



الفبائية البدون

“NOTHING BUT A PEN AND A WORD”:

VOICES FROM THE STATELESS BIDOON COMMUNITY
IN KUWAIT DURING THE COVID-19 PANDEMIC

[Salam for Democracy and Human Rights](#) (SALAM DHR) is a UK and Lebanon-based NGO that focuses on Bahrain and other Gulf countries. It advocates for human rights and democracy, including the rights of the stateless and those deprived of citizenship.

The [Institute on Statelessness and Inclusion](#) (ISI), is a human rights non-governmental organisation (NGO) dedicated to promoting the right to nationality and the rights of stateless people globally.

This report is a collaborative undertaking by members of the SALAM DHR team, with support from ISI. The report has been developed as part of a Kuwait focused project implemented under the [COVID-19 Emergency Statelessness Fund](#) (CESF) Consortium, which both ISI and SALAM DHR are members of.

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Drewery Dyke drafted this report based on work started by Andrew McIntosh. Shayma AlQahs provided a written analysis. Marie Dominique Karam, Sharaf Yassin, Lena Haytham, and Meriem Oukacine analysed project data and undertook translations for the project. Ahmad Jaber (Benswait) reviewed and commented on the project survey. Yoana Kuzmova provided invaluable feedback on the draft report. Amal de Chickera conducted a final review and edited the report. Alena Jascanka is responsible for the design and layout of the report.

We thank the scores of other stateless Kuwaitis and Kuwaiti citizens who helped shape this project and those, such as Sima Watling and Stephanie Huber, who took the time to comment on the draft report.



ABOUT THE COVER

Image: The Bidoon Alphabet

Artist: Abdulrahman Boland (@A_RahmanBoland)

Date: 16 April 2020 (via twitter: https://twitter.com/A_RahmanBoland/status/1250670603100659719?s=20&t=Dz-rXThl1ESUb8ZEwmpkT8Q)

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The cover image sets out the Arabic alphabet, evoking the style of a primary school teaching material. The artist, however, uses images of the initial letter that reflect fundamental themes of a stateless Bidoon person's reality. The juxtaposition of textual and visual elements illustrates key struggles in Bidoon people's lives, such as identity, prison, and suicide, in a simple but expressive way. From top right, moving from right to left, in keeping with the text direction of Arabic, the image reads as follows:

The Bidoon Alphabet title on the bottom of the image / ألفبائية البدون

ح - حبل	ج - جذور	ث - ثقل	ت - تيماء	ب - بطيخ	أ - اعتقال
Rope (a noose) – At the time of writing, six stateless persons, including children, had taken their own lives, apparently in the face of ongoing hopelessness and poverty. See the sub-section below, Growing Evidence of Self-harm and Suicide Amongst the Stateless Community. On 23 February 2021, Ali Khaled, 12, reportedly hanged himself in his room.	Roots – Most stateless people believe that they have roots in Kuwait, but the authorities reject this and assert that the stateless are “illegal residents”. There is no independent way to assess such claims.	Weight – Many stateless people believe that their socio-legal status is a weight that drags them down and hinders social progress.	Tayma (road traffic sign depicting directions there) – It is an area where many stateless people live and where the community has often demonstrated.	Watermelons – They are often sold by young stateless children on the sides of roads in areas where stateless people live.	Arrest – Stateless people have less protection before the law on account of a lack of identity papers, and poverty. It is illegal for non-Kuwaitis to demonstrate, for example, calling for citizenship rights.
س - سجن	ز - زجاجة	ر - رماد	ذ - ذبح	د - دار	خ - خبز
Prison – Prison is a common experience of scores of stateless activists and others who peacefully demonstrated for citizenship rights, as during 2011/12.	Bottle – Stateless people in Kuwait are not often granted documentation required to travel and have to stay in Kuwait: they are bottled and, as the image depicts, pressing on the side to see if it ‘gives’.	Dust – In this image, an imagined, stereotypical man turns to dust: the fate of the stateless person.	Slaughter (or killing) – In this instance, a knife kills the dream of the stateless person. It implies that stateless people cannot even dare to dream.	Home – Many homes of stateless people, say in Tayma, consist of corrugated steel or breeze-blocks, and are often poorly constructed on account of the family’s relative poverty.	Bread – A staple of a poverty-stricken family, bread plays a central role in the diet of many stateless persons.
ع - عياد	ظ - ظلام	ط - طبيب	ض - ضياع	ص - صبر	ش - شهداء
‘Eyad – The young man depicted represents ‘Eyad Hamad Medath. In July 2019, at the age of 20, he took his own life, the first of the current series of such cases.	Darkness – Many stateless people do not have high hopes for their futures: their limited horizons contain darkness.	Doctor – In the early stages of the pandemic, stateless Bidoon medical professionals were lauded for volunteering speedily to help the government’s effort to deal with the health crisis.	Loss – Not ever having been given opportunities, the question marks may represent questions as to ‘what could have been’ in a Bidoon person’s life. Alas, they will never know.	Patience – The image of an elderly man waiting evokes the seemingly interminable wait for a better life for the stateless community of Kuwait.	Martyrs – Many of those who have served in the Kuwaiti military and died in the service of protecting Kuwait and Kuwaitis, including frontline medical staff during the Covid-19 pandemic were never granted citizenship despite this sacrifice.
م - مستقبل	ل - لافتة	ك - كوت	ق - قيد	ف - فقير	غ - غريب
Future – the female school student depicts the collective future of the stateless Bidoon. What kind of future will she; will the entire community have?	Placard – The placard depicted states “citizenship is our one objective”. Members of the community have used placards to campaign for citizenship for at least a decade, if not longer.	Kuwait – Quite simply, stateless Bidoon in Kuwait aspire to acquire citizenship and enjoy the rights and responsibilities this brings.	Limit or restriction – The flag of Kuwait wrapped around the person indicates that the state imposes arbitrary limits on the actions of the stateless people.	Poor – Marginalised, stateless people in Kuwait experience poverty in one of the world’s richest countries.	Strange, odd, or peculiar – As a feeling, the stateless person may feel strange or out of sorts or as a stranger, apart from others. It is an ‘otherness’. The report sets out the efforts made by the state of Kuwait to ‘other’ the stateless Bidoon.
	ي - يشكو	و - وطن	ه - هوية	ن - نخلة	
	Beseech or plead – Stateless Kuwaitis have, for decades, beseeched the authorities to grant citizenship rights. Their pleading has gone unheeded.	Homeland – The map of Kuwait represents the homeland for the stateless Kuwaitis, whom the government terms “illegal residents”.	Identity (documents) – The struggle to obtain correct and accurate documentation from the Government of Kuwait is commonplace for countless stateless Kuwaitis.	Date palm – The date palm is found throughout the region and is an essential source of food and employment for the community.	

LEXICON - TERMS AND ACRONYMS

Central System, or Apparatus - A term and institution of the Government of Kuwait (GoK). The Central Agency to Remedy the Situation of 'Illegal Residents', most often called, in this report, the Central System, or Apparatus; the Arabic, Jihaz al-Merkezi. It is the government body that oversees all aspects of stateless persons' lives, from the delivery of birth certificates to identity documents in accordance with access to state services, as well as drivers' licences and death certificates. Based on available evidence, approached through a human rights lens, we dispute the implications of the use of such terms, as set out below.

GCC - Gulf Cooperation Council, the mainly commercial association of six Arab states in the Gulf, consisting of, from north to south, Kuwait, Saudi Arabia, Qatar, Bahrain, the United Arab Emirates and Oman.

Gulf, or the Gulf – this is the term used in this report for the body of water historically and internationally called the Persian Gulf; known in the Arab world as the Arab Gulf and in Turkish, the Gulf of Basra.

ISI - Institute on Statelessness and Inclusion, a human rights non-governmental organisation (NGO) that dedicated to promoting the right to nationality and the rights of stateless people globally.

GoK - Government of Kuwait

MENA - Middle East and North Africa, an acronym often used in international discourse to denote the region from Morocco in the west to Iran in the east and encompassing the Gulf states.

PSG - Refers to membership of a 'particular social group'. According to paragraphs 77-79 of the United Nations High Commissioner for Refugees (UNHCR)'s 2019 (re-issue) Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, 'Membership of such a particular social group may be at the root of persecution because there is no confidence in the group's loyalty to the Government or because the political outlook, antecedents or economic activity of its members, or the very existence of the social group as such, is held to be an obstacle to the Government's policies.' While perhaps loosely defined, the concept is applied in a wide variety of jurisdictions.¹

OHCHR - The United Nations Office of the High Commission for Human Rights, the UN body that administers states' engagement with legally binding human rights treaties and other mechanisms for the promotion and protection of international human rights standards.

SALAM DHR - Salam for Democracy and Human Rights, a mainly UK and Lebanon-based NGO that focuses on Bahrain and other Gulf countries; in relation to human rights and democracy, including the rights of the stateless, including those deprived of citizenship.

UNHCR - United Nations High Commission for Refugees, the global, United Nations (UN) body responsible for the assistance and administration of global efforts to deal with statelessness.

¹The Handbook can be accessed at: <https://www.unhcr.org/uk/publications/legal/5ddfdc47/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html>, accessed 29 September 2022.

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INTRODUCTION

Prison bars - depicted on the cover of the report, are all-to-frequent an experience of modern Bidoon (Bedoon, Bidun etc.) life. Members of the Bidoon community face arbitrary force and punishment if they attempt to mobilise. Most people interviewed for this report claimed they feared being imprisoned if they protested, leaving them feeling powerless within the country. As one respondent to the project survey lamented, they are 'shackled and have nothing but a pen and a word'. This stifling sense of inhibition weaves itself into the account set out below.

This report explores the life experiences of members of Kuwait's stateless Bidoon community during the Covid-19 pandemic, from its emergence around March 2020 to around January 2022. It seeks to provide a qualitative snapshot of the lives of those who took part in the project by exploring whether and how their experiences could have been shaped by their socio-legal status and what the impact of that experience might have been. It derives recommendations based on the experiences shared with the SALAM DHR project team.

The report is the culmination of a pilot research-based action advocacy project on Kuwait carried out as part of an initiative entitled the COVID19 (Covid-19) Emergency Statelessness Fund Consortium, or CESF.² The [Institute on Statelessness and Inclusion](#) (ISI) created the CESF, or Fund in June 2020, to respond to the 'life threatening marginalisation, with potentially disastrous consequences', that stateless people faced in the context of COVID-19, as warned of in the joint civil society statement In solidarity with the stateless, issued by 84 organisations in June 2020. Many of the concerns articulated in the joint statement were in turn documented and evidenced in ISI's 2020 Impact Report, entitled [Stateless in a Global Pandemic](#), also published in June 2020.

The project period encompassed pre-existing and ongoing contextual and socio-political developments: the pandemic did not occur in a vacuum. Participants told us that these factors impacted on the health and well-being of members of the stateless community during the pandemic.

Kuwait is a state party to seven legally binding international human rights treaties.³ While this project is not about the GoK's general adherence to international human rights standards, we consider treaty bodies' observations where they appear to have had a bearing on how the GoK has behaved towards members of the stateless Bidoon community and their right to civil, political, economic, social, and cultural rights during the pandemic. This includes physical and mental health outcomes, as expressed by participants in this study.



ABOUT THE BIDOON AND THEIR LEGAL STATUS IN KUWAIT

Limit or restriction – This picture of a Bidoon man with a flag wrapped tightly round him, as depicted in the cover image – is symbolic of the arbitrary limits and restrictions on the actions of the stateless people, that the state imposes on them. These limits are justified on the basis of their precarious legal status, even though this precarity has been manufactured by the state.

The stateless Bidoon community in Kuwait are currently defined as 'illegal residents' by the Government of Kuwait (GoK). As set out below, the description of the stateless community's status, and their place in society, has changed since Kuwait's independence from the United Kingdom in 1961. They have been characterised as 'illegal residents' by the GoK since 2010.

² See, for example, <https://www.institutesi.org/pages/cesf-projects> for more information on the CESF initiative.

³ The CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, CCPR - International Covenant on Civil and Political Rights, CED - Convention for the Protection of All Persons from Enforced Disappearance, CEDAW - Convention on the Elimination of All Forms of Discrimination against Women, CERD - International Convention on the Elimination of All Forms of Racial Discrimination, CESC - International Covenant on Economic, Social and Cultural Rights, CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, CRC - Convention on the Rights of the Child, and CRPD - Convention on the Rights of Persons with Disabilities.

Like members of the community itself, international human rights bodies such as the United Nations and international non-governmental organisations; many citizens and politicians in Kuwait itself, along with the authors of this report, reject this characterisation. It is contrary to Kuwait's own treaty obligations, and, in the vast majority of cases, the identity of Bidoon as Kuwaiti is an objectively verifiable historical fact.

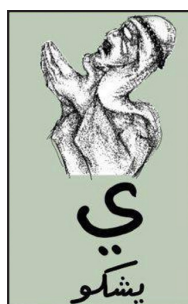
This text proceeds on the basis that there is longstanding, internationally accepted historical and contemporary evidence that a community numbering at least between 90,000 and 110,000 in Kuwait are, in law and practice, stateless. The vast majority have not and do not enjoy the benefits and protections associated with Kuwaiti citizenship since the state's independence in 1961. Current UNHCR data states, for 'refugees', without stating country of origin, that there are 92,020 such persons in Kuwait.⁴ The Research Directorate of Kuwait's National Assembly estimated in April 2014 that the number of stateless Kuwaiti was 111,000, or about 10% the size of the recognized population of Kuwaiti nationals.⁵

Despite repeated requests by United Nations (UN) human rights treaty bodies, the GoK has refused to provide unambiguous data regarding those who would, in analogous circumstances, be considered stateless.

