



# The Bidoon in Kuwait, History at a Glance

October 2020

*Report prepared by Andreas Bjorklund*

## Table of Contents

<b>Front matter</b> .....	<b>3</b>
Objective .....	3
A note on transliteration.....	3
<b>Introduction</b> .....	<b>3</b>
<b>Historical background</b> .....	<b>5</b>
<b>Why are there stateless persons in Kuwait today?</b> .....	<b>5</b>
The political significance of strict nationality laws.....	5
Limitations to the naturalisation process 1959-1965 .....	6
<b>Why has the problem not been resolved since 1965?</b> .....	<b>7</b>
1. Continued intra-elite contestation has left the Bidoon vulnerable to exploitation.....	7
2. Disputing narratives .....	10
3. Continued problems with registrations .....	10
4. Defeated attempts at activism.....	12
<b>Current Situation</b> .....	<b>13</b>
<b>What measures are being taken to solve the situation?</b> .....	<b>13</b>
<b>What have been the reactions of the international community?</b> .....	<b>13</b>
<b>Cited sources</b> .....	<b>15</b>

## Front matter

### Objective

This paper is intended as a brief and introductory historical overview of the emergence and persistence of statelessness in Kuwait.

### A note on transliteration

There are many ways to transliterate Arabic names and words into English. This paper uses a simplified system to facilitate reading of Arabic words for non-Arabic speakers. As such, Arabic letters without an immediate Latin equivalent are transliterated approximately (e.g. ض is 'd'), which of course leads to some overlap (both ظ and ذ as 'dh') and an implied Anglicised pronunciation. ځ is marked with an apostrophe. Long vowels are sometimes marked with a macron (e.g. *bidūn*) to facilitate pronunciation.

The term 'Bidoon' can also be transliterated 'Bidun', 'Bedoun', 'Bedoon', and 'Bidoun', etc.

## Introduction

In several countries of the Gulf there are stateless persons referred to as the Bidoon, from the Arabic *bidūn jinsīya* ('without nationality' or 'without citizenship').<sup>1</sup> The most prominent case is in Kuwait where there is a particularly large Bidoon population, often estimated at around 100,000-120,000, although some Bidoon activists believe the number to be 150,000-160,000, or even higher.<sup>2</sup> Either way, this is a significant population size, especially for a small country like Kuwait. According to official Kuwaiti estimates, there were some 4.4 million people living in the country in 2019, of whom 1.3 million – just short of 30% - were Kuwaiti nationals.<sup>3</sup> Even if one accepts the lower estimate of the Bidoon population (100,000 persons) this would equal just under 8% of Kuwaiti nationals.

While there are no unequivocal statistics, many, if not most, of the stateless persons in Kuwait who call themselves Bidoon are of Arab Muslim Bedouin background, even if long settled in urban areas.<sup>4</sup> Nonetheless, the Bidoon are not an entirely homogenous group in terms of what led them to become stateless, which specific tribe or tribal subsection they belong to, or which religious branch of Islam they follow. Some became stateless as a result of not being registered as citizens at key moments in Kuwaiti history, most importantly around the time of independence in 1961. Others have remained stateless as a result of migrating and settling in the newly independent country without ever being granted the opportunity to naturalise as Kuwaitis. Still others have become stateless after being born to a Kuwaiti mother and non-Kuwaiti father, as Kuwaiti nationality is only passed on through patrilineal descent.

The above notwithstanding, most Bidoon view themselves as indigenous to Kuwait on the basis of ancestral, tribal, and historical ties to its land and people. They therefore claim to be entitled – legally and morally – to Kuwaiti nationality. However, successive Kuwaiti

---

<sup>1</sup> Nationality and citizenship are often used interchangeably as a concept to denote formal membership in a polity, but there can be subtle legal differences to their meanings, see e.g. Hanley (2017).

<sup>2</sup> Al-Anezy (no date: 16); Al-Anezy and Bianchini (2016).

<sup>3</sup> Central Statistical Bureau (2019).

<sup>4</sup> Human Rights Watch (1995); Kareem (2012b).

governments have generally disputed these claims, and instead allege that most Bidoon are not stateless, but in fact foreign nationals concealing their true identities and living illegally in the country.

Statelessness is not merely a legal conundrum to be overcome, but has direct consequences for accessing basic human rights and living a life in dignity.<sup>5</sup> Without nationality it is difficult, if not impossible, to prove one's legal identity and thus regularise one's legal status in the country in which one is living. In Kuwait, stateless persons are in practice frequently hindered from acquiring or renewing civil documentation.<sup>6</sup> This includes identification papers, birth, death, or marriage certificates, travel documents, and driver's licences. Without such documentation, it is often impossible to secure legal employment, own property or a business, hold a bank account, access public services such as education and healthcare, and participate in the formal political process. The exclusion from nationality therefore condemns many Bidoon to live precariously and in poverty outside public life and society's legal domain, deprived of access to basic political, social, and economic rights and public services available – to different extents – to both Kuwaiti and foreign nationals with residency status respectively. With statelessness in Kuwait becoming a 60-year old issue, and with little outlook for a prospective and just solution, there is no seeming way out of this predicament for many Bidoon, leaving a severe toll on human life and health. Even in those relatively few cases in which a stateless person manages to live with a semblance of stability there looms a constant uncertainty as to what the future holds, sometimes leaving long-term scars of suffering and trauma that can be reproduced over generations.

