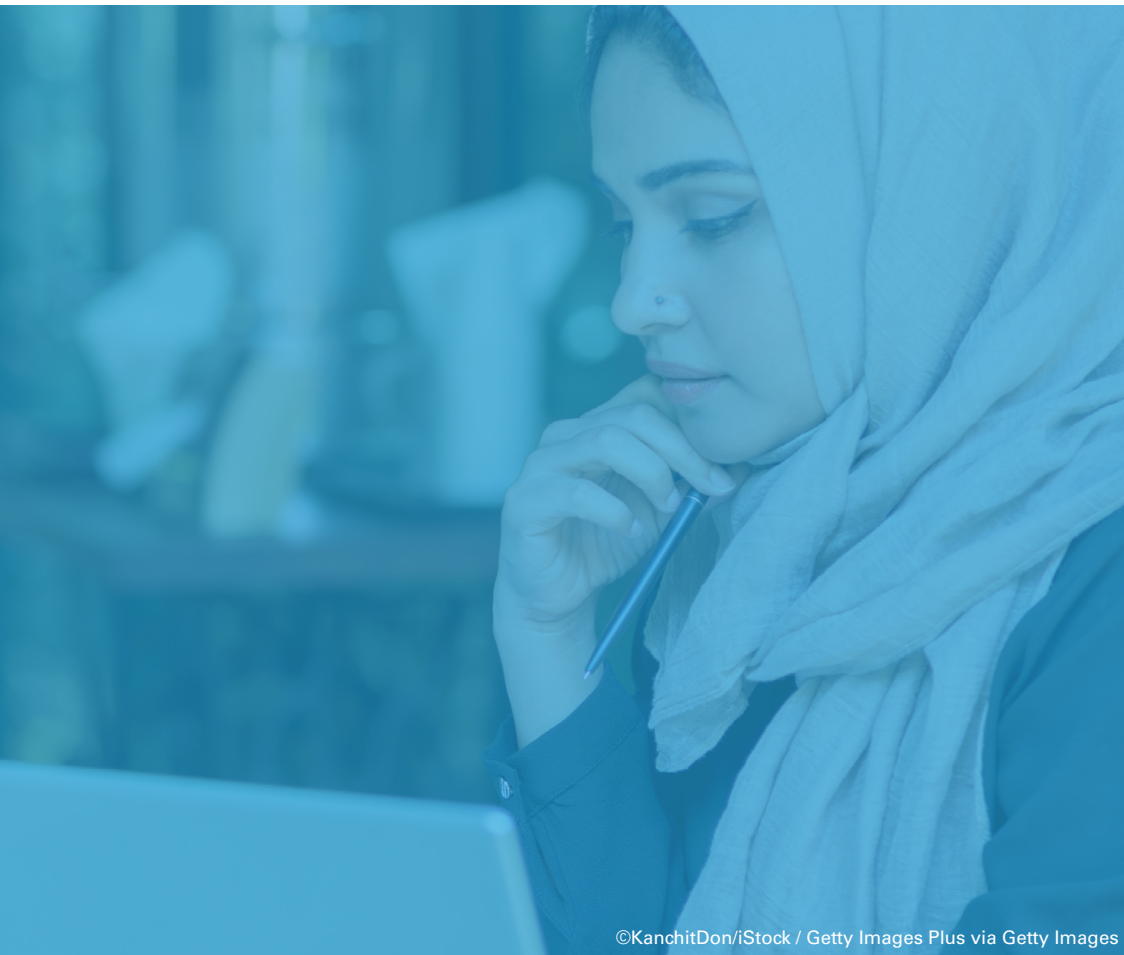




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Country matrix 2025 Kuwait

The country matrix adopts and adheres to the coding standards adopted in the "Gender Justice and the Law" initiative.

General framework of the State

Has the State ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)? Does it have any reservations on the implementation of the provisions of the Convention?

Kuwait ratified the Convention in 1994 with reservations regarding article 9 (2) (on nationality) and article 16 (1) (f) (on marriage and family).

Does the Constitution refer to gender equality and non-discrimination?

The Constitution of the State of Kuwait prohibits gender-based discrimination. Article 29 states: "All people are equal in human dignity and in public rights and duties before the law, without distinction to sex, race, origin, language or religion".