On account of this legal status and the social characteristics generally associated with the stateless Bidoon community, this report also accepts, by way of example, the [2004 determination by the United Kingdom Asylum and Immigration Tribunal](#).⁶ It stated that the Tribunal:

'... would also have no hesitation in identifying the Bedoon in Kuwait as a particular social group within the meaning of Art 1A(2) of the Refugee Convention, [...and that] we are entirely satisfied that by virtue of their extended tribal origins and the existence of a number of legislative and societal measures of discrimination marking them out from others, the Bedoon are a particular social group (PSG). For this reason they can be said to exist independently of, and not be solely defined by, these measures of discrimination.'

If and when the GoK establishes an independent pathway for this Particular Social Group (PSG), in order to assess claims to citizenship that meets international human rights standards, the international community will gradually come to know which residents can be characterised as not having a legal resident status. Until then, this text assumes that all the people currently termed 'illegal residents' are a PSG in Kuwait. Proven and internationally accepted historical evidence shows that the vast majority of these people have the strongest ties with no other country save Kuwait. For that reason, this report uses the term 'stateless Kuwaitis' to capture their legal status more accurately, and the fact that it stems from a deprivation of their right to Kuwaiti nationality.



MAIN FINDINGS AND THE ROADMAP FOR CHANGE

To beseech or plead – this image of a man making a plea, depicted on the report cover – represents the fact that Stateless Kuwaitis have, for decades, beseeched the authorities to grant citizenship rights. Their pleading has gone unheeded.

The evidence arising from the participants' testimonies, responses, engagement, and corollary research for this project indicates that the GoK has treated the Bidoon community in a structurally discriminatory manner regarding access to healthcare and livelihood. Participants in this study generally attributed the GoK's overall, discriminatory, treatment of the stateless community to their legal status and identity, shaped by a process of social marginalisation and othering that has increased during the pandemic.

Participants in this study repeatedly asserted that the GoK does not hear or acknowledge their voices. For that reason, this project seeks to provide a platform through which voluntarily anonymous voices of the stateless community in Kuwait can be conveyed.

In general terms, project participants expressed the view that the GoK is openly prejudiced against the Bidoon community; that it deprived them of their very identity, livelihoods, and life opportunities. As such, this report ech-

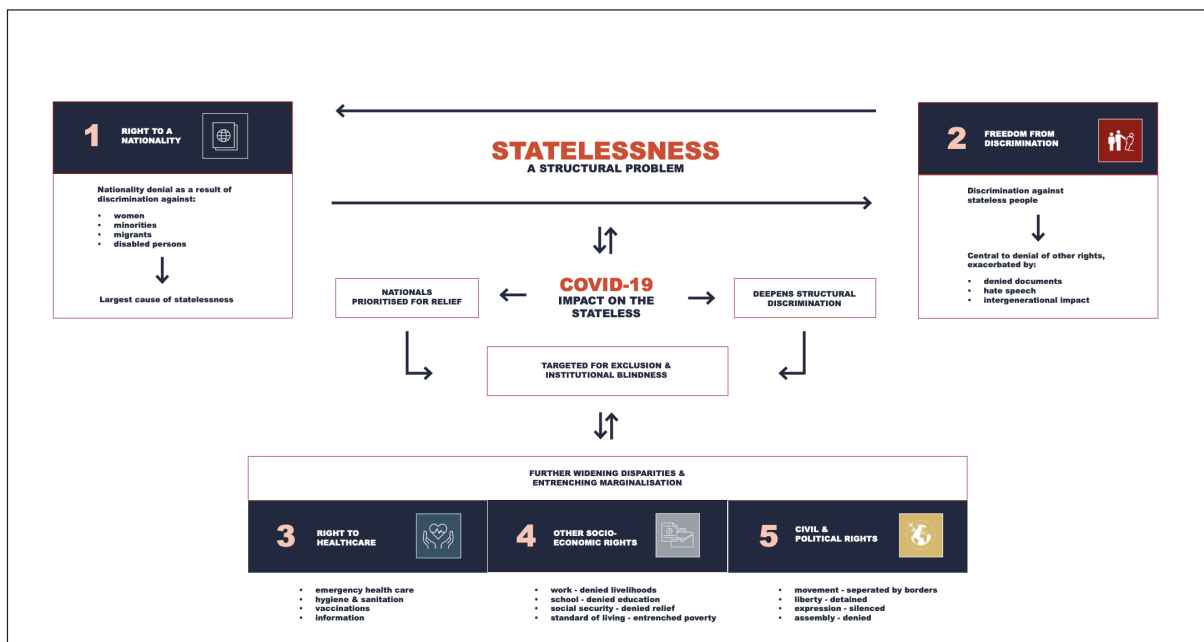
⁴ United Nations High Commission for Refugees (UNHCR) - Refugee Data Finder (undated), which shows successive years' records of persons as having 'asylum' in Kuwait, but their country of origin is not specified; <https://www.unhcr.org/refugee-statistics/download/?url=u-w9DB3>, accessed 7 June 2022.

⁵ Taken from Amnesty International's Submission to the UN Committee on the Rights of the Child, 91st session, 29 August-23 September 2022, accessed 29 September 2022, https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/KWT/INT_CRC_NGO_KWT_50024_E.docx

⁶ The United Kingdom Asylum and Immigration Tribunal considered the case of BA and others (Bedoon–statelessness–risk of persecution) Kuwait CG [2004] UKIAT 00256 in an appeal hearing on 11 June 2003 and issued its determination on 15 September 2004. See the hyperlink for more details.

oes the findings by CESF Consortium members in 13 countries,⁷ that:

'[...] The right to nationality, documentation and legal status and equality and non-discrimination represent the main structural challenges which have a cyclical and inter-generational impact on stateless people. People are more likely to be deprived of other rights because they lack nationality, documentation or legal status. Without ready solutions, their children are more likely to inherit the same (lack of) status. Similarly, discrimination on the basis of race, sex and other grounds can cause and perpetuate statelessness, and statelessness in turn can lead to more discrimination.'



The below diagram demonstrates the pattern of structural discrimination on the one hand, and deprivation of the right to nationality on the other, combining to entrench the exclusion and marginalisation of stateless people. It further shows the exacerbating role that COVID-19 has played in this regard. The findings of the Kuwait research are consistent with this analysis and demonstrate the importance of pursuing structural legal change underpinned by the right to nationality and freedom from discrimination.

Systemic, intergenerational discrimination during the COVID-19 pandemic has had life-changing impacts on socio-economic rights such in relation to the livelihood, living conditions, and employment, including in relation to the growing evidence of self-harm and suicide amongst the stateless community (see the relevant sections below). It has also a significant impact on the Bidoon community's access to the right to health, including to vaccinations (see relevant sections below).

THE ROADMAP - RECOMMENDATION FOR ENDING STRUCTURAL DISCRIMINATION

1 CHECK FOR INSTITUTIONAL BLIND-SPOTS

We invite states, UN actors, humanitarian groups and other stakeholders to engage in careful **introspection**, check for **institutional blind-spots**, and **review and reform** policies and practices to **ensure that stateless people are prioritised, their particular contexts and needs are understood and addressed and they are not excluded or left behind** through:

- **strengthening awareness** of the issue at all levels;
- **acknowledging** historical failures;
- **collecting and sharing information** on statelessness and nationality rights deprivations; and
- **resourcing** the enhancement of capacities, collaborations and funding.

⁷ CESF chapters included studies on Bangladesh, Central Asia, the Dominican Republic, India, Kenya, Malaysia, Montenegro, Nepal, North Macedonia and on the Rohingya.

2 INCLUDE, CONSULT & ENGAGE IN DIALOGUE

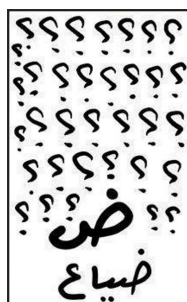
We invite activists and NGOs to **make their expertise available** and those in positions of power, to have **open consultation** and **meaningful and constructive dialogue** with affected communities, and commit to **including stateless people on equal terms** by:

- **consulting** with activists and affected communities;
- **building trust** and strengthening solidarity with stateless communities;
- **meeting the needs and priorities** of affected communities and ensuring their meaningful participation; and
- **facilitating wider discourse** within society and institutions on equality, inclusion and the right to nationality.

3 BUILD BACK BETTER

We invite all actors to learn the hard lessons that the pandemic has taught us and invest in **future-proofing**, ensuring a **lasting commitment to breaking down the pervasive injustice, indignity, inequality, deprivation and exclusion that stateless people face**, focusing on:

- **implementing reforms** to address discriminatory laws, policies and practices;
- **redressing** the intergenerational disadvantage and legacy of statelessness;
- **being accountable** to stateless communities and activists;
- **monitoring** the performance and progress of states;
- **ensuring access to justice and reparations** for stateless people; and
- **sustainably investing** in inclusive societies.



METHODOLOGY AND APPROACH

Loss – the question marks in this picture, depicted on the report cover - may represent questions as to ‘what could have been’ in a Bidoon person’s life. From a project perspective, they also can represent the many conceptual, methodological, and practical questions we had to grapple with, as we designed this project in challenging circumstances, and with a very limited budget.

This text echoes and builds on the findings set out in researcher Areej Alshammiry’s comprehensive 2021 article for Statelessness and Citizenship Review, Covid-19, and the Bidoon in Kuwait: Pandemic of Statelessness Vulnerabilities?⁸ This text is intended as a companion to that article.

In July 2020, SALAM DHR conducted an open, online consultation. It constituted a two-hour online workshop-conversation based on successive themes relating to stateless persons’ lives in Kuwait. SALAM DHR facilitated participation, opinion sharing, and communication among at least two generations of stateless Bidoon activists, with a marginal majority of male participants. The majority of the younger female activists had a university education. Although the names of some activists have been withheld for their protection, the group included Ahmad Jaber (Benswait) and Abdulhakim al-Fadhli - amongst many others. SALAM DHR members Drewery Dyke and Abbas Taleb took part, along with the Kuwaiti lawyer Omniya Ashraf, amongst many others. The event featured 30-40 voices at any time.

In May 2021, the project team established invitation-only WhatsApp and Signal groups in order to develop the core theme and scope of questions examined in this study. These also provided an ongoing channel for key participants to convey concerns, developments, and thoughts.

From September-October 2021, SALAM DHR, in consultation with three stateless rights activists, developed a 29-question survey (annex 4). Between October-December 2021, 104 members of the stateless Bidoon community took part in the survey. They provided detailed answers about their lives in Kuwait and the impact of the pandemic. The largest concentration of participants (29%) lived in al-Jahra (Jahra), a town roughly 30 kilometres

⁸ Statelessness and Citizenship Review (2021), <https://statelessnessandcitizenshipreview.com/index.php/journal/article/download/301/155/> (the link redirects to download the article), accessed 7 June 2022.

west of Kuwait City. The second largest grouping (17%) were situated in Sulaibiya, on the western edge of Kuwait City. The remainder were scattered across the country, with no major concentrations.

The survey focussed on four major areas of life in Kuwait: work status, personal health (both physical and mental) along with access to healthcare, and family health and relationships. Apart from determining how the pandemic impacted these four areas, we asked recipients if they believed the GoK's actions were sufficient or trustworthy and what they personally believed the GoK and international actors could do to improve the situation.

SALAM DHR's survey asked participants if they believed a two-hour workshop with human rights advocates would be beneficial. 88% believed it would be, if it allowed Bidoon activists to speak and give their opinions on the best course of action. Despite heterodox opinions on what topics should be discussed, the majority of respondents agreed Bidoon visibility and credibility were essential.

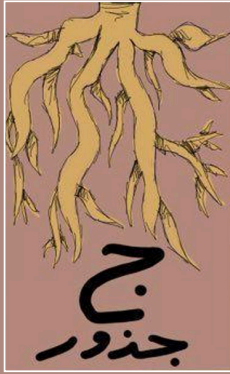
Research capacity for this project was limited. As no member of the project team could travel to Kuwait, desk research supplemented consultative initiatives. For example, the team conducted a selected 'scrape' of social media, notably a broad review of tweets from 1 January 2021, including by Kuwaiti activist and supporter of citizenship rights for the Bidoon community, Dr Fayez al-Fayez, whose tweets contain news and updates, as well as opinion.⁹ We have scattered these throughout this report, alongside other forms of open-source information and evidence. His tweets, including both tone and content, represent a consistent current of critical thought in Kuwait. While a minority view at the time of writing, it represents a clear and consistent call for justice for stateless Kuwaitis.

Non-Kuwaiti experts on aspects of statelessness likewise commented on the text and the Institute on Statelessness and Inclusion reviewed and edited it.