This report traces, at a glance, the emergence of the Bidoon issue in Kuwait, discusses why there has been no solution, and provides a brief overview of the current situation.

---

<sup>5</sup> Fiddian-Qasmiyeh (2016).

<sup>6</sup> Human Rights Watch (2019).

## Historical background

### *Why are there stateless persons in Kuwait today?*

The problem of statelessness in Kuwait is the result of a strict nationality legislation and limitations to the implementation of naturalisation processes. As Kuwaiti nationality became a valuable and consequential asset for the stability of the political regime, it was both narrowly defined and instrumentalised for factional purposes amongst Kuwait's political-economic elite. This led to the exclusion of thousands who believed themselves to be entitled to Kuwaiti nationality.

### The political significance of strict nationality laws

Kuwait has sought to define its own citizenry through two laws governing nationality, both dating to the time of Kuwait being a British protectorate (from 1899 to 1961). The first nationality law, from 1948, was drafted two years after the country's first oil exports.<sup>7</sup> Most prominently, it defined as Kuwaiti nationals those who had been permanent residents since 1899 and restricted nationality through patrilineal descent.<sup>8</sup> The law allowed for limited *jus soli* and there were some avenues open for naturalisation. Nonetheless, the law seems to never have been applied, perhaps because the British disapproved of the way in which it had been drafted without their knowledge.<sup>9</sup>

In preparation for independence (1961), a new nationality law was enacted, given that a precise understanding of the legal definition of a 'Kuwaiti citizen' was needed.<sup>10</sup> The Emiri Decree 15 of 1959 restricted the criteria for Kuwaiti nationality, distinguishing between different 'classes' of citizens depending on whether a person was living in the country before or after 1920. Moreover, the requirements for naturalisation were tightened in comparison to the earlier law of 1948, notably by eliminating *jus soli*. The principle of patrilineal descent remained.

The further legal restrictions to nationality were the consequence of the political and economic situation in Kuwait that had developed rapidly during the 1950s.<sup>11</sup> The prospect of oil revenues had amplified recurring challenges to a basic political compact in place since the mid-18<sup>th</sup> century, in which the ruling Al Sabah family was in charge of political administration and law enforcement, supported by a historically richer merchant elite that was vital for Kuwait's economic prosperity.<sup>12</sup> These intra-elite relations have often been complex; while sometimes amicable, there has also been recurring contestation surrounding political representation and influence, especially during periods of economic crisis and political instability.

Such contestation was potentially serious for the political regime's survival in the 1950s, a time of significant regional turbulence. Most notably, the spread of anti-colonialism and Arab

---

<sup>7</sup> It had taken decades to fully begin exploiting Kuwait's oil resources.

<sup>8</sup> Kuwait Nationality Law of 1948. The law is available at British National Archives FO 371/114728 (see Cited Sources below for online link).

<sup>9</sup> For a longer discussion see Al-Anezi (1989: 160-166).

<sup>10</sup> Ibid. (174-75).

<sup>11</sup> Beaugrand (2018: 79).

<sup>12</sup> Abu-Hakima (1983) and Crystal (1995). It should be noted that the analytical emphasis on the ruling family-merchant contestation has been questioned by some historians, such as Alebrahim (2019).

nationalism, as well as the subsequent depositions of monarchical dynasties in Egypt, Tunisia, Iraq, and Yemen were a threat to the political order across the Gulf monarchies. Moreover, the Palestinian Nakba of 1948 led to a large number of exiled Palestinians settling in Kuwait, accelerating a process in which Kuwaiti citizens were to become outnumbered by non-Kuwaitis.

While the details of the Kuwaiti political-economic elite's internal factionalism and contestation is too complex to be discussed in depth here, in general it could be said that two competing aims, advanced by various groupings, crystallized during this period. On the one hand, there was a desire to set strict criteria for nationality. Most of the political-economic elite worried about revolutionary ideas that could potentially threaten the status quo, should non-Kuwaitis seek participation in domestic politics. At the very least, more citizens would mean having to expand Kuwait's welfare provisions generated from the country's vast oil wealth.

On the other hand, in the course of democratising attempts at instituting a representative parliament, there were calls to selectively expand the citizenry with loyalists in order to counter potentially revolutionary currents in parliament. Such manoeuvres could also boost a given faction's political base of support at the expense of elite rivals. Nationality was therefore a highly prized asset that had direct bearing on the stability of the political-economic elite.

### Limitations to the naturalisation process 1959-1965

To process claims of entitlement to nationality under the 1959 law, four nationality committees were set up that year. Three were located in central Kuwait City and one by the Saudi border. They operated until 1963 after which they were replaced by a single committee that examined all applications, finishing its work in 1965-66.

However, many Bedouin, some of who lived nomadically across lands which had only recently become divided by state borders, in addition to some of who had recently moved to the urban peripheries for work, were unable to register with the committees, even when they tried to do so. In handling applications, the committees often relied on impressionistic judgments of their officials.<sup>13</sup> They often had little administrative experience and no clear objective criteria for assessing claims of residence in Kuwait since 1920. This could in the best of circumstances be a difficult matter to prove, as few documents existed to certify long-term settlement.<sup>14</sup> In some cases, applicants were offered the status of 'naturalised Kuwaiti national,' also known as 'second-class citizenship,' rather than the status of 'original Kuwaitis' – 'first-class citizenship' – i.e. those who could trace their presence in Kuwait prior to 1920. Some applicants refused this offer.<sup>15</sup> Furthermore, personal networks played a role in who was granted nationality,<sup>16</sup> and witness accounts passed orally within the Bidoon community attest to irregularities and intimidations at the registration committees.<sup>17</sup> Members of the Bidoon community claim that registration was used as a bargaining chip by the committee officials in return for various private favours or payment.<sup>18</sup>

---

<sup>13</sup> Beaugrand (2018: 82-84).

