Synthesis of Quantitative Information About Gender Roles in Kuwait

Compiled by the Staff of the Gibran Chair
University of Maryland, 2018
Critical Issues in Kuwait

Compiled by the Staff of the Gibran Chair
Overview

Member of the Gulf Cooperation Council (GCC) since 1981.

Two-thirds of Kuwait’s population is comprised of migrant workers.¹

Women in Kuwait gained the right to vote in May 2005, voted for the first time in the June 2006 parliamentary polls. In 2009, four women broke the glass barrier and won seats in parliament.²

² Kuwait Times. (2016).
Women's Issues in Kuwait: A Timeline.

Kuwait ratifies the Convention on the Elimination of All Forms of Violence Against Women (CEDAW).

Sheikh Jaber Al-Ahmad Al-Sabah issues a decree granting women the right to vote and run for elected office. Parliament overrules the Emir, rejecting the suffrage bill.

The parliament appoints Nabila al-Mulla as the first woman Ambassador from the GCC.


Kuwaiti women cast their votes for the first time.

Constitutional court rules women can obtain passports without the consent of their husbands.

Kuwaiti women establish mock ballots during elections that allowed hundreds of women to cast symbolic votes for real candidates.

Several women hold a demonstration near two voter registration centers.

Kuwait grants women the right to apply for posts as prosecutors.

Three women MPs win seats in parliamentary elections.

Kuwait issues a children's rights law (Law No. 21).

Family Court Law established, sets up a center to deal with domestic violence cases.

MP Saleh Ashour, Chair of the Committee on Women and Family Affairs in the Kuwait National Assembly challenges the constitutionality of Article 153 to the Kuwaiti Minister of Justice.

Kuwaiti women granted right to vote and run for office by the amendment of Election Law No. 35/1962.

The first woman Cabinet Minister, Massouma al-Mubarak, is appointed.

Safa al-Hashem, only woman parliamentarian in 2014, resigns.

Kuwaiti women granted the right to sponsor, but not confer citizenship to their foreign husbands.

Education
Enrollment in Primary Education

Enrollment in Secondary Education

- 2010:
  - Girls: 80%
  - Boys: 80%

- 2015:
  - Girls: 91%
  - Boys: 71%

Literacy rate among the population aged 15 years and older

Literacy rate among the population aged 15-24 years

Literacy rate among the population aged 65 years and older

Health
Quick Facts

Since 2007, an estimated 100% of women in Kuwait have had at least one Antenatal Care visit.¹

In Kuwait, access to contraceptive methods is permitted. Contraceptives and family planning advice are available in the free government health clinics.²

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¹ Antenatal Care, UNICEF. (2018).
Births Attended by Skilled Health Professional

Maternal Mortality Ratio (per 100,000 live births)

Fertility Rate

In 1982, Kuwait became the first country in the Gulf to legalize abortion.

**Where:** Except in urgent cases, an abortion may be performed only in public hospitals after a medical committee, composed of three specialists under the chairmanship of a specialist in gynecology and obstetrics, has processed the application.

**Conditions:** An abortion is allowed if it is established that the child, if born, would suffer from a grave and incurable physical or mental deficiency.

The consent of both the woman and her husband must be obtained. The hospital director must be notified before the abortion is performed.

Source: Reproductive health policies, United Nations Department of Economic and Social Affairs. (2013).
Labor Force
Quick Facts:

Women make up half the population in the GCC and yet represent only 25% of the labor force.\(^1\)

In 2018, Kuwait leads the Gulf states in percent of women in the workforce:\(^2\)

<table>
<thead>
<tr>
<th>Country</th>
<th>Kuwait</th>
<th>Bahrain</th>
<th>KSA</th>
<th>Qatar</th>
<th>Oman</th>
<th>UAE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>28%</td>
<td>21%</td>
<td>16%</td>
<td>14%</td>
<td>13%</td>
<td>12%</td>
</tr>
</tbody>
</table>

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Labor Force Participation Rate 2016

- Women: 57%
- Men: 88%
- Total: 77%

Source: ILO in Kuwait, ILO. (2017).
Youth (15-24) Labor Force Participation Rate 2016

- Women: 14.5%
- Men: 44.2%
- Total: 31.7%

Source: ILO in Kuwait, ILO. (2017).
التوزيع النسبي للمشتغلين حسب قطاع العمل والجنسية 2015

<table>
<thead>
<tr>
<th></th>
<th>كويتي</th>
<th>غير كويتي</th>
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<tbody>
<tr>
<td>حكومي</td>
<td>86.6</td>
<td>7.2</td>
</tr>
<tr>
<td>منشأة مملوكة للدولة</td>
<td>5.4</td>
<td>0.8</td>
</tr>
<tr>
<td>خاص</td>
<td>7.9</td>
<td>74.8</td>
</tr>
<tr>
<td>عائلة/منزل</td>
<td>0.0</td>
<td>17.0</td>
</tr>
<tr>
<td>أخرى</td>
<td>0.1</td>
<td>0.2</td>
</tr>
</tbody>
</table>
التوزيع النسبي للسكان الكويتيين 15 سنة فأكثر حسب المشاركة في قوة العمل لعام 2015