FORMS OF CONSULTATION UNDERTAKEN FOR THIS PROJECT			
Date	Context or format	Character of participants / number	Issues that arose (or examples of issues)
Since May-2021 / ongoing	WhatsApp group open to invitation, established for the purpose of exchange information; remote.	Reliant on project team members' contacts and their networks. This included activists in Kuwait, both male and female / average of 8 people (inactive for latter part of project).	Legal situation of the stateless; society-wide discrimination against the stateless in Kuwait; powerlessness of the community to combat stereotypes; prominent voices included refugees outside the country; relevant developments on a rolling basis.
31 July 2021	Online seminar and consultation; remote.	Activists in Kuwait; project team; asylum seekers and refugees / 30-50 participants; averaged around 40 for the duration of the event.	Discriminatory impact on education; role of the Central System and impact; education and livelihoods during Covid and overall context of being stateless; role of IGOs and NGOs in securing rights.
10 August 2021	Activists' remote engagement with the UN's Committee on the Rights of the Child as part of the Committee's consideration of the List of Issues in advance of consideration of the state party's representative.	Stateless and stateless rights activists in Kuwait, including Abdulhakim al-Fadhli and others; INGO staff; members of the project team / around 10 individuals, including contributing individuals who did not take part in the event.	Stateless persons' rights to citizenship, rights as children, impact of Covid, schooling and education, birth registration.

⁹ In a 26 August 2022 exchange of messages with the author Dr Fayez al-Fayez, who is a doctor of medicine, described himself as: "A stateless human rights defender. I use Twitter to promote human rights and my cause is to spread awareness about statelessness in general and Bedoun in particular. I work with a number of NGOs to document and report the violation against Bedoun along with my work with researchers from different universities about stateless persons in Kuwait."

Oct - Dec 2021	29-question survey circulated via Google-forms.	See appendix for text of the survey / 104 respondents.	See text in appendix.
1 Jan - May 2022	'Scrape' of social media and other online resources, with emphasis on Dr Fayeze al-Fayeze's tweets.	Online newspapers and twitter outputs from limited, reliable sources.	Notably Dr Fayeze; newspapers; word-based searches for pandemic-related events.
May 2022	Consultations on findings with members of advocacy groups in Kuwait, including stateless persons and one legal / regional expert.	Review of findings set out in the report.	Depictions and characterisation of findings; interpretation of findings.



A SHORT HISTORY OF SOCIO-LEGAL DISCRIMINATION AND IDENTITY: DIFFERENCE, CITIZENSHIP AND STATELESSNESS IN KUWAIT

Roots – the roots in this picture, depicted on the front cover – represent that most Bidoon in Kuwait have deep roots in the country, and belong nowhere else. However, the authorities reject this and assert that the stateless are ‘illegal residents’.

In almost all cases of statelessness, the best solution is for persons to be given the nationality of the country with which they have the strongest ties. It is vital that this is achieved as early as possible in individuals' lives so that they are able to benefit from education and other opportunities that can pass people by if they lack nationality. - UNHCR, Statelessness report, 2017 (page 47 of the PDF).

The following text examines broad historical, social, and legal characteristics of Kuwait's stateless community insofar as these may be related to the way the GoK treated and engaged with the community during the pandemic.

There are stateless communities across the MENA region, such as Palestinians and Syrian Kurds. In the GCC, too, there are other stateless persons, families, and communities. Kuwait has by far the largest stateless population in the GCC.

The term Bidoon, or bidūn, is short for bidūn jinsiyya, or 'without nationality'. Though human rights conceptually stem from our shared humanity and are therefore for all, in practice, the lack of a nationality serves as a significant barrier to accessing other human rights. The stateless are consequently doubly deprived – first denied their right to nationality, and then on that basis, denied their enjoyment of other human rights. As the stateless Kuwaiti poet Mona Kareem described in 2021, not having a nationality is 'a way to describe someone by negation'.¹⁰ It is to be 'without' many things: rights, respect, a place in society, and dignity. It is for this reason that the international community has fashioned international standards to reduce and eliminate the incidence of statelessness. A United Nations Agency, the UNHCR, is responsible for pursuing this mandate globally.

At its most basic, the only reason there remains a stateless community in practice and in law in Kuwait is because the GoK has chosen not to resolve the situation. At a practical level, the Kuwaiti authorities have been unable or unwilling to create a realistic pathway to end statelessness in the state. Some possible reasons why it has not done so are posited below, along with the ramifications and impact.

The legal basis for statelessness in Kuwait dates from the early to mid-1900s when Kuwait was a British protectorate. In the transition from Ottoman to British rule in the 19th century, followed by Kuwaiti authority in the 20th century, the area around modern Kuwait City acquired a growing sedentary, mainly merchant population while other parts of the modern state of Kuwait continued to experience high levels of nomadism. Even amongst transient populations, clans of tribes gradually came to be associated with specific regions, including in Kuwait. As a result, tens of thousands of stateless Kuwaitis can trace their families' presence in the territory over several generations, even if they lack documentation. Those who were nomadic had near complete freedom of movement across what is now Saudi Arabia, Kuwait, Iraq, Jordan, and Syria. Requiring them to prove that they had a continuous presence or were settled in Kuwait before 1920 was a difficult requirement to satisfy.¹¹

Meanwhile, state formation continued apace. Kuwait gained independence in June 1961, issued its constitution in 1962, and its first, unicameral legislative elections took place in 1963. As successive governments of Kuwait took steps to secure and solidify its borders after independence, non-sedentary pastoralists or ahl al-badiyya (people of the desert) - including other marginal communities - either failed to register with the burgeoning state or did not understand or appreciate the importance of doing so. They had never required such identity papers in the past.¹² Regardless, Kuwait's borders remained largely open to the movement of pastoralists into the late 1960s, and these Arab communities were allowed to settle permanently in the 1960s without formally being granted citizenship.¹³

¹⁰ Mona Kareem, The Common (online platform) – "Mapping Exile: A Writer's Story Growing Up Stateless in Post-Gulf War Kuwait", 25 October 2021, <https://www.thecommononline.org/mapping-exile-a-writers-story-of-growing-up-stateless-in-post-gulf-war-kuwait/>, accessed 10 June 2022.

¹¹ Aziz Abu-Hamad, Human Rights Watch - The Bedoons of Kuwait / Citizens without Citizenship, August 1995, <https://www.hrw.org/reports/1995/Kuwait.htm>, accessed 19 June 2022.

¹² A well-known facet of the statelessness story in Kuwait, reminded by Haqeel Burqais, a Kuwaiti human rights defender, speaking at a 7 December 2021 conference on statelessness hosted by the Center for Migration and Refugee Studies (CMRS) at the American University in Cairo (AUC). See: <https://www.facebook.com/100057050606741/posts/390028096242207/?d=n>, accessed 7 June 2022

¹³ Anh Nga Longva, *Walls Built on Sand: Migration, Exclusions and Society in Kuwait*, Westview Press: Boulder, 1997.

THE 1959 NATIONALITY LAW: A CASCADING HIERARCHY OF RIGHTS

The 1959 Nationality states under Article 1, that: *'Original Kuwaiti nationals are those persons who were settled in Kuwait prior to 1920 and who maintained their normal residence there until the date of the publication of this Law. Ancestral residence shall be deemed complementary to the period of residence of descendants.'* Such persons are treated as first class citizens. Article 2 states that **'Any person born in, or outside, Kuwait whose father is a Kuwaiti national shall be a Kuwaiti national himself.'**

Article 3 provides for citizenship in respect to a foundling (an orphaned infant or young child on the territory, where there is no clarity as to who the child's parents were). Article 4 provides for the discretionary bestowal of nationality where: the person has lawfully resided in Kuwait for at least 20 consecutive years or for at least 15 consecutive years if they are an Arab; (2) that they have lawful means of earning their living, is of good character and has not been convicted of an honour-related crime or of an honesty-related crime; (3) knows Arabic; or (4) has skills or services wanted in Kuwait; is a Muslim or a convert.

Article 5 likewise provides for the discretionary bestowal of nationality, to (1) a person who has rendered valuable services to Kuwait; (2) was born to a Kuwaiti mother and who has maintained their residence [in Kuwait] until reaching the age of maturity and whose foreign father has irrevocably divorced their mother or has died; (3) an Arab who has belonging to an Arab country provided that they had resided in Kuwait since before 1945 and has maintained their residence there until the promulgation of the decree providing for their naturalisation; (4) a non-Arab provided that they had resided in Kuwait since before 1930 and has maintained their residence there until the promulgation of the Decree providing for their naturalisation [...]

Article 6 states that 'A person who has acquired Kuwaiti nationality by virtue of the provisions of any of Articles 3, 4, 5, 7 or 8 [...] shall not have the right to vote in any Parliamentary election within 30 years following the date of his naturalisation'; adding that the 'person to whom this Article applies shall not have the right to stand as a candidate for or to be appointed to membership of any Parliamentary body.' Other articles address the foreign wives of Kuwaitis and other permutations while Article 11 addresses the loss and restoration of nationality. Article 13 provides for the revocation of nationality and sets out scenarios for it; Article 14 adds that recommendation by the heads of police or security services can also provide for revocation. Article 21 addresses the role of fraud in acquisition of citizenship.

The promulgation of the law, before the independent state of Kuwait came into existence in 1961, served to disqualify non-sedentary communities such as nomadic pastoralists. The creation of first, second and other classes of citizenship appears to address a specific allocation and balance of power at the time of its promulgation. It favours settled communities to whom it appears to allocate power or status, including, for example, the power to confer nationality.

While adherence to Islam and knowledge of Arabic feature in the law, the matter of sect - Sunni or Shi'a - does not. Yet it is a feature much spoken about in the context of the composition of Kuwait's stateless community today. At the time of the promulgation of the 1959 law, the Sunni community, including the ruling al-Sabah family, outnumbered the Shi'a 70-80% to 20-30% in the settled areas of what became Kuwait City. Today, the majority of those who are stateless are Shi'a. Some, including government officials, argue mass nationalisation of the stateless would upset the sectarian power balance in favour of the Shi'a. As opposing or supporting naturalisation on grounds of sect is widely considered an unseemly view to hold, this aspect of the debate is rarely voiced, but reference to 'demographic balance' or 'gap' can mean exactly this. In this regard, a colonial-period, hierarchical legal framework, with implied ranking or status poorly serves the needs of the modern state. Instead, what is needed is a rule of law-based society with clearly set out laws, unencumbered with social status, based on principles of equality, non-discrimination, and non-arbitrariness (among others).

All of those who took part in this study, who were asked about their own backgrounds, claimed that their families were in Kuwait prior to 1965 and, in some cases, prior to 1920. They argued that they were entitled to Kuwaiti nationality, not simply on moral grounds, but on existing Kuwaiti legal grounds. They reject the attribution of 'illegal residents', along with numerous Kuwaitis, including human rights activists, lawyers, politicians, and academics.

In the 1960s and 1970s, the growing military, labour, service, and administration needs of the Kuwaiti state enticed workers from neighbouring Arab countries and, to a lesser degree, Iran (some of whom were also Arab). Non-citizens thus entered society. Some, such as soldiers, lost their initial nationalities for serving in a foreign army but were not granted Kuwaiti citizenship, even if, by the late 1970s, Kuwait had become the state with which they demonstrably had the most ties.

Kuwait's nationality provisions also discriminate on the grounds of gender: women are unable to confer nationality rights to their children, and this can augment the number of stateless persons in the country. On the other hand, at least one writer, Dr Noura al-Duaijani, has explored how stateless women have been experimenting with identity

online in order to invert discourse that stigmatises them.¹⁴ On 4 April 2021, activist and commentator, Dr Fayeze al-Fayeze stated that stateless women have been denied marriage on the grounds of having a stateless identity card.¹⁵



THE GRADUAL 'OTHERING' OF STATELESS KUWAITIS

Kuwait – this image of a Bidoon man waving the national flag, as depicted on the cover – shows that quite simply, stateless Bidoon in Kuwait aspire to the fair acquisition of citizenship and to enjoy the rights and responsibilities this brings. Despite this reasonable aspiration, the community's place in society and popular opinion has only eroded, with the terms used to describe them, as have their rights.

Those whose families did not or were not able to register prior to independence were, in the 1960s and 1970s, able to work, study, access schools and healthcare. The bidun jinsiyya and citizens were, in many respects, socially interchangeable into the 1980s.¹⁶ However, the former gradually became ghayr Kuwaiti, or 'not Kuwaiti'; *ghayr muhaddidun al-jinsiyya*, or 'of undetermined nationality', or *majhul al-huwiyya*, 'of unknown identity'.

In the mid-1980s, amidst rising social tension following the change in Iranian governance in 1979 and the 1980-1988 Iran-Iraq War, the GoK reversed its long-held policy, and the community was transformed into muqimin bi-sura ghayr qanuniyya, or residents in a manner not of the law, or illegal residents. During this time, individuals and families, possibly from Iraq, may have also entered Kuwait.

Until 1986, stateless Kuwaitis enjoyed free health care and educational services like Kuwaiti citizens. In many cases generationally closer to non-sedentary life, many stateless men served in the armed forces or police, career choices that were not popular among Kuwait's long settled urban citizenry. With the prospect of citizenship deriving from such career choices, thousands of stateless Kuwaitis are believed to have entered these occupations willingly.¹⁷ In 1987, the Interior Ministry banned the issuing or renewal of driver's licences to stateless persons, except for those in the military or police. The order also banned the registration of cars to them. In a nation like Kuwait, which has a limited public transportation system, this severely curtailed their freedom of movement.

In 1988, members of the Bidoon community were barred from attending universities, depriving thousands of students of higher education and social mobility. That same year, all Kuwaiti associations, including the Kuwaiti Medical Association and the Lawyers Association, were instructed by the Ministry of Labour and Social Affairs to dismiss their Bidoon members.¹⁸ Such restrictions were merely a taste of things to come, as the Iraqi invasion and occupation of Kuwait in 1990 fuelled mass persecution of Bidoons.