<sup>14</sup> Al-Anezi (1989: 181-84).

<sup>15</sup> Ibid. (183, f 81).

<sup>16</sup> Beaugrand (2018: 84).

<sup>17</sup> Human Rights Watch (1995).

<sup>18</sup> Jaber (2020: 27).

Others avoided registration, being suspicious of the reasons for registering with the state, or, in other cases, viewing nationality as an unimportant administrative exercise. Such viewpoints were not necessarily irrational, given the longstanding history of authorities having used population registers for military conscription. Moreover, members of the Bidoon community have stated that news spread of irregularities and intimidations at the committees, leading to many shunning the entire registration process, fearing similar humiliating treatment. While difficult to ascertain the extent of such incidents, rumours of them nonetheless spread, leading to the reputation of the naturalisation committees suffering among some would-be registrants.

Others, typically living in remote rural areas, were wholly unaware of the registration process, which was chiefly based in Kuwait's urban centre. Those who did not hear about the registration process went about their daily lives as they previously had, paying little attention to such matters of state.

For whatever reason, those who failed to register remained stateless once the registration process formally closed in 1965, and their children and grandchildren would inherit this predicament.

### *Why has the problem not been resolved since 1965?*

There are four main reasons why the Bidoon situation has not been resolved. Firstly, the complex intra-elite political contestation described above, in which nationality and ultimately the Bidoon population as a whole became critical to the political regime's stability, has continued, leaving the Bidoon to become vulnerable to exploitation. Secondly, disputing narratives have developed to account for the basic problem, meaning that there has been little room for reconciliation and solutions to satisfy both the Bidoon community and factions in Kuwait that view the Bidoon population's claim with scepticism. Thirdly, problems with the legal naturalisation processes 1948-1965 outlined above have never been fully addressed, even in more recent attempts to ostensibly register and naturalise (some of) the Bidoon. Finally, attempts by Bidoon activists to initiate change have been suppressed by the government, leading to a further securitisation of the situation.

#### **1. Continued intra-elite contestation has left the Bidoon vulnerable to exploitation**

After 1965, the Bidoon issue can be seen as divided into two historical phases. The first, from 1965 until the mid 1980s, saw the Bidoon become largely incorporated into the Kuwaiti economy as labour, primarily in the military and police force, where some have estimated that 80% of the military by the 1980s were staffed by Bidoon.<sup>19</sup> The ruling family had historically tended to rely on tribal forces for Kuwait's military defence and law enforcement, and this continued once Kuwait declared independence. Such roles not only offered a prospect of naturalisation as a reward for service, but also enabled Bidoon employees to earn a decent salary and have access to similar public services and welfare as Kuwaiti nationals.

Nevertheless, the ruling family's reliance on Bidoon manpower for military defence and law enforcement continued to alienate them in the eyes of rivals among Kuwait's political-economic elite. The Bidoon were often scapegoated as 'tribals' more loyal to the ruling family

---

<sup>19</sup> Kapiszewski (2001: 54).

than the country as a whole.<sup>20</sup> This identification with the Bidoon as tribals - or *badu* (Bedouin) in Arabic - outsiders, served as a discursive contrast to the Kuwaiti *hadar* (urbanites) as insiders.<sup>21</sup> These boundaries echoed important nationalist myths in Kuwait of the townsfolk resisting larger external threats from the desert. In the early 20<sup>th</sup> century the British ostensibly protected Kuwait from Ottoman Iraq and in particular from the expansionist Saudi state, which launched an all-out attack through its proxies in 1920 – the same year chosen as the cut-off for first-class citizenship as per the 1959 law. Despite prevailing against these incursions, Kuwait lost most of its territory in the subsequent peace agreements brokered by Britain, effectively limiting Kuwait to remain a city-state with a circumscribed rural hinterland. Despite Kuwait having centuries of trans-regional familial and economic ties to the Arabian Peninsula, the wider Gulf region, and the Levant, the threat of invasion from the *badu* tribes fostered a political community dominated by the *hadar*, based in Kuwait City. The labels *badu* or *hadar* are of course crude and homogenising tropes – as is common with social constructions of identity – for what are actually highly diverse groups of people that do not necessarily map onto other social identifications, such as class, religion, political views, etc. Without overstating the *badu-hadar* divide, it is nonetheless important to note that the trope is frequently evoked by Kuwaitis and Bidoon of many different political persuasions when discussing societal issues and politics. Similarly, the *badu-hadar* divide has at times been employed by elites – who often occupy central roles in the writing and upholding of national histories and myths – to draw boundaries and emphasise their meaning and relevance. In this context, the largely *badu* Bidoon were identified with notions of invasion and mass immigration.<sup>22</sup>

In terms of nationality the *badu-hadar* trope would again be invested with political meaning and significance when a consultative assembly was formed in 1963. The first elections to the parliament immediately presented a challenge to the ruling family with the election of many *hadar* Arab nationalists. As a means to ensure a more loyal parliament for the next elections in 1967, the government – ultimately subservient to the emir – began a series of mass naturalisations to bolster its support.<sup>23</sup> It is estimated that between 1965 and 1981 some 220,000 people were naturalised, mainly Bedouins from Saudi Arabia.<sup>24</sup> In subsequent years, when such measures did not yield desired outcomes in terms of loyal elected officials, parliaments were simply suspended between 1976-1981 and 1986-1992. Thus, the notion of naturalisation became an integral part of the intra-elite political contestation in Kuwait, at the expense of those for whom the process of naturalisation was, in theory, intended.