If customary law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on gender equality or non-discrimination?

Customary law is not a source of legislation according to the Constitution.

If personal status law is a valid source of law under the Constitution, is it valid if it violates constitutional provisions on equality or non-discrimination?

According to the Constitution, Islamic Shariah is the primary source of legislation. Nevertheless, neither legislation

nor judicial precedent has addressed the issue of its validity in the event that it contradicts constitutional provisions concerning equality.

Do national laws clearly define the mandate and jurisdiction of informal justice systems, where they exist, in terms of their enforcement of formal and informal laws, both of which must conform to international standards, including non-discrimination?

The law does not define the mandate and jurisdiction of informal justice systems.

Is there a law on discrimination that prohibits both direct and indirect discrimination against women?

The Constitution prohibits gender-based discrimination, but there is no public law that prohibits direct and indirect gender-based discrimination or that differentiates between them.

Is there a national action plan or policy to address violence against women and girls that is overseen by a national mechanism with the mandate to monitor and review implementation?

Kuwait has not developed a national action plan or policy to counter violence against women and children.

Are there budgetary commitments provided for by government entities for

the implementation of legislation addressing violence against women and girls by creating an obligation on the Government to provide a budget or allocation of funding for the implementation of relevant programmes or activities?

The budget does not include commitments to implement legislation concerning violence against women and girls.

Is there a national strategy or action plan currently in place containing measures to ensure full and equal access to the entire range of sexual and reproductive health information, services and supplies, with budgetary, human and administrative resources allocated for its implementation?

Kuwait has not developed an action plan or policy regarding sexual and reproductive health.

Is legal aid mandated and guaranteed in criminal matters?

The Constitution asserts the right to legal defence for defendants in criminal cases. According to the Criminal Procedure Law and the Law on the Organization of the Legal Profession before the Courts No. 42 of 1964, the accused have the right to appoint attorneys to defend them and attend sessions with them. If they do not have attorneys, the court must appoint one for each defendant, whether male or female.

Is legal aid mandated or guaranteed in civil/family matters?

There are rules regarding legal assistance in civil matters. Article 26 of the Law on the Organization of the Legal

Profession before the Courts No. 42 of 1964 states that, pursuant to a court order, the Kuwaiti Bar Association must appoint an attorney for insolvent litigants in civil, commercial and penal cases.

Are there laws that explicitly require the production and/or dissemination of gender statistics?

There are no laws referring to gender statistics.

Legal capacity and public life

Do women and men have equal rights to apply for passports?

The Passports Law had previously placed restrictions on women, whereby the woman was required to get her husband's permission to obtain a passport. In 2009, the constitutional court ruled that this provision contradicts the rights of the individual to equality under the law, individual rights, and freedom of movement and ruled in favour of a wife's right to obtain a passport without her husband's permission.

Do women and men have equal rights to obtain an identity card?

Women and men have equal rights in obtaining an identity card.

In civil law matters and procedures, are women required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action?

Kuwaiti women are not required to obtain permission from judicial or administrative authorities, spouses and other

family members prior to initiating legal action.

In personal/family law matters, are women required to obtain permission from judicial or administrative authorities, spouses and other family members prior to initiating legal action?

Women and men do not have equal rights in initiating legal procedures for family matters. For example, in order for a woman under 25 years of age to enter into a legal marriage contract, she must obtain the approval of her guardian who represents her in the contract. If she is past that age, she does not need her guardian's approval, but her guardian still must conclude the marriage contract.

Does a woman's testimony carry the same evidentiary weight in court as a man's?

A woman's testimony carries the same evidentiary weight as a man's testimony in most cases. However, there are still significant exceptions. For example, a marriage contract requires the presence of two adult male witnesses, whereas a divorce declaration requires two

adult males or one male and two females.

Can a woman enter into a contract the same way as a man?

Article 84 of the Civil Law notes legal competency as a prerequisite for concluding contracts, with no gender restrictions.

Do women and men have equal rights to own, access, and control or use property?

Civil law regulates ownership of property using gender-neutral language that confirms the right of ownership for everyone. Civil law does not impose any restrictions on the woman's right to ownership.

Does the law allow for women to register businesses the same way as men?

There are no legal limits with regards to gender when registering businesses.