Iraq's 1990-91 invasion of Kuwait and its aftermath caused further upheaval. While some stateless people may have welcomed the Iraqi invasion, many supported Kuwait and gave their lives in its defence.¹⁹ Others did their best to get by during the occupation, aware neither side valued them. Amidst the conflict, scores of stateless people were captured, murdered, and displaced.

¹⁴ Dr Noura al-Duajani, on the online platform Manshoor:

أنا أغرد إذاً أنا أغير: كيف ينجح الحراك الاجتماعي للنساء؟

Or: I Tweet So I Change: How Does Women's Social Mobility Work? See: <https://manshoor.com/society/how-social-media-has-reshaped-feminism/>, 26 September 2021, accessed 9 June 2021

¹⁵ Dr. Fayeze Alfayeze (@3adeeemQ8), 4 April 2021: <https://twitter.com/3adeeemQ8/status/1378665856629084162?s=20&t=CDyvrCKf51knHfPz-yb8CRQ>, accessed 8 June 2022. Al-Fayeze asserted, in full, in respect to abuses committed by the Central System during renewal of stateless persons' identity cards, that: Students were denied access to education; university graduates deprived the right of collecting university documentation; girls denied marriage; an older woman died while on pilgrimage; younger men are deprived of work and "souls lost among burned, poisoned and hanged", possibly in reference to stateless persons taking their own lives. In the original, it reads:

● طلبية حرموا من المدارس
● ومخرجين حرموا من #شهادات_البدون_الجامعية
● بنات حرم من الزواج بسبب البطاقة
● عجوز ماتت وبنفسها حج البيت
● شاب حرمته من العمل
● أرواح فقدناها بين محروق ومسموم ومشقوق
● والسبة مسؤول يضغط بهدف الرشوة
● #تعسف_تجديد_بطاقات_البدون

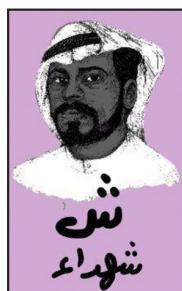
¹⁶ Maktabi, "Liberated Kuwait: Change and the Regime's Quest for Internal Stability," The Gulf Crisis in Perspective, ed. N.A. Butenshon, University of Oslo Department of Political Science: Oslo, 1993, pp 159-181.

¹⁷ Ibid; Helen Rizzo, Katherine Mayer, & Yousef Ali, "Extending Political Rights in the Middle East: The Case of Kuwait", Journal of Political & Military Sociology, Vol. 35, No. 2 (Winter 2007), University Press of Florida, p 179.

¹⁸ Helen Rizzo, Katherine Mayer, & Yousef Ali, "Extending Political Rights in the Middle East: The Case of Kuwait", Journal of Political & Military Sociology, Vol. 35, No. 2 (Winter 2007), University Press of Florida, p 179.

¹⁹ Dr Fayeze al-Fayeze (@3adeeemQ8), 21 February 2021: <https://twitter.com/3adeeemQ8/status/1363497505351208960?s=20&t=IRPLXcxgyHq-GE5E4xpO1NA>, accessed 9 June 2022. His tweet, in Arabic, calls on the government to recognise the sacrifices made by specific stateless people on behalf of the Kuwaiti state.

In the aftermath of the conflict, Kuwaiti authorities further weakened the legal position of the stateless. As a preponderant component of the military forces that lost to Iraqi forces, popular opinion generally scapegoated stateless service people for military losses. The authorities appeared to collectively punish all stateless Kuwaitis for the actions of those who collaborated with Iraqi forces during the occupation. The GoK dismissed scores or hundreds of long-standing servicemen, en masse. Some were prosecuted by military courts for alleged collaboration. Others who fled Kuwait during the war were barred from returning.



IMPACT OF THE 1991 WAR AND RECLASSIFICATION OF THE STATELESS COMMUNITY

Martyrs – this is the image of an unrecognised Bidoon martyr, as depicted on the report cover - Many of those who have served in the Kuwaiti military and died in the service of protecting Kuwait and Kuwaitis, including frontline medical staff during the Covid-19 pandemic were never granted citizenship despite this sacrifice.

Between around 1991 - 1993 reports suggest that the GoK deported around 10,000 people, including stateless Kuwaitis.²⁰ An overall population of around 250,000 non-citizens fell to around 100-115,000 who shape the overwhelming number of stateless Kuwaitis today. Popular and government perception of the stateless community changed. In 1991, the GoK expelled stateless school attendees from state schools.²¹ Already economically disadvantaged, the GoK thus deprived future generations of (stateless) Kuwaitis of an education, reproducing a cycle of poverty.

Immediately after the war, the GoK appeared to re-evaluate the place of stateless people in the state: while the GoK allocated new identification cards to first and second-class citizens, they did not do so for the stateless, who consequently lost their residency permits. An unknown number of stateless Kuwaitis were not allowed to return. As a result, employment in the military and other state sector jobs, along with access to healthcare and education - contingent on a valid identification card - became irregular and precarious overnight.

In 1991, the GoK established the 1991 Committee to Register Foreigners (*lajnat tasjeel al-ajanib*) to 'register' the population, apparently in an effort to assess the demographic situation of Kuwait. The authorities then established:

- the Central Committee (*al-lajna al-markaziya*) in 1993 - to examine the overall situation of the stateless in Kuwait;
- the Executive Committee, or EC (*lajnat tanfidhiyya*) in 1996 - to implement the findings of the 1993 body, by requiring stateless Kuwaitis to 'register' nationality claims between 1996-2000. The EC allocated a 'review card' (*bitaqa murajaa*), which provided for basic registration in respect to state service, to those who registered. Around five participants for this study told SALAM DHR that in some cases stateless people were too afraid to register, fearing they might be deported or face harassment. The Kuwaiti government itself released information that 12,000 individuals had not opened files with the Kuwaiti authorities.

In 2000, the then Kuwaiti Emir, Jaber Al-Ahmad Al-Sabah issued a decree (No. 20) that enabled 2,000 Bidoons to be granted citizenship each year. Resultantly, up to around 6,000 were reportedly naturalised, where they could prove their family had lived in Kuwait since 1965. According to a media report, this small, annual contingent did little to improve the community's living conditions, however.²²

The GoK launched another crackdown on the stateless over 2000-2005, forcing many of them to obtain foreign passports. Honorary Consuls and other representatives of south and central American states, in general Kuwaiti merchants, saw the crackdown as a business opportunity and sold passports of the states they represented to stateless Kuwaitis, often at considerable cost. While apparently never investigated by independent sources, it remains unclear whether the governments in question knew that these passports were being issued on their behalf or whether their Honorary Consuls conveyed any of the income to those states or - as is widely believed - simply pocketed the money. After the passports were issued, however, they could not generally be renewed: in the years following their issue, the states concerned appeared to become aware of the practice and it stopped. Insofar as local representatives of the governments concerned may have issued the passports without those governments apparently knowing or having all the information about the context, such passports have been considered fraudulent. The induced purchase of these documents meant they had no likelihood of renewal upon expiry. While this

²⁰ Minority Rights Group - World Directory of Minorities and Indigenous Peoples / Bidoon (undated): <https://minorityrights.org/minorities/bidoon/>, accessed 9 June 2022

²¹ Rizzo, Mayer, & Ali, "Extending Political Rights in the Middle East: The Case of Kuwait", *Journal of Political & Military Sociology*, Vol. 35, No. 2 (Winter 2007), University Press of Florida, p 179.

²² Dina Elbasnaly, Deutsche Welle - The Bedoons: Kuwait's stateless minority, 21 July 2019: <https://www.dw.com/en/the-bedoons-kuwait-stateless-minority/a-49674107> accessed 8 June 2022

regularised the applicants' residency in the short term, the process eroded basic rights.²³ Having a foreign passport also rendered members of the stateless Bidoon community vulnerable to deportation.

The induced purchase of fraudulent passports sought to legitimise state rhetoric that such passport holders - with tribal names from Nicaragua, Costa Rica, or Panama, were not victims of statelessness but rather 'illegal aliens' who never belonged in Kuwaiti society. Upon expiry of the unrenovable documentation, other stateless people termed these individuals, in bitter parody, the 'Bidoon of the Bidoon'.

In 2010, Amiri Decree (law) 467/2010 established the Central Agency for Remediating the Illegal Residents Status (the Central System, or Agency, also called in English *Jihaz al-Merkez*), representing a continuation of the 1993, colonial-style 'committee' and its 1996 replacement.²⁴ It has advanced the seeming colonisation and 'othering' of the stateless community. Also called the Central System, it was initially scheduled to last five years. In October 2012, then Prime Minister, Jaber Al-Mubarak Al-Hamad Al-Sabah told a visiting Amnesty International delegation that 'his government would solve the issue of the Bidun within five years, repeating similar pledges made by officials in the previous two years.'²⁵

The government extended its mandate by two years in 2015 and then again in 2017. Since then, it has been renewed on an ad hoc, rolling basis, with declining public legitimacy. Since its creation in 2010, successive government figures, notably the effective head of the Central System, Saleh al-Fadallah, have asserted that the stateless are, in fact, 'illegal residents'. The Central System constitutes a government within a government: it is fully autonomous, accountable only to the Council of Ministers, and is singularly responsible for controlling every facet of life of a stateless person in Kuwait.

Amidst the MENA-wide wave of social unrest and calls for accountability and transparency, in 2011, members of Kuwait's stateless community also took to the streets. The placard calling for citizens' rights, depicted on the cover of this report - in the image second from left in the row second from bottom, evokes this and other similar demonstrations. Rather than call for the toppling of the government, however, they called for nationality rights. A 2013 report by Amnesty International stated that:

'Throughout the year, hundreds of Bidun, long-term residents of Kuwait, demonstrated to protest their continuing statelessness and to demand Kuwaiti nationality, which would allow them to access free education, free health care and employment opportunities on the same basis as Kuwaiti citizens. More than 100,000 Bidun continued to be denied nationality. The security forces used force to disperse demonstrations and arrested protesters. The government said it would address some Bidun grievances [...]'²⁶

The report chronicled the year-long demonstrations and the mass arbitrary arrests carried out by the authorities, often with excessive force:

'On 18 February 2011, some 120 largely peaceful demonstrators were arrested and 30 required medical treatment: the security forces had forcibly dispersed those gathered. Another violent clash took place on 11 March 2011. In May 2012, security forces used batons and armoured vehicles to disperse about 200 peaceful Bidun protesters near Tayma.'²⁷ ***At least 15 activists and a journalist were detained. [...]'***

In early 2012, the government stated it would apply the pre-existing legal ban on non-Kuwaitis demonstrating. It remains the most significant mass brutalisation by the Kuwaiti state of stateless demonstrators in living memory.

In 2019, amidst growing, renewed socio-political pressure, perhaps in the appreciation that government assurances to solve the Bidoon issue in five years were fading, the government set out, through the Speaker of Parliament, Marzouq al-Ghanim, a bill purporting to reset state-stateless relations. It did not. Rather, it proposed 15-year renewable residency permits for those Bidoon registered with the Central System who would present evidence of their 'original nationality'. Those who 'failed' to 'correct their legal status' within one year would be deemed 'foreigners in violation of the law' and ineligible for any future acquisition of nationality.

By way of rebuttal, the Kuwaiti Lawyers Association, through allies in parliament, tabled its own bill. It recognises the problem as one of statelessness, rather than that of 'illegal residents.' It proposed a re-set of relations by setting out a change to the security determination of those Bidoon who had not received 'final convictions' (by a court) in respect to actions taken in calling for nationality rights. This would enable stateless people to override

²³ Rizzo, Mayer, & Ali, "Extending Political Rights in the Middle East: The Case of Kuwait", *Journal of Political & Military Sociology*, Vol. 35, No. 2 (Winter 2007), University Press of Florida, p 179.

²⁴ Central System, or (in full) Central Agency for Remediating the Illegal Residents Status:

Or: Decree establishing the Central Apparatus [Agency, System] for Illegal Residents' Status (undated): <https://www.cairis.gov.kw/News/%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%A3%D9%85%D9%8A%D8%B1%D9%8A/>, accessed 9 June 2022

²⁵ Amnesty International - Kuwait: The 'Withouts' of Kuwait: Nationality for stateless Bidun now, September 16, 2013, <https://www.amnesty.org/en/documents/mde17/001/2013/en/>, accessed 8 June 2022.

²⁶ Amnesty International - Kuwait: The 'Withouts' of Kuwait: Nationality for stateless Bidun now, September 16, 2013, <https://www.amnesty.org/en/documents/mde17/001/2013/en/>, accessed 8 June 2022.

²⁷ Tayma, a settlement of around 50 thousand people, is west of Kuwait City, in the large Jahara Governorate. A place with a large number of stateless persons, it is the street sign depicted in the image on the top line, thirds from the right, of the cover.

the assigned 'original nationality', allocated to them by the Central System. It also provided for an appeals body and for the closure of the Central System itself, reverting all files and cases to the Ministry of Interior. It did not, however, grant nationality to all stateless people. Instead, it makes a distinction between those who can prove their presence in the country prior to or after 1965.

US STATE DEPARTMENT, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR - 2021 COUNTRY REPORTS ON HUMAN RIGHTS PRACTICES: KUWAIT (EXCERPT):

The government alleged that most Bidoon residents concealed their "true" nationalities and were not actually stateless. Agency officials have extended incentive benefits to Bidoon who disclose an alternate nationality, including priority employment and the ability to obtain a driver's license. According to the Central Agency, approximately 12,700 Bidoon admitted having a claim on another nationality in 2018. Bidoon leaders, however, alleged that when some members of the Bidoon community attempted to obtain government services from the Central Agency, officials required Bidoon individuals to sign a blank piece of paper to receive the necessary paperwork. Later, Bidoon reported, the agency would write a letter on the signed paper purportedly stating they held another nationality.