Furthermore, by the mid 1980s a second, more confrontational, phase of the Bidoon issue was developing. By this time even the loyalty of the Bidoon in the state's coercive apparatus would come into question by the political-economic elite. This was a consequence of new regional turbulence, most notably the 1978-1979 Iranian Revolution and ensuing Iran-Iraq war. In addition, a number of high-profile attacks in Kuwait, including on the emir's life, contributed

---

<sup>20</sup> Crystal (2013: 176).

<sup>21</sup> See, for further discussion, Al-Nakib (2014).

<sup>22</sup> Longva (2000: 89-94), Beaugrand (2018: 22-24).

<sup>23</sup> Beaugrand (2018: 110).

<sup>24</sup> Ghabra (1997: 364). See also Beaugrand (2018: 81, 100) who comments that the greatest number of naturalisations after 1965 have occurred under article 5 of the 1959 law which permits granting nationality for special services for the state.



to the government blaming untrustworthy ‘foreign’ elements as having ‘infiltrated’ the opaque demographic that was the Bidoon.<sup>25</sup>

If the constructed *badu-hadar* division can be employed for political purposes of drawing boundaries, there was now clearly another sectarian ingredient that could be added to distinguish among residents.<sup>26</sup> The religious-sectarian make-up of Kuwaitis is not certain, but many, perhaps 30% of Kuwait’s citizens, are Shi’a Muslims.<sup>27</sup> While the sectarian make-up of the Bidoon is not known, it is often assumed to be majority Shi’a.<sup>28</sup> Sectarian identity of course carries no explanatory value in and of itself. Like with the *badu-hadar* label, sectarian identity can be more or less relevant to a person’s identity and does not deterministically map onto socio-economic class, political views, etc. But in certain contexts, sectarianism as a political trope can become politically salient. In the 1980s this had become the case in Kuwait, given regional events: the influence of the 1978-79 Iranian revolution in general and the oppression of Shi’a groups in Iraq in particular, which led them into exile and sometimes undertaking revolutionary activities from Kuwait. In an increasingly tense climate of confrontations between the government and foreign as well as Kuwaiti Shi’a groups and activists,<sup>29</sup> this presented opportunities to identify the Bidoon with threats to political stability.

Economic troubles also made the situation more unstable. In 1982 the unregulated Suq al-Manakh stock market crashed, causing an economic crisis. This was coupled with a slump in oil revenue, which stagnated throughout the 1980s. In response, the government began to consider cutting public spending and jobs. To make matters worse, the country was rocked by a number of high-profile corruption cases.

In this volatile context, a secret high-ranking meeting of government officials in 1986 issued a decree in which it was decided to withdraw the Bidoon’s basic privileges, reversing decades of access to basic public services.<sup>30</sup> Moreover, legal changes were made so that the Bidoon were no longer exempted the 1959 law on the residence of aliens, meaning they were now explicitly treated as deportable foreigners. In the ensuing years, thousands of Bidoon lost their jobs in the public and private sector after failing to produce passports to prove their identities.<sup>31</sup> The Bidoon could therefore be targeted for managing both perceived security threats and implementing financial austerity.

The stigmatisation of the Bidoon in wider Kuwaiti society that had begun in the 1980s would escalate dramatically with the Iraqi invasion and occupation of Kuwait in 1990. After Kuwait’s liberation in 1991, the Bidoon were scapegoated for the military defeat and accused of collaborating with the Iraqi puppet government.<sup>32</sup> As a result, the Bidoon were targeted for detention and deportation; probably some 130,000-160,000 Bidoon were either expelled or, having fled during the war, were prevented from returning to the country, remaining trapped in neighbouring countries or in refugee camps by the Kuwaiti border.<sup>33</sup> Those who stayed have provided witness accounts of violence and a constant living in fear.

---

<sup>25</sup> Boghardt (2006: 137, 149).

<sup>26</sup> Longva (2013: 120).

<sup>27</sup> US State Department (2020: 22).

<sup>28</sup> Beaugrand (2018: 37).

<sup>29</sup> Boghardt (2006: 31-39).

<sup>30</sup> Beaugrand (2018: 124).

<sup>31</sup> Human Rights Watch (1995); Crystal (2013: 177).

<sup>32</sup> Human Rights Watch (1995) discusses this in greater detail.

<sup>33</sup> Gasperini (1991); Human Rights Watch (1995).

## 2. Disputing narratives

As indicated by the previous section, what additionally complicates any movement toward a solution to the Bidoon problem is the fact that disputing narratives have developed with regards to who the Bidoon are and may be entitled to. In essence, there are two totally opposing views on the fundamental issues of what the Bidoon problem is actually about.

