الوظائف العامة التي تتقلدها المرأة في الدولة، فضلاً عن وجود المرأة في السلك الأمني وغيرها والتي كانت حكراً في الماضي على الرجل.**

**Article (166) has stipulated that: "The right to litigation is guaranteed for people and the law specifies the procedures and conditions necessary to exercise this right." This supports the right to litigate for all, in the constitutional legislator's desire to grant them the capability of defending their rights and freedoms.**

**On the other hand, the State of Kuwait refuses to violate the rights of the other based on our true Islamic religion, where the Islamic Law (Shariah) and Reference is considered the main source for the positive laws of the State. This is confirmed in the text of article (2) of the Kuwaiti Constitution which states that: "The religion of the state is Islam, and Islamic Sharia is a main source for legislation." In addition, the State of Kuwait's commitment to combating racism and racial discrimination is not only a commitment to constitutional and international rules, but is first and foremost, an obligation imposed by the provisions of Islamic Sharia from its two main sources.**

**Additionally, Kuwait has passed several laws and ratified the relevant international and regional agreements and protocols, including:**

* **Law No. (24) of the year 1964 concerning the implementation of Convention No. 111 on racial discrimination in relation to employment and occupation in Kuwait.**
* **Law No. (84) of the year 2013 approving the Arab Charter on Human Rights.**
* **Law No. (33) of the year 1968 approving the International Convention on the Elimination of All Forms of Racial Discrimination.**
* **Law No. (1) of the year 1996 approving the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.**
* **Law No. (67) of the year 2015 concerning the National Bureau for Human Rights.**
* **Law No. (5) of the year 2006 approving the United Nations Convention against Transnational Organized Crime and the Protocols thereto.**

**In recent years, the State of Kuwait has taken steps to combat any form of racial discrimination, including:**

* **Issuing the decision to accept the children of Kuwaiti women married to non-Kuwaitis in public schools.**
* **Issuing the Family Court Act.**
* **Issuing the Combatting Trafficking in Persons and Smuggling of Migrants Law.**
* **Issuing of the Domestic Employment Law.**

**At the local level, and away from laws and conventions, awareness campaigns have been launched intensively and continuously by countless available means to urge society to respect the human individual and his dignity regardless of social, ethnic and religious differences, and to raise society's awareness of legal and constitutional rights that renounce manifestations of discrimination. One such awareness campaign was the launch of a slogan entitled "Denial of Racism", a program for election campaigns, by the scientific societies of the faculties of Kuwait University in the academic year (2016/2017).**

**In addition, community organizations, such as the Kuwaiti Society for Basic Human Rights, have contributed to achieving many accomplishments that have had a positive impact on the promotion and protection of human rights in the State of Kuwait. From among its goals:**

* **Raising awareness and educating of the legitimate rights that guarantee human dignity.**
* **Defending these rights and reinforcing their defense mechanisms in accordance with Islamic Sharia.**
* **Observing human rights violations and monitoring them with the relevant authorities.**
* **Purifying the Kuwaiti record of violations and defending Kuwait's reputation in international forums.**
* **Establishing the Human Line Organization in Kuwait to renounce racism, which is concerned with the promotion and defense of human rights through its interactive activities, entitled "The right to equality and non-discrimination." This in addition to the launch of a club entitled "Tolerance", which is a nonprofit program directed towards young people that aims to develop a culture of human rights and promote the concepts of tolerance, equality and peace. It adopted the latest educational methods in establishing entertaining and interactive workshops, which contributed in enabling the participants to develop their personalities and skills.**

**The Permanent Mission of the State of Kuwait to the United Nations takes this opportunity to express its deep respect and appreciation to the Office of the High Commissioner.**