The Court of Cassation ruled that decisions issued by the Central Agency for Illegal Residents fall under the jurisdiction of the judiciary and as a result, are challengeable in the courts, excluding those related to citizenship status. The Central Agency was tasked with granting or revoking government identification, birth, death, or marriage certificates, recommendations for employment, and other official documentation, whereas the Supreme Committee for the Verification of Citizenship at the Ministry of Interior managed all citizenship revocations and naturalizations.

Amidst considerable public disquiet and rancour, as the pandemic took hold in Kuwait, the authorities postponed further consideration of the issue. Activists, meanwhile, have not stopped taking part in actions to advance citizenship claims. Between 11 and 14 July 2019, Kuwaiti security forces arbitrarily arrested 15 Bidoon men for peacefully protesting for nationality rights. On 28 January 2020, a lower court handed down sentences between 10 years and life to three men in connection with vague, security-related charges. The court acquitted one man and released a further 12 'on a pledge of good conduct for two years, and the additional condition of bail payment of 1000 Kuwaiti Dinar (approx. 3,280 USD) each for five of them'.²⁸ One of those convicted was a long-time activist and participant in this study, Abdulhakim al-Fadhli. The appeal court acquitted the men in 2021.

ACTIVIST KHADEIJA AL-SHAMMARI ON THE SITUATION OF BIDOON WOMEN

Khadeija al-Shammari explained in July 2020 that the Bidoon identity comprises multiple levels, including those that have access to documentation, the children of Kuwaiti mothers or fathers in the military, and those without documentation. She added, however, that:

'Women are the most marginalised of the Bidoon [...] They barely live above the poverty line – if that at all, for they constitute the large majority of it. They have no educational backgrounds, which is a result of their parents having to 'mix up' their kids' access to education. That is, parents would alternate which child would go to school every year, so as to give them all some access, as was the case between 1986 - 2003 - or might secure the access only to their sons, for daughters are presumed to be able to be married off.'

She explained that in 2003 *'there was an initiative to teach Bidoon girls by a third-party, but that still didn't solve the problematic fact that there was a whole generation of women who were stripped from the right to education.'* She added that many Bidoon families are socially conservative:

'[...] which limits the career options that Bidoon women can take: [they are] forced to work only with kids or women, even if the pay is bad. Some work from home with their own home businesses. While a disturbing, dehumanising job they can also take is "live-modelling"' or acting as a live-mannequin in fashion expos, which are mostly frequented by women of conservative families as well, making it the appropriate job since it's a women-only event.'²⁹

Khadeija al-Shammari concluded by observing that Bidoon women face acute mental health problems from such a restricted way of living. Often expected to be mothers, regardless of their educational background, it is a stifling environment. On the other hand, she noted that there are an increasing number of Bidoon women activists.

²⁸ Amnesty International - Kuwait: Heavy prison sentences of activists demanding rights of citizenship, 28 January 2020, <https://www.amnesty.org/en/latest/news/2020/01/kuwait-heavy-prison-sentences-of-activists-demanding-rights-of-citizenship/>, accessed 6 June 2022.

²⁹ In this case, the 'model' or 'mannequin' remains in situ, simply wearing the designated clothing, rather than walking down a 'runway'.



PROJECT FINDINGS: THE EMERGENCE OF THE PANDEMIC IN KUWAIT AND INITIAL RESPONSES

Dust – In this image, depicted on the cover - an imagined, stereotypical man turns to dust: the fate of the stateless person. This represents the broader sentiment of many respondents to the research, that their futures are more uncertain than ever before, as a consequence of the pandemic.

Having considered the broad arc of socio-political developments up to 2020, the account below sets out, in thematic terms, the findings made in the course of the project period, starting from around February 2020 to May-June 2022.

As in many states throughout the Gulf, Kuwait's responses to the challenge of Covid-19 arguably prioritised public order over public health in the early phases of the pandemic.³⁰ It exacerbated pre-existing social division and iniquitous power balances.

According to **Dr. Shahad Al-Mutairi**, a Kuwaiti medical doctor and a general practitioner at the Al-Sager Speciality Center, Covid-19 reached Kuwait in late February 2020 on account of an Iranian merchant who conducted trade in Wuhan, China.³¹

As set out on the chronological table above, the government acted with reasonable speed. In March 2020, the GoK halted international flights and border crossings. It banned large, public gatherings and imposed a succession of curfews, or lockdowns, which - like in other countries - varied in severity and/or comprehensiveness and varied regionally. Like elsewhere, the GoK introduced other measures such as social distancing, home working and mask protocols. The authorities repatriated citizens abroad or facilitated their return, and quickly oversaw the deployment of frontline medical responders.



DOCUMENTATION, LEGAL STATUS AND REGISTRATION

Identity (documents) – this picture of an ID card, as depicted on the cover – reflects the commonplace struggle for countless stateless Kuwaitis, to obtain correct and accurate documentation from the Government. This issue of denial of documentation or the imposition of wrong documents, is at the heart of all injustices endured by the community.

As elaborated above, the discriminatory treatment and deprivation of human rights of the Bidoon is closely connected to the steady erosion of their legal status, documentation, and related public perceptions of the community. This wider state-sponsored project of delegitimising the community through the withholding or confiscation of documents as well as the coerced enforcement of fraudulent documents or documents that require the receiver to deny their connection to Kuwait, has impacted all areas of the community's lives.

The GoK has repeatedly, knowingly, and intentionally taken steps to falsify identity documents. The systematic falsification by the state of such documentation, but also the need to sometimes bribe to obtain one to access some aspect of state or state-linked services exemplifies one paradox of stateless living in Kuwait.

Speaking in July 2020, activist Abdulhakim al-Fadhli claimed that 'Every 2-3 years, there's an attempt by the State to destroy whatever self-sufficient efforts the Bidoon have built for themselves. This causes their documentation to be recurrently destroyed and, over time, a revision of their history.' He added that 'The state attempts to marginalise the Bidoon in many different ways, through poverty, illiteracy, imprisonment, threats – these divorce them from the rest of Kuwaiti society.'

³⁰ This text uses the neutral term 'Gulf' to indicate the body of water called, alternately, the Arabian or Persian Gulf, or, in Turkish, the Gulf of Basra.

³¹ From the Loving Kuwait podcast / online platform - Episode #043: A Chat with Dr. Shahad Al-Mutairi: Health Implications of COVID-19: <https://lovingkuwait.com/2020/04/>, 21 April 2020, accessed 10 June 2022.

In other words, when the pandemic struck, Kuwait society was deeply unequal by bureaucratic design, with documentation, legal status, and registration being the main tools through which discrimination and deprivation was dealt out and justified. This reality did not change with the pandemic. To the contrary, it was further exacerbated. Below are some examples of the pervasiveness of this impact.

On 14 March 2021, a clip circulated on social media, apparently from a television programme, which featured a woman explaining that one of the implications from preventing a (registered) marriage is that the authorities consequently do not issue birth certificates, reproducing the cycle of deprivation and dispossession.³²

On 4 June 2021 Dr Fayeز al-Fayeز relayed news that the authorities had refused permission for a stateless individual with a disability to be buried, following his death on account of a lack of an identity card.³³

On 12 June 2021, an article in al-Seyassah stated that ‘The Government Closes the Door to Naturalization’ but that the GoK also faced ‘Parliamentary Threats to “Internationalize the Bidoon File”’.³⁴ The article stated that under 2000 / 2001 provisions relating to naturalisation, the GoK had granted nationality to more than 3,500 people in ‘recent years’ (not specified) but that going forward, conditions for the granting of nationality would become significantly stricter. The character of the reported decision was shaped by ‘the thorny “demographic imbalance issue” but also that “granting citizenship to non-citizens “will continue, but within the narrowest limits, to those who meet the conditions only, who have rare and high-level specialties that the state needs”’. The ‘demographic imbalance’ issue is the reported perception that the GoK is unwilling to grant citizenship to stateless people because of the belief that a higher proportion of the community - if not a majority - are Shi’a rather than Sunni. The Sunni are currently the majority community in the state and the religious sect to which the ruling family also belongs; the naturalisation of the stateless Bidoon would dilute the numerical majority of the Sunni community.

Thousands of Bidoon feel trapped in the ‘bottle of Kuwait - the image on the left of the second line of the cover. The will to travel like family members who are citizens perhaps creates a way: on 26 July 2020, it was reported that between 2014 and 2018, 1,700 stateless people each paid bribes of KD3000 (USD \$9814 at the time of writing), totalling four million Kuwaiti dinars, or over USD \$13 million, for the issue of the Article 17 travel document - for which stateless Kuwaitis are eligible.³⁵ Assistant Undersecretary of the Ministry of Interior, General Sheikh Mazen al-Jarrah reportedly oversaw the process and in July 2020, the authorities detained officials on allegations of accepting bribes. Gulf News reported that:

“ You have to go to the Central Agency [System] to process anything. The problem with the Central Agency is that they classify people randomly. For example, they will determine one sibling of Iraqi origin while the other sibling is of Yemeni descent, even if they have the same parents,” explained the source. The source went on to say, “The corruption and the fact that you cannot file a claim allowed for bribery to occur on such a wide scale.””³⁶

In January 2021, a commentator reported that the government issued a regulation to apply a form of a work visa applicable to the stateless.³⁷

In the same month, the Central System reportedly required the military to suspend salaries to stateless people save where they fulfilled Central System requirements.³⁸ It resulted in allegations that ‘Result = No salaries unless you declare a false nationality.’³⁹

³² Dr. Fayeز Alfayeز (@3adeecemQ8), 14 March 2021, https://twitter.com/3adeecemQ8/status/1371160055299604480?s=20&t=XN_z1B9dCTM-LkbZFzOlsA, accessed 10 June 2022. The author features an 18 June 2020 video report from the news platform al-Hadath: https://twitter.com/AlhadathQ8/status/1273710873580908544?s=20&t=S_WvopnMBolLGOXNqLbcKg

³³ Dr. Fayeز Alfayeز (@3adeecemQ8), 4 June 2021, <https://twitter.com/3adeecemQ8/status/1400773370220843009?s=20&t=V78ivulsyAcCMcGsiIM-cPg>, accessed 10 June 2022. He said:

أبناء عن رفض دفن شخص من ذوي الإعاقة من #البدون لعدم وجود بطاقة له!
 لا بحياته ولا بمماته مرتاح!
 #عديم_جنسية

Or: News regarding denying a dead disabled Bidoon a burial on account of a lack of [him having] an ID card / He never felt freedom whether alive or dead / #stateless

³⁴ Al-Seyassah (online news platform) - الحكومة تُغلق باب التجنس - or: The Government Closes The Door To Naturalization, 12 June 2021, <http://www.seyassah.com/%d8%a7%d9%84%d8%ad%d9%83%d9%88%d9%85%d8%a9-%d8%aa%d9%8f%d8%ba%d9%84%d9%82-%d8%a8%d8%a7%d8%a8-%d8%a7%d9%84%d8%aa%d8%ac%d9%86%d9%8a%d8%b3/>, accessed 10 June 2022

³⁵ Yasmena Al Mulla, in Gulf News - 4m Kuwaiti dinars paid for passports for stateless ‘Bidoon’ / 17,000 Bidoons paid KD3,000 each for passports, <https://gulfnews.com/world/gulf/kuwait/4m-kuwaiti-dinars-paid-for-passports-for-stateless-bidoon-1.72809110>, accessed 10 June 2022.

³⁶ Yasmena Al Mulla, in Gulf News - 4m Kuwaiti dinars paid for passports for stateless ‘Bidoon’ / 17,000 Bidoons paid KD3,000 each for passports, <https://gulfnews.com/world/gulf/kuwait/4m-kuwaiti-dinars-paid-for-passports-for-stateless-bidoon-1.72809110>, accessed 10 June 2022.

³⁷ Dr. Fayeز Alfayeز (@3adeecemQ8), 10 January 2021, <https://twitter.com/3adeecemQ8/status/1348302126989144064?s=20&t=zsXXcF4fw-BMS-LhZZnGk1A>

³⁸ Dr. Fayeز Alfayeز (@3adeecemQ8), 20 January 2021, <https://twitter.com/3adeecemQ8/status/1351998576147181572?s=20&t=grp6ZqrNHCsZcN-2qQ65E0g>, accessed 10 June 2022.

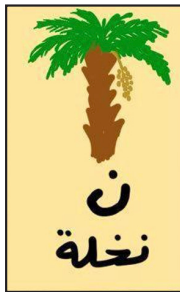
³⁹ Dr. Fayeز Alfayeز (@3adeecemQ8), 20 January 2021, https://twitter.com/3adeecemQ8/status/1351998576147181572?s=20&t=AEIlnZKcWZ-Mq7_ublI4Bbg, accessed 10 June 2022

In reference to ongoing revelations over fraudulent documentation for stateless people, on 3 April 2021, commentator Mohamed Hayf al-Mutairi called for legal action in connection with bribery used to issue travel documents.⁴⁰

On 14 October 2021 Reuters reported that the Central System had, in previous months, ordered banks to suspend banking services to stateless Bidoon: 'Frontline worker Ahmad al-Enezi (26) a member of Kuwait's stateless community, has spent the last 14 months lost in a bureaucratic maze after his bank account was suspended, freezing access to his salary and savings in the midst of the COVID-19 pandemic.'⁴¹ The article attributed the conduct of the GoK to the impact of Covid-19 on state finances. However, the Central System refused to renew Ahmad al-Enezi's residency card unless [he] 'accept to be identified as an Iraqi citizen.' The article stated that his father, Kamel, asserted that he himself was born in Kuwait and that al- Enezi's paternal grandfather was present in 1934 before Kuwait formally gained independence from the United Kingdom in 1961.