Do women and men enjoy equal rights and access to hold public and political office (legislature, executive, judiciary)?

Women may hold public and political offices in legislative,

judicial and executive authorities, except the Head of State. The State has not taken positive measures regarding women holding public offices and employment.

Are there quotas for women (reserved seats) in the national parliament?

There are no legal provisions for quotas, whether it be for seats and/or candidate rolls or lists in the national parliament.

Is there a law that explicitly prohibits violence against women in politics and elections?

The law prohibits violence in politics and elections although it does not explicitly mention violence against women. The Elections Law punishes crimes committed during the elections process, including the use of force or violence against voters and spreading false information about candidates' behaviour.

Protection from violence against women and girls in the public and private spheres

Is there legislation on domestic violence that includes all forms of physical violence?

In September 2020, Kuwait issued Law No. 16 concerning protection from domestic violence. The definition stated in this law covers all forms of physical violence.

Additionally, Kuwait issued in 2023 the Executive Regulations of the Domestic Violence Law, which included a broader definition of the family and domestic violence.

Is there legislation on domestic violence that includes all forms of sexual violence?

The definition stated in Law No. 16 of 2020 on protection from domestic violence covers all forms of sexual violence.

Additionally, Kuwait issued in 2023 the Executive Regulations of the Domestic Violence Law, which included a broader definition of the family and domestic violence.

Is there legislation on domestic violence that includes all forms of psychological/emotional violence?

The definition stated in Law No. 16 of 2020 on protection from domestic violence covers all forms of psychological violence.

Additionally, Kuwait issued in 2023 the Executive Regulations of the Domestic Violence Law, which included a broader definition of the family and domestic violence.

Is there legislation on domestic violence that includes financial/economic violence?

The definition stated in Law No. 16 of 2020 on protection from domestic violence covers all forms of financial violence.

Additionally, Kuwait issued in 2023 the Executive Regulations of the Domestic Violence Law, which included a broader definition of the family and domestic violence.

Are there criminal and civil protection orders available for victims of violence for which a breach (constitutes a criminal offence) has legal consequences?

Articles 17–20 of Law No. 16 of 2020 on domestic violence stipulate the issuance of protection orders to ensure the victims' safety and impose punishments if the perpetrator violates these orders.

In this context, the Executive Regulations of the Domestic Violence Law, issued in 2023, specified the protection orders referred to in the Domestic Violence Law.

Does the law allow mitigating circumstances for femicide?

Pursuant to Decree-Law No. 9 of 2025, Article 153 of the Penal Code of 1960 was repealed. This article had granted a mitigating excuse to a man for the killing of his wife, mother, daughter or sister upon catching her in the act of adultery.

Does the law criminalize female genital mutilation (FGM) or cutting if practised?

There is no law prohibiting FGM or cutting.

Does the law criminalize adultery?

Extramarital adultery is punishable per articles 194–197 of the Penal Code.

Do laws that criminalize rape act on absence of consent without requiring proof of the use of physical force or penetration?

Rape is criminalized according to the Penal Code. The use of force must be proven in order to set the degree of punishment. The punishments set by the law range from 15–21 years in prison or capital punishment if the perpetrator is a family member or has guardianship over the victim.

Does the law criminalize marital rape?

The Penal Code does not criminalize marital rape, but according to the Domestic Violence Law No. 16 of 2020, the victim of domestic violence may

apply for protection orders against domestic violence crimes that include sexual assault as well as other forms of violence.

Does the law include exoneration if the offender marries his victim?

Pursuant to Decree-Law No. 70 of 2025, Article 182 of the Penal Code was repealed. This article had allowed the perpetrator to evade punishment simply by marrying the victim.

Is sexual harassment defined in any legislation?

The Penal Code does not contain a specific clause on sexual harassment other than article 199, which could be applied in such cases. It criminalizes any indecent act short of violating a woman's character or manners when perpetrated in a private place without her consent. The perpetrator is punished with a fine or incarceration.

Is there a provision in the law that criminalizes cyberviolence against women and girls?

The law does not have a clause to define cyberviolence against women and girls, but Cybercrime Law No. 63 of 2015 does criminalize actions perpetrated using information technology to threaten or blackmail a normal person or legal entity to coerce them to commit or refrain from an action, or actions that threaten or distort a person's dignity, honour, standing or reputation.