<table>
<thead>
<tr>
<th></th>
<th>إناث</th>
<th>ذكور</th>
<th>الجملة</th>
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</thead>
<tbody>
<tr>
<td>داخل قوة العمل</td>
<td>39.3</td>
<td>52.6</td>
<td>45.8</td>
</tr>
<tr>
<td>خارج قوة العمل</td>
<td>60.7</td>
<td>47.4</td>
<td>54.2</td>
</tr>
</tbody>
</table>

Source: الإدارة المركزية للإحصاء، دولة الكويت، 2015

<table>
<thead>
<tr>
<th></th>
<th>ذكور</th>
<th>إناث</th>
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</thead>
<tbody>
<tr>
<td>2003</td>
<td>54.5</td>
<td>26.2</td>
</tr>
<tr>
<td>2008</td>
<td>54.7</td>
<td>32</td>
</tr>
<tr>
<td>2014</td>
<td>54.2</td>
<td>37.6</td>
</tr>
<tr>
<td>2015</td>
<td>52.6</td>
<td>39.3</td>
</tr>
</tbody>
</table>
Employment to Population Ratio, 15+, (%) (ILO estimate)

Employment to Population Ratio, Ages 15-24 (%) (modeled ILO estimate)

Women's Economic Participation and Opportunity, 2017

Legislators, Senior Officials and Managers
- Women: 14.20%
- Men: 85.50%

Professional and Technical Workers
- Women: 42.40%
- Men: 57.60%

Estimated Earned Income (US$, PPP), 2017

- Women: $41,623
- Men: $97,682

Can a married woman get a job in the same way as a married man?

**No.** It is considered a form of disobedience with **legal ramifications** for a wife to engage in **employment** contrary to her husband’s wishes or the interests of the family.
Can an unmarried woman get a job in the same way as an unmarried man?

**Yes. No permission** is needed for an unmarried woman to get a job or practice a trade or profession.

There is no restriction in family or civil law on an **unmarried** woman’s ability to **work**.
Political Participation
Quick Facts:

Kuwait does **not** reserve seat quotas for women in national parliament, municipal councils, or corporate boards.¹

**MP Safa Al Hashem** is the **only woman** in Kuwait to win **three elections**.²

Presently, only two women, **Hind Al Sabeeh** and **Jinan Mohsin Ramadan**, serve in the **Kuwaiti Cabinet**.³

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Women in Parliament

<table>
<thead>
<tr>
<th>Year</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998-2004</td>
<td>100.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>2005-2007</td>
<td>98.5%</td>
<td>1.5%</td>
</tr>
<tr>
<td>2008</td>
<td>96.9%</td>
<td>3.1%</td>
</tr>
<tr>
<td>2009-2011</td>
<td>92.3%</td>
<td>7.7%</td>
</tr>
<tr>
<td>2012-2013</td>
<td>93.8%</td>
<td>6.2%</td>
</tr>
<tr>
<td>2014-2016</td>
<td>98.5%</td>
<td>1.5%</td>
</tr>
<tr>
<td>2017</td>
<td>96.9%</td>
<td>3.1%</td>
</tr>
</tbody>
</table>

Quick facts:

2016 had the second lowest figure of women candidates since women were allowed to vote and run in parliamentary elections.

The highest figure was 28 in 2006 when women ran for the first time, followed by 27 in 2008, and 23 in 2012.
Women in Ministerial Positions

<table>
<thead>
<tr>
<th>Year</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>2010</td>
<td>93%</td>
<td>7%</td>
</tr>
<tr>
<td>2017</td>
<td>93%</td>
<td>7%</td>
</tr>
</tbody>
</table>

In 2012, no women prosecutors served in Kuwait.

Since 2015, 22 women won positions as prosecutors in Kuwait.

In 2016, for the first time in the country’s history, Kuwaiti women were among judicial authorities overseeing a national election in Kuwait.
Social Issues & Family Law
Family law in Kuwait

Family and personal status law in Kuwait is governed by religious courts. The Kuwaiti legal system is based on Islam and is codified into an “Islamicized” Napoleonic code.¹

The Kuwait family law code governs matters such as marriage, divorce, child custody, and inheritance, and contains 347 articles.

Kuwait was the first Gulf state to enact its personal status law in 1984.²

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¹ U.S. Embassy in Kuwait
Constitutional Rights
Does the constitution...?