SALAM DHR was unable to find any official data on those whose bank accounts were frozen by Central System involvement, 'but local media have said they include government employees, military staff and private sector workers.' Ahmad al-Enezi added that 'Nobody can live 14 months without their salary,' speaking in his parents' home, with a metal sheet roof, in one of the poorest neighbourhoods of a wealthy oil producer country.

These challenges with documentation and registration, deeply impact all other areas of life, including livelihood and employment, education, and access to healthcare. The most common reasons cited for these issues were that Bidoon do not have valid Kuwaiti IDs. Several of the 104 respondents to the survey cited this as indicative of a general lack of care from the GoK.



LIVELIHOOD AND EMPLOYMENT

Date palm – This is an image of a date palm, as depicted on the report cover - The date palm is found throughout the region and is an essential source of food and employment for the Bidoon community. However, the community continues to be marginalised as livelihood and employment opportunities shrink, and with them, their quality of life is deeply impacted.

As the pandemic intensified, stateless Kuwaiti frontline healthcare workers joined citizens in efforts to protect public health. The Director of the Kuwaiti Civil Defence stated that, since opening volunteering opportunities on 12 March 2020, more than 25,000 had come forward, including thousands of stateless Kuwaitis. Some of them become 'martyrs', that is, those, like soldiers of previous generations, who gave their lives in service to Kuwait.

Yet, amidst emerging reports that the Ministry of Health (MoH) had refused to employ stateless medical professionals who were not able to collect degree certificates on account of Central System strictures, scores of Twitter users created a hashtag, calling on the MoH to 'employ stateless doctors and nurses.'⁴² The hashtag helped raise awareness of the debilitating conditions affecting the quality of life of stateless people.

Statelessness commentator and expert, Thomas McGee, explained that the willingness of stateless frontline healthcare workers to come forward had: '[F]urther allowed for public recognition of their selfless national duty, given that official government rhetoric has long questioned the Bidoons' loyalty to the state [...].'⁴³ To contextualise, he stated that:

'[I]n mid-March, a remarkable number of stateless medical doctors and nurses signed up. These same individuals have otherwise been excluded from the possibility of paid public sector employment in their fields of educational expertise, and many have persevered against severe obstacles in order to complete their education and gain qualifications.'

Over the same period, scores of commentators on Twitter acknowledged stateless medical professionals' commitment through hashtags such as 'the stateless are ready to serve Kuwait' and 'the stateless are the safety valve

⁴⁰ Mohamed Hayf al-Mutairi (@mhamdhaif), 3 April 2021, <https://twitter.com/mhamdhaif/status/1378420819962003457?s=20&t=N5tovTKUXTXciUG919qJBw>, accessed 10 June 2022. Mohamed al-Mutairi said, in the original:

على ضوء مافضح من رشايى لاستخراج جوازات الـ 17 للبيدون والذي يجب تحويلها من مجلس الأمة مجددا للنيابة مع إعادة تقرير لجنة حقوق الإنسان عن جوازات البيدون المزورة والذي رفض تحويله للنيابة للأسف من الحكومة وبعض أعضاء المجلس السابق وهو من أضخم ملفات الفساد والرشاوى الذي لايزال يتستر عليه!!

See: https://twitter.com/3adeemQ8/status/1363887588004810752?s=20&t=8NOcQ6Y7cjtXecc3oxL_Q, accessed 10 June 2022

⁴¹ Ahmad Hagagy in Reuters - Kuwait's stateless bedoun in limbo as hundreds lose bank accounts, 14 October 2021, <https://www.reuters.com/world/middle-east/kuwait-stateless-bedoun-limbo-hundreds-lose-bank-accounts-2021-10-14/> accessed 10 June 2022

⁴² The hashtag is, in the original:

Or: #Employment_of_bidoon_doctors_and_nurses

#توظيف_الاطباء_والممرضين_البيدون

⁴³ Thomas McGee, London School of Economics, Middle East Centre (blog) - The COVID-19 Crisis and New Agency for Stateless Bidoon in Kuwait, <https://blogs.lse.ac.uk/mcc/2020/04/27/the-covid-19-crisis-and-new-agency-for-stateless-bidoon-in-kuwait/> 27 April 2020, accessed 10 June 2022

of the nation'. Many Kuwaitis publicly expressed their support, including former Prime Minister Ahmed Abdul-Mohsen al-Mulaifi,⁴⁴ who expressed his gratitude (via Twitter) in relation to their valuable service to Kuwait.

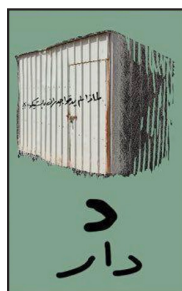
It slowly emerged that the MoH and other ministries had, in fact, employed stateless Kuwaitis. However, by April and May 2020, reports surfaced that the ministries were slow to pay their salaries; or had not paid them at all. Officials cited difficulties on account of expired identification cards. These developments did not stop stateless Kuwaitis from volunteering, however. A 17 March 2020 article in Raseef22 detailed the engagement and commitment of stateless Kuwaitis, questioning: 'Bidoons in the service of Kuwait' against Corona - Are they rewarded with citizenship?⁴⁵

With respect to unfair, income-linked fees faced by stateless Kuwaitis, **Khadeija al-Shammari** told SALAM DHR in July 2020 that stateless people often rely on recruitment agencies for employment, notably in the public sector - such as for ministries, which are not normally open to stateless people. The agencies, owned generally by citizens, receive a substantial commission from those hired, even though the pay is less than what citizens would earn, under time-limited contracts not protected by union membership. Moreover, Bidoon employees face uncertain payment, even from ministries. They often have poor terms and conditions for employment and possess no in-service benefits, such as pensions. The inequity of this arrangement appears typical of other, generalised structures of state-overseen, cyclical penury.

49% of the 104 respondents to the survey claimed that unemployment and economic hardship have been the worst consequence of Covid-19 on stateless Kuwaitis. A total of 44% of the respondents were unemployed when the survey was conducted. This was due both to pre-existing barriers to work for the Bidoon as well as new ones that had been erected during the pandemic. As a result of restrictions on work in the public sector, a great many of them work day-to-day, unstable jobs in the private sector or are part of Kuwait's informal economy, such as fruit and vegetable vendors on roadsides. Many such opportunities, however, abruptly ended with the lockdown, while firms dismissed others from their jobs in both formal and informal sectors and those employed in the public sector faced delays to salary payment.

When partial and total lockdowns were imposed, the work of self-employed individuals largely came to a halt. This was exacerbated by the fact that major aspects of life in Kuwait, such as working and looking for work, shifted online. This adversely affected many Bidoons because they do not have access to the internet and do not possess valid ID cards and civil numbers. This, in turn, meant that Bidoon have been unable to lodge complaints if they were unfairly dismissed from jobs or not remunerated. Moreover, the GoK has not provided financial assistance to unemployed Bidoon.

24% of respondents claimed they had lost their jobs due to lockdowns and business cutbacks while 26% percent claimed they have generally suffered economic hardship from the pandemic. This included difficulties paying rent and bills along with the financial strain of medical treatment.



LIVING CONDITIONS AND LOCKDOWNS

Home – This image of a shack, as depicted on the cover – is representative of many homes of stateless people, such as in Tayma, which consist of corrugated steel and breeze-blocks, and are often poorly constructed on account of the family's relative poverty.

Paid less (as, for example, teachers⁴⁶), in less secure work, their status also means that stateless Kuwaitis live, overwhelmingly in rented housing, subject to the whims of landlords and fluid economic conditions. Many land-

⁴⁴ The latter hashtag is, in the original:

Or (approximately) #Bidoon_valve_safety_[of] the_nation

⁴⁵ Raseef22 (online platform) -

Or: "Bidoons in the service of Kuwait" against Corona... Are they rewarded with citizenship? <https://raseef22.net/article/1077611-%d8%a7%d9%84%d8%a8%d8%af%d9%88%d9%86-%d9%81%d9%8a-%d8%ae%d8%af%d9%85%d8%a9-%d8%a7%d9%84%d9%83%d9%88%d9%8a%d8%aa-%d8%b6%d8%af-%d9%83%d9%88%d8%b1%d9%88%d9%86%d8%a7-%d9%87%d9%84-%d9%8a%d9%83%d8%a7%d9%81%d8%a3%d9%88%d9%86-%d8%a8%d8%a7%d9%84%d8%ac%d9%86%d8%b3%d9%8a%d8%a9>, 17 March 2020, accessed 10 June 2022.

⁴⁶ In this instance, medical doctor and commentator Dr Fayez al-Fayez highlighted, on 22 February 2021, that stateless teachers are paid less than other Gulf or migrant worker teachers. He stated, in the original:

التمييز ضد المعلمين_البدون يجعل رواتبهم متدنية مقارنة بالمعلمين الوافدين و الخليجيين والكويتيين رغم أنهم يقومون بذات العمل!
والآن حتى رواتبهم لا يستلموها!

lords used threatening language to extort money.⁴⁷ In the hashtag 'alleviate them from rent', MPs joined members of the public to express support in suspending the harsh rent conditions imposed upon the Bidoon during the pandemic.⁴⁸ It had little discernible impact.

Other signs of discriminatory treatment emerged in March 2020 when the GoK imposed a comprehensive lockdown in a high-density area populated mainly by migrant workers and Bidoon. Areas where citizens lived with similarly high infection rates were not locked down. Some commentators asserted that this resulted in racist incidents. Such incidents, in turn, reportedly stoked anti-migrant sentiments.⁴⁹

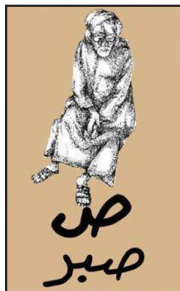
Speaking during the July 2020 open consultation, long-time activist and former prisoner of conscience, Abdulhakim al-Fadhli, asserted that the conduct of the GoK during the first lockdown:

'[H]elped refuel old racist sentiments and hate speech against the "other". The discussion is moved from the failure of the state in combating the illness to the failure of non-citizens in combating it and restricting its spread. This [discourse made it] easier to justify the state's decision to isolate those [specific] communities.'

Abdulhakim al-Fadhli noted that this was not the first time that the GoK had targeted mainly stateless areas of residence. He said that they had previously done so in 1991, in the aftermath of the Iraqi invasion of Kuwait and over two weeks in 2011, amidst a cycle of demonstrations by stateless people calling for citizenship rights. Along with those two, this constituted a policy of 'suffocation' which 'leads to job and salary loss.'

On 23 June 2021, a report stated that the government-backed Housing Corporation was in the process of completing work on low cost housing east of Jahra, a largely desert region of Kuwait.⁵⁰ By stating that 'the area is an alternative to the houses of Sulaibiya and Tayma' - both areas of which contain large numbers of stateless Kuwaitis, it was clear that this effort constituted an initiative to move this community away from other urban areas and isolate them.⁵¹ Stateless-rights activist, Dr al-Fayez responded the same day by saying that this was 'systematic isolation against the Bidoon and Kuwaiti women, in an area in the heart of the desert with no residential, commercial or recreational area, or compounds or universities near it.'⁵²

As a result of the pandemic, 14% of the 104 survey respondents claimed they are now living in poor conditions and suffering from a low quality of life, while 8% said they had been evicted from their homes.



RELIEF AND HUMANITARIAN AID

Bread – This image of a loaf of bread, as depicted on the cover – represents the staple of a poverty-stricken family. Bread plays a central role in the diet of many stateless persons. It reflects their basic humanitarian needs in times of crisis.

⁴⁷ Tareq 'Erabi (طارق عرابي) - in Al-Anba newspaper, Kuwait -

بعض الملاك للمستأجرين: ادفعوا الإيجارات وإلا!.

Or: Some landlords to tenants: Pay the rent or else..! - <https://www.alanba.com.kw/ar/economy-news/959818/02-04-2020-%D8%A8%D8%B9%D8%B6-%D8%A7%D9%84%D9%85%D9%84%D8%A7%D9%83-%D9%84%D9%84%D9%85%D8%B3%D8%AA%D8%A3%D8%AC%D8%B1%D9%8A%D9%86-%D8%A7%D8%AF%D9%81%D8%B9%D9%88%D8%A7-%D8%A7%D9%84%D8%A5%D9%8A%D8%AC%D8%A7%D8%B1%D8%A7%D8%AA-%D9%88%D8%A5%D9%84%D8%A7>, accessed 10 June 2022.