Dominant factions of the Kuwaiti political-economic elite and certain currents that support the political status quo tend to view the majority of Bidoon as foreign nationals, living illegally in the country and trying to acquire Kuwaiti nationality. There is some concession that some Bidoon may indeed be entitled to nationality, but this has led to little practical change in the sense of actually naturalising the ‘deserving’ Bidoon. Historically, successive governments have been relatively inconsistent with regards to how the Bidoon have been viewed and dealt with. As mentioned, the Bidoon were originally able to work, study, and enjoy basic rights (except for voting), until this policy was totally reversed in the mid 1980s. The government’s definitional position has also developed over time, as can be seen from the terms used to describe the Bidoon: from the *bidūn jinsīya* (‘without nationality’), to *ghayr kuwaiti* (‘non-Kuwaiti’), to *ghayr muhaddidun al- jinsīya* (‘unknown nationality’), to *majhūl al-huwwīya* (‘unknown identity’) to *muqīmīn bi-sūra ghayr qānūnīya* (‘illegal residents’). The scepticism and hostility toward the Bidoon and their claims have increased over time.

In contrast, most Bidoon have consistently claimed to be indigenous to Kuwait prior to 1965 and sometimes prior to 1920. They thus argue that they are entitled to Kuwaiti nationality, not simply on moral grounds, but on existing Kuwaiti legal grounds. This of course does not mean that Bidoon activists or the wider community itself agrees on all aspects of the history of their predicament and progressive or just ways forward.<sup>34</sup>

It is here important to note that the framing of the Bidoon as ‘illegal residents’ is not only rejected by the Bidoon themselves, but also by some Kuwaiti citizens, including prominent politicians, lawyers, academics, and human rights workers.

## 3. Continued problems with registrations

After the US-led coalition expelled the Iraqi troops occupying Kuwait in 1991, the treatment of the Bidoon began to gain the attention of international observers and human rights advocates.<sup>35</sup> As was mentioned previously, it was frequently estimated that of the 220,000-250,000 Bidoon in the country prior to the Iraqi invasion roughly half remained in Kuwait after liberation.

This contributed to the government making attempts at solving the Bidoon situation. After the war a series of committees were established to register the population, ostensibly to get a clearer view of the country’s demographics, for example the 1991 Committee to Register Foreigners (*lajnat tasjīl al-ajānīb*). A specific process was then initiated with regards to the Bidoon. In 1993 the Central Committee (*al-lajna al-markazīya*) was set up tasked with studying the situation of the Bidoon in Kuwait. This committee was in turn replaced in 1996 by the Executive Committee for the Affairs of Illegal Residents (*al-lajna at-tanfīdhīya li-*

---

<sup>34</sup> Kareem (2012a); Lund-Johansen (2014).

<sup>35</sup> See e.g. Middle East Watch (1991) and Human Rights Watch (1995).

*shu'ūn al-muqīmīn bi-sūra ghayr qānūnīya*), with the aim of implementing decisions on the basis of the findings of the 1993 committee. It demanded the Bidoon to register their claims of nationality between 1996-2000. Those who registered were given a 'review card' (*bitāqa murāja'a*), which was only valid for transactions between the Bidoon card holder and Kuwaiti authorities. As with the nationality registrations in 1959-1965, some Bidoon did not or were again unable to register with the committee.<sup>36</sup> The Kuwaiti government itself released information that 12,000 individuals had not opened files with the Kuwaiti authorities.<sup>37</sup>

Even so, many Bidoon did register; according to the Kuwaiti authorities' own figures some 106,000 had registered in the four-year period from 1996.<sup>38</sup> However, the Kuwaiti Supreme Court of Higher Planning determined that of these 106,000 registrations, only 34,000 were potentially eligible for citizenship, 68,000 had other origins (42,000 'already Iraqis' and 26,000 'Other' 'known origins'), and the remaining 4,000 were 'unknown'. Many Bidoon dispute these official 'findings', especially as in some cases members of the same family have been 'found' to have different national origins.<sup>39</sup> There is no appeals process to deal with such issues, which essentially bar the registered Bidoon from being considered for nationality. In other cases, many who have registered have found a 'security restriction' (*qaid amni*) on their file, preventing them from being considered for nationality or even requesting basic documents or services that, in principle, should be granted Bidoon who have registered with the authorities.

In 2010 a third special committee was established that would continue processing these registrations. The Central System for Remediating the Status of Illegal Residents (*al-jihāz al-markazi li-mu'ālīja awdā' al-muqīmīn bi-sūra ghayr qānūnīya*; henceforth: the Central System)<sup>40</sup> remains the body which deals with Bidoon matters and, ostensibly, investigates the origins of the registered Bidoons.

What chiefly characterises the past three decades of Bidoon committees is that the actual numbers of naturalisations have been low. Law 20 of 2000 limited the number of naturalisations for those with descendants registered in the 1965 census to 2,000 per year, although this quota appears to never been filled.<sup>41</sup> In contrast, it seems that successive Kuwaiti governments have intended to use the registration process as signalling that the situation is being dealt with, all while seeking to reduce the number of eligible applications. Indeed, the authorities have pursued alternative solutions, often in secret, while the work of the committees' stalls. Most infamous is the so-called Comoros plan, which would grant the Bidoon Comorian citizenship (in exchange for cash).<sup>42</sup> Given the general opacity with which the Central System continues to work, especially with assigning alleged foreign backgrounds to Bidoon who have registered, the naturalisation and registration process over the past 25 years can arguably be assessed not simply as grossly incompetent but also having been undertaken in bad faith.