Yes:

- Contain a clause on **nondiscrimination**?¹
- Mention or include **gender** or **sex**?²
- Recognize **personal law** as a valid source of law under the constitution?³

No:

- Allow a woman to confer **citizenship** to a non-national spouse in the same way as a man can?⁴
- State that spouses share **joint responsibility** of financially maintaining the family?⁵

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¹ Constitution of Kuwait, Article 29
² Ibid.
³ Personal Status Law, Articles 74-78
⁴ Ibid.
⁵ Constitution of Kuwait, Article 2
Marriage
Registered Marriage Cases By Age Group (2016)


* Kuwaitis

Social Issues & Family Law
The minimum age of marriage is 15 for girls and 17 for boys.¹

The law prohibits or invalidates child or early marriage.²

The Kuwait Family and Personal Status Law, states that a marriage is legitimate so long as the parties have reached puberty and are of sound mind, though the marriage contract will not be recognized in court unless the girl is 15 years of age and the boy 17 years of age.³

¹ UNICEF. (2011).
Can a married woman confer citizenship to her children in the same way as a married man?

No. A married father can convey citizenship to the child, wherever that child may have been born.

Sources: Nationality Law, Articles 2 and 3; Women, Business and the Law. World Bank (2018).
Can a married woman apply for a passport in the same way as a married man?

Yes. In a 2008 decision, the Kuwaiti Constitutional Court overturned Article 15 of the Passport Law that required the consent of her husband for a woman to hold a separate passport.
Can a married woman travel outside her home in the same way as a married man?

No. Additional documentation or the presence of her husband or a guardian is required for her to travel domestically. A married woman must also justify her reasons to her husband for leaving the home.

Leaving the home without a valid reason is considered disobedience with consequences under the law, for example, loss of her right to financial maintenance.

Can an unmarried woman travel outside her *home* in the same way as an unmarried man?

**Yes.** There are no restrictions on an unmarried woman travelling alone domestically.
Can a woman travel *outside the country* in the same way as an man?

Yes. There are *no restrictions* on a woman, *married or unmarried*, travelling alone *internationally*.

Divorce
Divorce

A woman seeking divorce, without her husband’s consent, has two legal options: judicial divorce or Khul.

Access to Khul or judicial divorce: A man can divorce his wife and obtain a divorce document from a court without any reason. A woman must submit to a long litigation process to prove her reasons are valid for seeking divorce or Khul.

Number of Divorces by Age Groups (2016)

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Women</th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>15-19</td>
<td>129</td>
<td>21</td>
</tr>
<tr>
<td>20-24</td>
<td>1022</td>
<td>506</td>
</tr>
<tr>
<td>25-29</td>
<td>1195</td>
<td>1300</td>
</tr>
<tr>
<td>30-34</td>
<td>852</td>
<td>1086</td>
</tr>
<tr>
<td>35-39</td>
<td>587</td>
<td>732</td>
</tr>
<tr>
<td>40-44</td>
<td>449</td>
<td>523</td>
</tr>
<tr>
<td>45+</td>
<td>630</td>
<td>1091</td>
</tr>
</tbody>
</table>

Domestic Violence
Domestic Violence

One in three women in Kuwait has experienced domestic violence.¹

One case of domestic violence against women in Kuwait is registered every day and many are unreported.²

There are no legal provisions or policies in Kuwait for women who are victims of domestic violence.³

Doctors in first aid centers and hospital casualty departments must report any injuries resulting from gender-based violence to the Minister of Interior Investigator in the hospital.⁴

¹ "Domestic abuse in Kuwait". Kuwait Times. (2017).
² Kuwait Times. (2014).
⁴ Global Database on Violence against Women. UN Women. (2016).
قضايا العنف في دولة الكويت

إحصائية بعد قضايا العنف ضد المرأة وما تم الفصل فيها

(٢٠١٦)

المجموع : ٤٤٧

١٤١ : عدم الاختصاص
٣٠ : قيد التحقيق
٤٦ : قضايا منظورة
٤٣ : براءة
٧٦ : إدانة
١٣١ : قضايا حفظت


Social Issues & Family Law
40.2% of married women are victims of abuse in Kuwait. Most victims are too scared to report abuse. Victims prefer silence over social shame. Even women with high degrees and salaries can be victims of gender-based violence.
Shelters

Currently, there are no shelters or hotlines for women in Kuwait who are victims of domestic violence.

A 2015 law establishing family courts aimed to set up a center to deal with domestic violence cases, but requires the center to prioritize reconciliation over protection for domestic violence survivors.¹

In 1983, the Ministry of Social Affairs and Labour established a shelter to accommodate juvenile victims of domestic violence until they reach the age of 21.²

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² Global Database on Violence against Women. UN Women. (2016).
Article 182

Law: Article 182 of Kuwait’s Penal Code states that if an abductor marries a woman with the permission of her guardian, and the guardian requests that the abductor not be punished, then he is spared any punishment.¹

Article 182 also applies in instances of rape.²

إذا تزوج الخاطف بمن خطفها زواجاً شرعياً بإذن من وليها، وطلب الولي عدم عقاب الخاطف، لم يحكم عليه بعقوبة ما

Article 153

Law: Article 153 of the Kuwaiti penal code stipulates that a man who finds his mother, wife, sister or daughter in the act of adultery (zina) and kills her, the partner in act, or both, receives a misdemeanor punishable by either a small fine (3000 rupees/14 KD) or no more than three years in prison.

Abolish 153 will present on this article.
Thank you