⁴⁸ Cited in Barq News (برق), (@barqnews), 21 March 2020, <https://twitter.com/barqnews/status/1241178231383957506?s=20&t=3rUKaP312NxUkUjQHQzJw>, accessed 10 June 2022. The hashtag, in the original, is: راجي الالنم-م-وفع#

⁴⁹ Mohammed al-Waqad, Masr al-Arabia -

بعد الحملة ضد الوافدين.. هل استعدت الكويت لتبعات ما هو آت؟ (تحليل)

Or: After the campaign against expatriates, has Kuwait prepared for the consequences of what is to come? (analysis) <https://masralarabia.net/%D8%A7%D9%84%D8%B9%D8%B1%D8%A8-%D9%88%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85/1547287-%D8%A8%D8%B9%D8%AF-%D8%A7%D9%84%D8%AD%D9%85%D9%84%D8%A9-%D8%B6%D8%AF-%D8%A7%D9%84%D9%88%D8%A7%D9%81%D8%AF%D9%8A%D9%86-%D9%87%D9%84-%D8%A7%D8%B3%D8%AA%D8%B9%D8%AF%D8%AA-%D8%A7%D9%84%D9%83%D9%88%D9%8A%D8%AA-%D9%84%D8%AA%D8%A8%D8%B9%D8%A7%D8%AA-%D9%85%D8%A7-%D9%87%D9%88-%D8%A2%D8%AA%D8%9F-%D8%AA%D8%AD%D9%84%D9%8A%D9%84> accessed 9 June 2022.

⁵⁰ The المجلس or; al-Majlis site is an online news platform (@Almajliss), 23 June 2021, <https://twitter.com/Almajliss/status/1407808171679301640?s=20&t=RNIMQoUCKvJn4j6nwWy3Ww>, accessed 10 June 2022.

⁵¹ The original stated:

المؤسسة السكنية تُجزر البنية التحتية للمساكن منخفضة التكاليف في منطقة التعميم جنوب السالمي.
• المنطقة بديل لبيوت الصليبية وتيماء مساحة الوحدة 200 متر مربع.

• بناء 4507 وحدات سكنية ضمن ميزانية 2022.2021 ومنطقة للسكن الاستثماري بمساحة 48 ألف متر مربع.

Or: The housing association accomplished a low cost infrastructure for housing in Na'a'im south of Salmiye. The area is a substitute to the houses of Sulaibiya and Tayma with each unit being 200sq.m in space; building 4507 housing units within 2021-2022 budget and an area for commercial housing of 48,000 square miles.

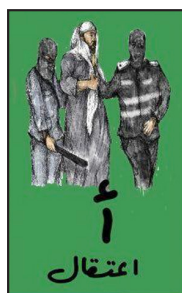
⁵² Dr Fayez al-Fayez Dr. (@3adeecemQ8), 23 June 2021, https://twitter.com/3adeecemQ8/status/1407814428012187648?s=20&t=QCQ8HKuFnpSR-J76v_moC_g, accessed 10 June 2022.

Amid these significant challenges, individual and collective acts supported stateless people's livelihoods, including acts supported by parts of the state. In late March 2020, 41 charity committees, under the sponsorship of the Kuwaiti Ministry of Social Affairs and Labour, raised 9 million Kuwaiti Dinars (around USD \$29 million) in 24 hours to offer the GoK support in fighting the pandemic. The International Islamic Charity Organisation, one of the participants in the charity drive, helped distribute the aid to affected families and frontline workers.

Not all charity organisations worked to aid the affected communities, however. In a tweet, Zakat House denied offering any aid to the Bidoon community.⁵³ Scores of Twitter users condemned this policy, reminding the organisation that such help should not stem from notions of nationality – or lack of it – but based on need.

Zakat House proclaims itself to be an independent governmental authority, yet it internalises much of the GoK's policies and perceptions of stateless Kuwaitis.⁵⁴

Reflecting on their access to humanitarian aid and relief, 61% of the 104 respondents to the survey claimed the GoK has not considered their needs, while individual responses claimed Bidoons simply aren't regarded as a priority by the GoK, which in turn affects their economic prospects and overall health.



REPRISALS, CRIMINALISATION AND DETENTION

Arrest – this picture is of a Bidoon being arrested, as depicted on the front cover – It is reflective of the fact that stateless people have less protection before the law on account of a lack of identity papers: poverty. It is illegal for non-Kuwaitis to demonstrate, for example, calling for citizenship rights.

While this report does not focus on attacks on civil liberties, it is important to note that these have also continued, and in some contexts escalated, during the COVID-19 period.

In January 2021, security officials reportedly threatened **Hani Hussain**, a lawyer and human rights defender who has legally represented stateless people.⁵⁵ According to a report, state prosecutors filed nine cases against him since 2015, in all of which he was exonerated. The authorities reportedly also targeted his wife.⁵⁶

In January 2021, one commentator alleged that Kuwaiti drug dealers targeted stateless, unemployed young people in Tayma. He asserted that the authorities knew about it but took no action.⁵⁷ He said that the same was taking place in Sulaibiya, where Kuwaiti drug dealers engaged with stateless youth to get them to work for the benefit of dealers.⁵⁸

In the context of the intensified forms of privations to which the stateless are subject, on 11 January 2021, a report asserted that stateless people convicted of a crime are removed to and held at Kuwait's deportation centre, where a sponsor (kafeel) must be found for them.⁵⁹ This information further demonstrates the way in which the denial of documentation is used as a weapon to 'other' the Bidoon and treat them not as Kuwaitis, but as unwelcome foreigners.

⁵³ Zakat House, or: بيت الزكاة (@zakat_house), 22 March 2020, https://twitter.com/zakat_house/status/1241725122475671553?s=20&t=DHPovgfsWy-dl0Q1zP2jyMg, accessed 10 June 2022.

⁵⁴ According to its website, Zakat House states that it is an "independent government authority". See <https://www.zakathouse.org/kw/indexe.aspx>, accessed 8 June 2022.

⁵⁵ Dr. Fayeze Alfayez (@3adeeemQ8), 5 January 2021, <https://twitter.com/3adeeemQ8/status/1346417057710149633?s=20&t=6uQqiI9zDMo-dYyPQ2alVaA>, accessed 10 June 2022

⁵⁶ Dr. Fayeze Alfayez (@3adeeemQ8), 5 January 2021, <https://twitter.com/3adeeemQ8/status/1346418854000472071?s=20&t=kqCI8x9nRE5L-UabwqbI14g>, accessed 10 June 2022

⁵⁷ Dr. Fayeze Alfayez (@3adeeemQ8), 2 January 2021, <https://twitter.com/3adeeemQ8/status/1345341489375830016?s=20&t=ANpr1KR6DJHpvN-hDji6lXw>, accessed 10 June 2022

⁵⁸ Dr. Fayeze Alfayez (@3adeeemQ8), 2 January 2021, <https://twitter.com/3adeeemQ8/status/1345409824796901377?s=20&t=Qpjlsuen0r9rKglanL-jmA>, accessed 10 June 2022

⁵⁹ Dr. Fayeze Alfayez (@3adeeemQ8), 11 January 2021, https://twitter.com/3adeeemQ8/status/1348548731969409024?s=20&t=ZoWKLO07gT-N0c_Vqwy2dZA, accessed 10 June 2021. All non-Kuwaitis, such as migrant workers, are required to have a sponsor, or kafeel, who is responsible for the person's presence in Kuwait. Bidoon, from Kuwait in any case, are thus further 'othered' by forcing them to have a sponsor.



EDUCATION

Future – this picture of a schoolgirl, as depicted on the cover – represents the collective future of the stateless Bidoon. What kind of future will she; will the entire community have?

During the project's July 2020 consultation, Khalifa, one of those consulted, set out a bleak vision of childhood:

'Children's future is not guaranteed. They do not have [assured] access to education or any other factor necessary in their development. There is no route for the child to take, but to be "burned" [worn down socially] or to end it all [take one's life].'

Nowhere is the impact of this more evident, than in the sphere of education.

SCHOOL EDUCATION

Also speaking at the July 2020 consultation, Ahmad Jaber (Benswait) drew attention to the impact of the stateless status on very young children - both pre-school and in primary school, in part through its impact on the parents:

'Through its blackmail of parents [efforts to gain social legitimacy by obtaining an identity card], the state erodes efforts made by individual members of the stateless community to secure and guarantee basic, child-centred rights, for their own children. Education and healthcare for children are forcibly traded off for assertion to national rights when the Central System conditions issuance of an identity card on acceptance of a false and apparently random allocation of a supposed nationality to the applicant.'

In Ahmad Jaber (Benswait)'s case, the imposed self-alienation was Iraqi nationality. He added that:

'Our children do not live in an environment suitable for or supportive of child development. And this is doubly detrimental in the times of the Covid-19 crisis, where lockdown and curfew give the child no place to escape to from the harsh reality of the adult world. The child is privy to adult conversations and worries, affecting their social, physical, mental, and emotional development.'

While an uncertain number of stateless primary school children may attend state schools, a February 2021 tweet re-stated the question, raised in the al-Anba newspaper, why stateless children are not able to attend government schools.

In respect to secondary education, stateless students are generally required to attend private, fee-paying, and non-state schools, where - as Dr Fayeze al-Fayeze stated: the government '[...] isolated stateless students in different schools from the Kuwaitis!'⁶⁰ During the July 2021 consultation, a stateless participant described the specific challenge for stateless secondary school students, notably those taking part in their final exams. He said that those without national identity card numbers could not log into the school website to take the online exams (done during a lockdown). Unable or unwilling to find a way around this challenge, the authorities reportedly closed the entire website, despite having made the arrangements in the first place.

In January 2021, Sheikha Fadia Saad al-Abdullah al-Sabah, a member of Kuwait's ruling family and is linked to at least one charitable foundation, stated - in an implicit reference the lack of access to education by the stateless - that the stateless are 'a part of Kuwaiti society' and that 'it is unacceptable for an adult [stateless person] to be uneducated.'⁶¹

UNIVERSITY EDUCATION

With regard to university education, one participant noted that many stateless do their utmost to gain financial support to study engineering or medicines outside Kuwait and many succeed in doing so, although they require an Article 17 passport to travel. However, he said that he was aware of cases in which embassy staff in the countries where the students undertake these studies refuse to validate the degree or other educational certificates obtained by the stateless student on the grounds that they are not, in fact, Kuwaiti. Consequently, the students are unable to obtain confirmation of their studies from the Equivalency Department of the Ministry of Higher Education when they return home. They were therefore unable to work in these fields. According to the participant, up to ten

⁶⁰ Addressing several different points, he stated:

⁶¹ According to the tweet hyperlinked here, she said:

عزلتم الطلبة #البدون في مدارس مختلفة عن الكويتيين!

الشيخة فادية سعد العبدالله: #البدون جزء من المجتمع الكويتي ، ومن غير المقبول أن يكون هناك فرد بالغ من هذه الفئة غير متعلم

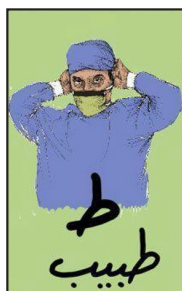
such examples were doctors. The participant asserted that government policy exacerbated its own shortage of medical professionals during the Covid-19 pandemic.

INSTITUTIONAL ACTS OF KINDNESS HELP INCREASE STATELESS KUWAITIS' LIFE CHANCES:

'In June 2020, stateless students studying at Egyptian universities feared that they would not be able to travel to the country to complete [in-person] exams, due to travel restrictions imposed by the Egyptian government. Intervention by the Kuwaiti Student Union in Egypt, however, helped them obtain from the Kuwaiti authorities the required travel documents that enabled them to travel to Egypt to complete their exams.' - participant in July 2020 online seminar.

Participants at a July 2020 seminar expressed exasperation that students at Kuwait University were unable to obtain graduation certificates, as their identity cards had expired. In February 2021, one commentator condemned the practice, calling on Kuwait University to increase stateless student intake. On 10 March 2021, Dr Fayez al-Fayez stated that Kuwait University restricts the intake of stateless students to '100 outstanding students each year' and that '[...] they are the most needy segments of society.'⁶² On 8 July 2021, al-Fayez stated - in reference to 2021 secondary school results - that 1254 stateless secondary school students obtained results that merited university entrance but that only 100 would be granted a place at Kuwait University.⁶³

One person reported that Central System officials used the desire to obtain a university degree as a lever to force stateless individuals to register for an identity document under their terms, notably accepting the false or presumed attribution of a specific state of origin. Similarly, on 8 July 2021, al-Fayez asserted that 'The government prevented stateless students even from enrolling in private universities by not renewing their cards'.⁶⁴ On 9 May, he also claimed that Kuwait University 'added notes on stateless students certificates to fabricate false accusations of having other nationalities!! Institutionalized Blackmail: either you accept our fabrication, or you won't have your degree!' As the Central System has no effective oversight and there is no recourse to appeal their decisions, the options of stateless students are limited to accepting this judgement or seeking illegal ways around the predicament.



ACCESS TO HEALTHCARE

Doctor – This picture of a doctor, as set out in the report cover – is representative of the early stages of the pandemic, when stateless Bidoon medical professionals were lauded for volunteering speedily to help the government's effort to deal with the health crisis. However, many of them were not recognised or paid for their work, and their community continued to be excluded from equal access to healthcare.