---

<sup>36</sup> Beaugrand (2018: 36-37).

<sup>37</sup> Kuwait government [no date].

<sup>38</sup> Human Rights Watch (2011a: 20).

<sup>39</sup> Ibid. (26).

<sup>40</sup> Sometimes translated as: 'the Central Apparatus'.

<sup>41</sup> Human Rights Watch (2011a: 18), US State Department (2016), US State Department (2020).

<sup>42</sup> Lewis and Ahmed (2018).

#### 4. Defeated attempts at activism

In Kuwait, by the mid-2000s a greater number of Bidoon were beginning to organise in light of the frustration at waiting for a solution to their problem being passed ‘from above.’ For Bidoon activists, it had become evident that the Bidoon committees were unlikely to address the root problem – statelessness – and instead incorporate the Bidoon into a formal process by which they were often forced to assume forged foreign identities (most often Iraqi and Saudi) in order to obtain basic documents or access basic services, such as work or education.

There was also increased cooperation with Kuwaiti human rights activists, students, and citizens. One notable event ‘Bidoon Speak’ (*al-bidūn yatahaddathūn*) was held in 2006, in which more than 5,000 people attended. Following this, there was an increase in awareness campaigns and organised documentation of the discrimination the Bidoon face in the country.<sup>43</sup> More prominent Bidoon-run organisations in Kuwait were now also founded. In 2008 the Kuwaiti Bidoon Assembly (*at-tajammu’ al-kuwaitīyūn al-bidūn*) and the Popular Committee for Bidoon Affairs (*lajnat sha’bīya lil-qadāyā al-bidūn*) formed by experienced Bidoon activists. In the face of the increased securitisation of the Bidoon issue, several difficulties plagued organised dissent. One notable difference was whether the Bidoon should focus primarily on alleviating suffering, leaving naturalisation for later, or, by contrast, if both these goals should be pursued in tandem. While successful in raising the profile of the issue, attempts at instituting satisfactory legal change faltered. For example, the government closed debate on a bill proposed by a parliamentary committee on Bidoon affairs in 2009, on which the Kuwaiti Bidoon Assembly had been involved, and the process ultimately led to the foundation of the above-mentioned Central System.<sup>44</sup>

Coupled with these grassroots efforts, the 2011 wave of Arab uprisings across the Middle East and North Africa gave added confidence to Bidoon activists to take matters into their own hands. February 2011 saw the beginning of a series of demonstrations in various districts of al-Jahra, where many Bidoon live, throughout the year, in which hundreds were arrested or injured.<sup>45</sup> Notable demonstrations, often initially peaceful, continued, quite consistently for the first few years. The government has continuously responded with force, jailing activists and banning demonstrations, measures which are continuing today.<sup>46</sup>

It should also be noted that Bidoon outside Kuwait had been organising, notably in Britain since the early 2000s. These efforts have been successful in raising the profile of the Bidoon question, which also had practical implications for the increase in Bidoon asylum-seekers arriving in European and other countries of the Global North.

---

<sup>43</sup> Lund-Johansen (2014: 57).

<sup>44</sup> Beaugrand (2018: 200).

<sup>45</sup> Human Rights Watch (2011b) and (2011c).

<sup>46</sup> See, e.g. Amnesty International (2019).

## Current Situation

### *What measures are being taken to solve the situation?*

Since the Central System began its work in 2010 there have not been any major shifts from previous government policy with regard to improving the situation facing the Bidoon in Kuwait. The position of the government remains that most Bidoon are illegal residents.

While Bidoon activists have continued to raise awareness of the issue and sometimes engaged in street actions - such as demonstrations - there has been an increasingly severe clampdown by the authorities. Many of the most notable activists pass in and out of jail. In January 2020, indictments were levied against 15 activists for their engagement, in part for their alleged activities on social media, resulting in harsh sentences for three, 12 suspensions, and one acquittal.<sup>47</sup>

On the legislative side, 2019 saw two proposals presented to the Kuwaiti parliament with the aim of resolving the Bidoon issue. The first was brought by the speaker of the parliament, Marzouq al-Ghanem. It proposes a 15-year renewable residency permit for those Bidoon registered with the Central System who present evidence of their 'original nationality.'<sup>48</sup> Those who fail to 'correct their legal status' within one year will be deemed 'foreigners in violation of the law' and ineligible for any future acquisition of nationality. Bidoon activists and international human rights organisations have denounced the proposal as 'xenophobic', oppressive or as incapable of resolving the situation.<sup>49</sup>

The second, presented by the Kuwaiti Lawyers Association, recognises the Bidoon problem as one of statelessness, rather than 'illegal residents.'<sup>50</sup> The proposal notably offers the chance to security restrictions on the files of those Bidoon without 'final convictions', allowing Bidoon to return to their previous legal status after being assigned an 'original nationality', establishes an appeals body, and seeks to shut down the Central System itself, reverting all files and cases to the Ministry of Interior. The bill nonetheless does not grant nationality to all the Bidoon, but rather distinguishes between different classes, notably divided on who can prove their presence in the country prior to or after 1965.