Are sex work and prostitution criminalized?

Prostitution is prohibited according to the Penal Code.

Are there comprehensive provisions (punitive, protective and preventive) on human trafficking in any law?

Article 185 of the Penal Code states that anyone who brings in or removes from Kuwait any individual with the intention of enslaving them, or buys, sells or gifts a person as a slave, shall be punished for a period not to exceed five years and a fine not to exceed 375 Kuwaiti dinars, or one of the two punishments.

Employment and economic benefits

Does the law mandate non-discrimination against women in employment?

According to article 1 of Ministerial Resolution No. 177 of 2021, employers may not discriminate based on gender, age, pregnancy or social status in all aspects of work, because this violates provisions of the laws in force.

Does the law mandate equal pay for the same work as men?

The Private Sector Labour Law stipulates that the female employee has the right to the same pay as that of a male employee if she is doing the same job.

Does the law mandate equal remuneration for work of equal value?

The law does not include a ruling confirming the right to equal remuneration for work of equal value.

Does the law allow women to do the same jobs as men?

The Labour Law (article 23) imposes restrictions based on gender with regard to heavy labour or on specific occupations that exploit women's femininity in a way that is not in line with general manners.

Does the law allow women to work the same night hours as men?

The Labour Law (article 22) imposes restrictions on gender with regard to night work, except health workers who require a permit from the Ministry of Social Affairs and Labour.

Do national labour and civil service-related laws (labour codes, civil retirement acts, etc.) discriminate between men and women in terms of retirement age?

The law stipulates the same retirement age for male and female workers. However, the Social Security Law provides for the choice of an early retirement for married women.

Do national labour and civil service-related laws grant men and women equal rights to pass on their pensions to their spouses?

A woman's right to pass her pension on to her husband is not equal to the husband's right. The Social Security Law states that the woman may pass on her pension to her husband only if he suffers a disability that affects his ability to work. A medical committee must prove this disability.

Does the law prohibit dismissal during pregnancy and maternity leave?

According to the Private Sector Labour Law, an employer may not dismiss a woman during her maternity leave or during her absence from work due to illness from her pregnancy or childbirth.

Does the law provide for maternity leave that meets the International Labour Organization (ILO) standard of 14 weeks?

The woman has a right to paid maternity leave of 10 weeks or 70 days, which is less than the ILO standard of 14 weeks.

Does the law provide for paid paternity leave available to fathers or partners?

Fathers/partners cannot obtain paid paternity leave. The law gives male workers who have a newborn infant one day off.

Does the State provide or subsidize childcare facilities?

The law requires private sector employers to establish childcare facilities for children under 4 years of age if there are more than 50 female employees or if the total number of employees is greater than 200, but there is no similar rule for public sector employees.

Does legislation tackle sexual harassment in the workplace?

The Private Sector Labour Law does not include a specific ruling to prohibit sexual harassment in the workplace, but Ministerial Resolution No. 177 of 2021 on the prohibition of discrimination in private sector employment does, as issued by the Minister

of Commerce. Article 2 prohibits workplace harassment and refers to articles 198 and 199 of the Kuwaiti Penal Code, which criminalize any indecent action against a woman without her consent in a private place.

Are there provisions allowing for civil claims/remedies for sexual harassment in the workplace?

The law does not include any provisions regarding civil claims/remedies to combat sexual assault and harassment or to punish the employer who takes revenge by firing the employee [victim].

Does the Labour Law provide protection for domestic workers?

The Labour Law does not cover domestic workers, but Law No. 68 of 2015 on the domestic labour force, which was issued as a separate law, grants domestic workers their employment rights, including the right to medical treatment. Employers must use a unified contract format that covers their basic rights.

Is there a public entity that can receive complaints on gender discrimination in employment?

There is no public entity to receive complaints on gender discrimination in employment. However, the National Bureau for Human Rights could receive complaints and monitor human rights violations cases such as matters and violations related to women's rights.

Family matters (personal status)

Is 18 the minimum age at marriage, with no legal exceptions, for both women and men?