Both proposals seemed to have been placed on hold with the outbreak of the global Coronavirus pandemic, although by late October 2020 there was a last-minute attempt to push through the al-Ghanem proposal before elections to the new parliamentary session.<sup>51</sup> This in turn has severely increased the precarious situation and suffering of the Bidoon, who nonetheless have attempted, in various ways, to keep the issue on the agenda in the face of the unprecedented chaos caused by the pandemic.

### *What have been the reactions of the international community?*

Statelessness is recognised as a problem by the international community, addressed in the 1954 UN Convention on the Status of Stateless Persons and the 1961 Convention of the Reduction of Statelessness. Nonetheless, in practice the conventions have limited success, particularly as

---

<sup>47</sup> Amnesty (2020).

<sup>48</sup> Proposal on a Law on the Matter of the Illegal Residents (2019)

<sup>49</sup> Amnesty (2019: 2); Institute on Statelessness and Inclusion et al (2020).

<sup>50</sup> Proposal C19/8612 of 29 October 2019.

<sup>51</sup> Al Mulla (2020).

there is no obligation on states to grant nationality to stateless persons. Moreover, Kuwait has not signed these conventions, even if the government generally acknowledges that some Bidoon may be entitled Kuwaiti citizenship, frequently promising to grant it to those who qualify. As we have seen, this is in fact not implemented in practice.

The international community has put some pressure on Kuwait in solving the Bidoon situation. For example, the issue is frequently brought up in the United Nation's Universal Periodic Review, the latest which was held in 2020, and where there were several submissions of evidence with regard to the Bidoon situation. Nonetheless, while there is sympathy to be found in the international community for the plight of the Bidoon, there has been little international pressure or initiative undertaken to press for a just and fair solution.

أنا كويتي  
AM K U W A I T I  
www.anakuwaiti.org

## Cited sources

### Print and online

- Abu-Hakima, Ahmad Mustafa. 1983. *The Modern History of Kuwait: 1750-1965*. London: Luzac.
- Al-Anezi, Rashid Hamad. 1989. 'A Study of the Rôle of Nationality in International Law with Special Reference to the Law and Practice of Kuwait'. PhD thesis. University of Cambridge.
- Al-Anezy, Khaled [خالد العنزي]. [no date]. *Ana bidūn* [أنا بدون]
- Al-Anezy, Nasser, and Katia Bianchini. 2016. 'Problems Faced by the Bidoons in the UK'. European Network on Statelessness.
- Al-Nakib, Farah. 2014. 'Revisiting Hadar and Badu in Kuwait: Citizenship, Housing, and the Construction of a Dichotomy'. *International Journal of Middle East Studies* 46(01): 5–30.
- Al Mulla, Yasmehna. 'Kuwait: MPs do not show up for controversial Bidoon law session.' Gulf News. 20 October. <https://gulfnews.com/world/gulf/kuwait/kuwait-mps-do-not-show-up-for-controversial-bidoon-law-session-1.1603213775130>
- Alebrahim, Abdulrahman. 2019. *Kuwait's Politics Before Independence: The Role of the Balancing Powers*. Gerlach Press. Accessed 22 October 2020.
- Amnesty International. 2019. 'Kuwait: Rising Signs of Despair Among Bidun Highlight Cruelty of Draft Law'. Amnesty International Public Statement. 21 November.
- . 2020. 'Kuwait: Heavy prison sentences of activists demanding citizenship.' 28 January. <https://www.amnesty.org/en/latest/news/2020/01/kuwait-heavy-prison-sentences-of-activists-demanding-rights-of-citizenship/>. Accessed 2 February 2020.
- Beaugrand, Claire. 2018. *Stateless in the Gulf: Migration, Nationality and Society in Kuwait*. London New York: I.B. Tauris.
- Boghardt, Lori Plotkin. 2006. *Kuwait amid War, Peace and Revolution: 1979-1991 and New Challenges*. Oxford: Palgrave Macmillan
- Central Statistical Bureau. 2019. 'Population estimates in Kuwait by Age, Nationality and sex at 1L12019.' Available at: [https://www.csb.gov.kw/Pages/Statistics\\_en?ID=67&ParentCatID=%201](https://www.csb.gov.kw/Pages/Statistics_en?ID=67&ParentCatID=%201)
- Crystal, Jill. 1995. *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar*. Updated ed. New York: Cambridge University Press.
- . 2013. 'Public Order and Authority: Policing Kuwait'. In *Monarchies and Nations: Globalisation and Identity in the Arab States of the Gulf*, eds. Paul Dresch and James P. Piscatori. London: I.B. Tauris.
- Fiddian-Qasbiyeh, Elena. 2016. 'On the Threshold of Statelessness: Palestinian Narratives of Loss and Erasure'. *Ethnic and Racial Studies* 39(2): 301–21.
- Gasparini, William. 1991. 'Stateless Bedoons Are Shut Out of Kuwait'. *The Christian Science Monitor*. 20 August.
- Ghabra, Shafeeq. 1997. 'Kuwait and the Dynamics of Socio-Economic Change'. *Middle East Journal* 51(3): 358–72.
- Hanley, Will. 2017. *Identifying with Nationality: Europeans, Ottomans, and Egyptians in Alexandria*. New York Chichester, West Sussex: Columbia University Press.
- Human Rights Watch. 1995. *The Bedoons of Kuwait: 'Citizens without Citizenship'*. New York, NY: Human Rights Watch.

- . 2011a. *Prisoners of the Past: Kuwaiti Bidun and the Burden of Statelessness*. 2011. New York, NY: Human Rights Watch.
- . 2011b. ‘Kuwait: Dozens Injured, Arrested in Bidun Crackdown’. <https://www.hrw.org/print/241964>. Accessed June 5, 2016.
- . 2011c. ‘Kuwait: Stateless “Bidun” Denied Rights’. <https://www.hrw.org/print/243167>. Accessed June 5, 2016.
- . 2019. ‘Submission to the Universal Periodic Review of Kuwait’. July.
- Institute on Statelessness and Inclusion, Salam for Democracy and Human Rights, Rights Realization Centre, and Gulf Institute for Democracy and Human Rights. 2020. ‘Kuwait- Take Concrete Steps to end Suffering of Stateless Bidun.’ 30 January. Beirut and London.
- Jaber, Ahmad. 2020. ‘Doing political activism during global crises: The diasporic Bidun’s cause under the COVID-19 pandemic.’ Unpublished MA thesis. University College London.
- Kapiszewski, Andrzej. 2001. *Nationals and Expatriates: Population and Labour Dilemmas of the Gulf Cooperation Council States*. Ithaca Press.
- Kareem, Mona. 2012a. ‘The Bedoon Talented Tenth.’ *alakhbar English*. 3 August 2012. [www.english.al-akhbar.com/print/10699](http://www.english.al-akhbar.com/print/10699). Accessed 7 February 2017.
- . 2012b. ‘An Invisible Nation: The Gulf’s Stateless Communities.’ *Mona Kareem*. 21 August. <http://monakareem.blogspot.com/2012/08/an-invisible-nation-gulfs-stateless.html>. Accessed 7 February 2017.
- Kuwait Government. no date. ‘Report on the Human Rights Watch Report and Response to Its Questions and Inquiries (Translated by Human Rights Watch)’.
- Lewis, David, and Ali Amir Ahmed. 2018. ‘Exclusive: Comoros Passport Scheme Was Unlawful, Abused by “mafia” Networks - Report’. Reuters. <https://www.reuters.com/article/us-comoros-passports-exclusive-idUSKBN1GZ37H>. Accessed 12 June 2020.
- Longva, Anh Nga. 2000. ‘Citizenship in the Gulf States: Conceptualization and Practice’. In *Citizenship and the State in the Middle East: Approaches and Applications*, eds. Nils A. Butenschøn, Uri Davis, and Manuel S. Hassassian. Syracuse, N.Y: Syracuse University Press.
- . 2013. ‘Neither Autocracy nor Democracy but Ethnocracy : Citizens, Expatriates and the Socio-Political System in Kuwait’. In *Monarchies and Nations: Globalisation and Identity in the Arab States of the Gulf*, eds. Paul Dresch and James P. Piscatori. London: I.B. Tauris.
- Lund-Johansen, Marie Brokstad. 2014. ‘Fighting for Citizenship in Kuwait’. MA thesis. University of Oslo.
- Middle East Watch. 1991. *A Victory Turned Sour: Human Rights in Kuwait since Liberation*. New York, NY: Human Rights Watch.
- US Department of State. 2016. ‘Kuwait 2015 Human Rights Report’. Bureau of Democracy, Human Rights and Labor.
- . 2020. ‘Kuwait 2019 Human Rights Report’. Bureau of Democracy, Human Rights and Labor.

### Legal sources

- al-Ghanem, Marzouq [مرزوق الغانم]. 2019. *Proposal for a Law with Regards to the Illegal Residents* [اقتراح بقانون في شأن المقيمين بصورة غير قانونية].
- Kuwait Lawyers Association [جمعية المحامين الكويتية]. 2019. c19/8612. *Proposal for a Law Presented by the League of Kuwaiti Lawyers to End the Situation of Stateless Persons in the State of Kuwait* [اقتراح بقانون مقدم من جمعية المحامين الكويتية لإنهاء أوضاع عديمي الجنسية بدولة الكويت]. 29 October. Kuwait Nationality Law of 1948. British National Archives. FO 371/114728. Available at: <https://www.agda.ae/en/catalogue/tna/fo/371/114728/n/9>. Accessed 22 October 2020.





*SALAM for Democracy and Human Rights (SALAM DHR)* is a non-governmental organisation that endeavours to promote and protect fundamental human rights standards; respect for human dignity and democracy.

In the pursuit of this vision, SALAM DHR aims to influence British, European Union and United Nations representatives to improve the situation in the Middle East and foster awareness of human rights and democracy

**You can follow the news of *SALAM DHR* through the following contacts:**

 [info@salam-dhr.org](mailto:info@salam-dhr.org) |  [www.salam-dhr.org](http://www.salam-dhr.org)

---

**Arabic:** @SALAMDHR\_AR



**English:** @SALAM\_DHR

**French:** @SALAM\_DHR\_FR

**Spanish:** @SALAMDHR\_ES



SALAMDHR1



salam\_dhr



SALAM DHRS

**You can follow the news of “Ana Kuwaiti” through the following contacts:**



[www.anakuwaiti.org](http://www.anakuwaiti.org)



@ana\_kuwaiti

أنا كويتي

A M K U W A I T I  
www.anakuwaiti.org