Pursuant to Decree-Law No. 10 of 2025, Article 26 of Law No. 51 of 1984 on Personal Status was amended to state as follows: *"The registration or validation of a marriage contract is prohibited for any person who has not attained eighteen years of age at the time of registration"*.

A similar amendment was introduced to Article 15 of the Ja'fari Personal Status Law, which was revised in the same direction.

Is marriage under the legal age void or voidable?

Marriage under the legal age is not considered void or voidable.

Do women and men have equal rights to enter marriage (i.e. consent) and initiate divorce?

There are no equal rights with regard to marriage or divorce.

Does the law prohibit polygamy?

The Personal Status Law permits polygamy.

Do women and men have equal rights to be legal guardian of their children during and after marriage?

The woman does not have the right to guardianship of the children according to articles 209–212 of the Personal Status Law that limit guardianship of children

to the father or the paternal grandfather. If neither is available, the court appoints a guardian to be responsible for the children.

Does the law grant women and men equal custody rights of their children?

Women have the right to custody of their children. Nonetheless, the law provides for equal rulings among women of all religions and sects.

Do women and men have equal rights to choose where to live?

The Constitution guarantees freedom of movement and choice of residence. However, the Personal Status Law states that a married woman may lose her right to financial support if she refuses to move to the marital home without a legitimate reason, which could indirectly lead to limiting her right to choose where to live.

Do women and men have equal rights to choose a profession?

Women and men have equal rights to choose a profession, and there are no restrictions on the types of work a woman may pursue.

Do women and men have equal rights to own, access, and control or use marital property including upon divorce?

There is no specific law concerning marital property, but civil law provisions that regulate personal, communal and shared

property apply to everyone including married couples, thereby guaranteeing the right of every individual to own, use and dispose of marital property.

Where rights to inheritance are enshrined by law, do women and men have equal rights?

Shariah rulings are applied in matters of inheritance. Women have the right to inheritance although they receive a smaller share than men in many cases.

Are there specialized civil courts or civil court processes for family law matters that provide for the equal rights of men and women?

There are specialized civil courts but they do not guarantee equality between men and women.

Do women have equal rights as men to pass their nationality to children?

According to article 3 of the Nationality Law, the woman may not pass her nationality to her children unless their father is unknown. This matter is subject to the discretionary power of the Minister of Interior.

Do women have equal rights as men to pass their nationality to a foreign spouse?

According to the Nationality Law, a woman may not pass her nationality to her foreign husband.

Sexual and reproductive health and rights

Do law(s) or regulation(s) exist that guarantee access to maternal health care for all women and girls, irrespective of marital status and without third-party authorization?

No law or regulation addresses access to maternal care.

Do law(s) or regulation(s) exist that guarantee access to contraceptive services for all women and adolescent girls, irrespective of marital status and without third-party authorization?

No law or regulation addresses access to contraceptive services.

Do law(s) or regulation(s) exist that guarantee access to emergency contraception for all women and adolescent girls, irrespective of marital status and without third-party authorization?

No law or regulation addresses access to emergency contraception.

Is induced abortion legal at least when the life or health

of the pregnant woman is at risk and in cases of rape, incest or severe fetal impairment, and is abortion decriminalized in any case for both the pregnant woman as well as health-care providers performing it (when consent is fully given)?

Abortion is not legal unless it aims to save the life of the woman or maintain her health, or if the fetus is weak. The law does not allow abortion in the case of rape or incest. Women and/or the abortion practitioner could face legal charges for unlawful abortion except in the cases stipulated. A third party (medical or marital) must approve the abortion.

Irrespective of the legal status of abortion, do law(s) or regulation(s) exist that ensure access to post-abortion care for all women and girls, independent of their marital status and without third-party authorization?

No law or regulation addresses access to post-abortion care.

Do law(s), regulation(s) or national policies exist that make comprehensive sexual health education a mandatory component of the national school curriculum?

Comprehensive sexual health education is not mandatory or a component of the national school curriculum according to any law or regulation.

Do law(s) or regulation(s) exist that guarantee access to voluntary HIV testing and counselling services for all women and girls, irrespective of marital status and without third-party authorization?

According to Law No. 31 of 2008, premarital testing of hereditary or infectious diseases is mandatory for all who wish to get married. This testing is meant for spouses only. No law or regulation stipulates any other beneficiaries of this service.