On 21 June 2021, UNHCR reported that in the first year of the pandemic: 'In many contexts, stateless people were barred from accessing testing and treatment due to lack of legal status and were excluded from social services, notwithstanding the fact that they faced especially severe socio-economic impacts.'⁶⁵

Amidst the pandemic, access to reasonably prompt medical treatment could be delayed, denied, or simply complicated on account of not having any identity card - whether expired or never issued, or having to obtain the Article 17 passport. On 13 January 2021, Dr Fayez al-Fayez expressed dismay over a stateless person whom the authorities had supposedly denied treatment to until his condition worsened, and he had to have his legs amputated.⁶⁶ The GoK did not facilitate his travel abroad for treatment on account of an expired ID card - until he found a mediator.⁶⁷ The status-led model of access to medical services reveals intersections and official disconnects between health and livelihood. On 29 January 2021, al-Fayez highlighted the case of a 15-year-old boy stricken

⁶² He stated:

عدد الطلبة #البدون مقيد بـ 100 شخص متفوق كل سنة في الجامعة 100 بس وحاسدهم، وهم أكثر فئات المجتمع حاجة وأنت تعرض عليهم، الله يسليك نعمة الصحة والراحة يا رب

⁶³ He stated:

هل تعلم بأن عدد الطلبة #البدون الناجحين في القسم العلمي: 1254؟ سيُسمح فقط لـ 100 متفوق "ممن لديه بطاقة صالحة فقط" بالالتحاق بجامعة #الكويت؟

⁶⁴ His tweet asserted that:

الحكومة منعت البدون حتى من الالتحاق من الجامعات الخاصة عن طريق عدم تجديد بطاقتهم

⁶⁵ UNHCR: 'Invisible' stateless people could miss out on COVID-19 jobs, UNHCR warns, 22 June 2021, accessed on 25 September 2022 at <https://news.un.org/en/story/2021/06/1094492>

⁶⁶ Dr Fayez Alfayez (@3adeemQ8), 13 January 2021, <https://twitter.com/3adeemQ8/status/1349275765439942657?s=20&t=orE1nZQ6O2WVN-MN-Yg5v7Q>, accessed 10 June 2022

⁶⁷ He stated:

هذا المريض من #البدون كان محروماً من العلاج لسنوات بسبب بطاقته، حتى استفحل مرضه وبتروا ساقيه، ومحروماً حتى من السفر للعلاج بالخارج حتى عثر على وسيط ليسمح له بذلك!

with cancer. Cancer specialists asked whether he wanted to safeguard his sperm as chemotherapy could impact on his fertility, but the maternity hospital refused to keep it as it is reserved only for citizens.⁶⁸

Of the 104 people surveyed, 47% claimed they had contracted Covid-19 between 2020-2021, with 27% of those infected having required hospitalisation. Seven respondents claimed they were denied admission to hospital. More specifically, one claimed he was prohibited from seeing a doctor, with no reason given, while five others suggested that they did not go to hospital, despite their condition, because they believed they would be refused treatment.

26% cited that the pandemic and its economic implications, such as limited funds for food and medical treatment, has adversely affected their health, causing side-effects such as malnutrition.



MENTAL HEALTH, SELF-HARM, AND SUICIDE

Darkness – This image of darkness, as depicted in the report cover – represents the dark cloud of uncertainty and precariousness hanging over many Bidoon as they go through their lives. Many stateless people do not have high hopes for their futures. Their limited horizons are shrouded in darkness; their futures are uncertain.

The largest factor cited by survey respondents was the toll the pandemic has taken on their mental health. 41% of respondents cited social and psychological factors having the most prominently negative impact on them and their families.

The stateless Kuwaiti community is already at high risk for mental illness and self-harm, especially among women. Social stigmatisation, poor living conditions, and little to no access to any kind of medical support or welfare has made 'deaths of despair' a tragically common occurrence among the stateless.

Depression, self-harm, and suicidal ideation caused by discrimination, isolation, and economic precarity were reported by 34% of survey respondents, making it the most common experience among stateless Kuwaitis during the pandemic.

The severity of mental health repercussions varied depending on the respondent. However, in almost all cases, they cited circumstances and comorbidities. This included, in their own words, social exclusion and discrimination:

- 'I feel discrimination, racism, deprivation of rights, a psychological state of depression and thinking about a future that does not exist. I am 25 years old, and I am unemployed. My mental state is not good.'
- 'I was negatively affected [by the pandemic] because I am often deprived of treatment because of my condition [legal status].'
- '[I experience] societal isolation, frustration, negative thoughts, psychological oppression, and persecution.'

Others mentioned how their mental health and physical health were connected.

- 'My mental health is in [a state of] complete deterioration, perhaps [because of] recent cases of depression. As for my physical health, I cannot treat it in government hospitals because of the expiration of [my ID] card.'

Two respondents admitted to having suicidal thoughts because of the emotional strain the pandemic has placed upon them. This is in the context of a growing trend of self-harm and suicide within the stateless community.

GROWING EVIDENCE OF SELF-HARM AND SUICIDE AMONGST THE STATELESS COMMUNITY

Growing evidence of self-harm alarms many in the stateless Bidoon community. The image of the noose on the top line of the cover image, on the left-hand side, reflects the spectre of suicide in modern Bidoon life. Alongside documented, recorded instances, a [report on 1 March 2022](#) cited an anonymous source who stated that **13 Bidoon** had taken their lives. The instances known to the project team are as follows:

1. 6 July 2019 - **Eyad Hamad Medath**, 20, took his own life. An [8 November 2019 report](#) stated that 'The Ministry of Interior sought to deflect responsibility for his death by announcing that he had been a criminal and drug

⁶⁸ Dr al-Fayez called it a 'short story', stating:

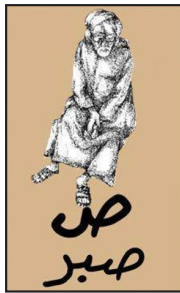
قصة قصيرة:

- طفل من #البدون عمره 15 سنة، أصيب بالسرطان
- قبل البدء بالعلاج الكيميائي طلبوا منه الاحتفاظ بسائله المنوي لأن العلاج الكيميائي قد يؤثر على خصوبته
- مستشفى الولادة رفض الاحتفاظ بحيامته لأن البنك مخصص للكويتيين فقط

1. addict.' The first, recognised individual to have taken his life, apparently over Bidoon living conditions, the image of 'Eyad evokes an immediate sense of loss, dispossession and suffering.' His image is depicted by the artist in the face on the third row down, furthest to the left.
2. 4 November 2019 - **Bader Mirsal al-Fadhli** and
3. 4 November 2019 - **Zayid al-Asam** both took their own lives. The same [November 2019](#) report stated that they had both 'expressed grievances against the authorities in the country'. The report stated that 'Fadhli posted short videos on social media complaining about injustice in Kuwait, and in a WhatsApp conversation with his son, Asami asserted that he was "very humiliated."'
4. 3 May 2020 - According to [Al-Rai Media](#), a person born in 1984 took their own life in Tayma. On 3 May 2020, a stateless person took their own life. SALAM DHR was unable to find further details about the person's identity save that they appeared to be the fourth Bidoon recorded in this survey as having taken their life; a further two took their lives during the project period.
5. 29 December 2020 - **Talal al-Khulaifi**, 27, [self-immolated](#) but survived with life-changing injuries; 23 February 2021 - **Ali Khaled**, a 12-year-old child, from Sulaibiya region, [reportedly](#) hanged himself in his room.⁶⁹ Kuwait's Medical Association) issued a statement on his tragic suicide,⁷⁰ echoing a Middle East Eye report:⁷¹

'Today we received the news of the suicide of the Kuwaiti child from the Bidoon community, and we on the medical list denounce all forms of injustice and deprivation that our brothers of the Bidoon community face. [...] What happened today is the inevitable result of the poor social and economic conditions imposed on [the Bidoon]. [...] Therefore, we call for the imperative need to respect the human rights guaranteed by Islam as well as the Kuwaiti constitution, convention, and charters, ratified by the state of Kuwait.'

6. 28 March 2021 - **Yaqoub Mofreh Abdullah**, 26, [reportedly](#) hanged himself from a tree
7. 15 February 2022 - **Hamad Obaid** [reportedly](#) threw himself from the fourth floor of a building



VACCINATION ROLL OUT

Patience – This image of an elderly man waiting, depicted on the cover of this report - evokes the seemingly interminable wait for a better life for the stateless community of Kuwait. The community have had to draw on their reserves of patience, also in relation to the vaccination rollout, where they have been excluded and deprioritised along the way.

By 24 December 2020, Kuwait had prepared a mass vaccination programme and had reportedly decided to administer a vaccination to all those present on its territory without distinction (see timeline box, above).⁷²

In a 6 March 2021 tweet, however, Dr Fayeze al-Fayez posted a screenshot of a Covid-19 vaccination registration card. He warned stateless people not to enter their registration first but to enter 'unspecified nationality' on the landing page so as to avoid having to enter a number. This would help those who did not have registration numbers on account of not having Central System-issued cards.⁷³ He did however assert that stateless workers in the health sector, along with elderly (stateless) people received vaccinations from February 2021 onward.⁷⁴ But

⁶⁹ His father, Khaled al-Shammari, reportedly stated that his son had asked him for KD12 (around US\$39 at the time of writing) to buy a Playstation from a repair shop. The father did not have the money. Before his suicide, the child reportedly said to his father "Dad, I know that poverty broke your back... but I don't want you to need anything." The father apparently replied that he had not received his salary of KD150 (around US\$489) for three months. He added that he was "the breadwinner for a family of 6 children and their mother".

⁷⁰ The القائمة الطبية or, Medical List (@6ebeya1982), 23 February 2021, <https://twitter.com/6ebeya1982/status/1364182288762863620?s=20&t=ibg-Z85lvTCmbkEZJbPq9Zw>, accessed 10 June 2022

⁷¹ Nadda Osman in Middle East Eye - Outcry in Kuwait over suicide of stateless Bidoon child / Thousands of people are highlighting the case online and demanding an end to the community's marginalisation, 23 February 2021, <https://www.middleeasteye.net/news/suicide-stateless-bidoon-child-kuwait-prompts-outcry-online>, accessed 10 June 2022.

⁷² UN High Commissioner for Refugees (UNHCR) - The Impact of COVID-19 on Stateless Populations: Policy recommendations and good practices on vaccine access and civil registration, 3 June 2021, <https://www.refworld.org/docid/60b8d6d34.html>, accessed 10 June 2022. On page 6 it states: "In Kuwait, the authorities issued a decision in December 2020 that in principle allows all people on the territory to access medical services linked to COVID-19, including vaccination. Individuals who have not regularized their status with the government and/or do not possess an ID card are covered by this decision."

⁷³ Dr. Fayeze Alfayez (@3adeemQ8), 6 March 2021, <https://twitter.com/3adeemQ8/status/1368301460702781443?s=20&t=PLoUFONw9MnXd-hUpLlGBFg>, accessed 10 June 2022. Dr al-Fayez wrote:

تنبيه لطريقة تسجيل #البدون بالتطعيم، لا تدخل الرقم المدني أول شي!
 أول ما تفتح الصفحة ضع

✓ في مربع "غير محدد الجنسية"، ثم أدخل الرقم المدني، إذا كتبت الرقم قبل لا تحط صح، راح يطالع لك خطأ

⁷⁴ Dr. Fayeze Alfayez (@3adeemQ8), 6 March 2021, <https://twitter.com/3adeemQ8/status/1368308914597617671?s=20&t=rVCUVmkAZzSaCep-zuJ7POg>, accessed 10 June 2022. Dr Fayeze al-Fayez stated:

من بداية السنة قدر البدون يسجلون عقب ما أضافوا علامة "غير محدد الجنسية"، التطعيم ابتدا فعليا للكوادر الطبية البدون وبعض كبار السن من منتصف فبراير تقريبا.

on 9 March he stated that online registration for the vaccination, even for stateless medical staff, appeared to be challenging.⁷⁵

On 21 March 2021, Fitch Solutions reported (non-pay, registration wall) that Kuwait would increase its delivery of vaccinations by way of private sector providers, suggesting that state provision remained inadequate.⁷⁶ According to Fitch, the GoK stated that it sought to vaccinate 80% (3.4mn) of its 4.3mn population by September 2021, and that to achieve this the government had opened two new Covid-19 centres. It stated that this would increase the country's vaccination capacity to 20,000 per day, depending on vaccine availability.

By March 2021, the GoK expected one million doses of the Pfizer-BioNTech vaccine and had reportedly negotiated a further three million doses of the AstraZeneca vaccine and 'agreed to the delivery of 1.7mn doses from Moderna'. The GoK had also reportedly pledged, at the time, USD \$10 million to the COVAX facility - the COVID-19 Vaccines Global Access [programme] overseen by global health providers and health guidance centres, including the Global Alliance for Vaccines and Immunization Alliance (GAVI).⁷⁷

As of 15 March 2021, the GoK had overseen administration of 8.4 doses per 100 people. The government, however, had stated that its priority populations were those over 65 years of age, 'frontline healthcare workers and people with underlying health conditions' and that these form 'the vast majority of preventable mortality'. The stateless community appeared to remain absent from the government's calculations.

Despite the December 2020 commitment to deliver vaccinations without distinction to everyone on its territory, it was only on 7 April 2021 that commentator Dr Fayeze al-Fayez noted that stateless people with expired identity cards could register for vaccination.⁷⁸

Yet, on 21 July 2021, al-Fayez once again stated that those without identity cards could not get vaccinated. He decried that thousands of stateless Kuwaitis:

'[...] who do not have a security card or even a civil number, cannot register for vaccination. The Ask Me Center [a central registration hub] asks them for a letter from the Central System, and the Central System deliberately obstructs them... Away from politics and laws, I am talking to you as a doctor and in the interest of Kuwait - allow them to be vaccinated.'⁷⁹

On 24 July 2021, Dr al-Fayez identified a further complication, stemming from previous decades of failures by the GoK to end statelessness, combined with flaws in the mobile phone app that thousands used to register for vaccinations. He observed that the 'Owners of forged passports (those who had previously obtained forged Eritrean, Dominican and other passports under government pressure) [had] civil [identity] numbers that had been erased, so they were unable to register on the site' - since the civil identification number is required at the start of the registration form.⁸⁰

He followed up, noting that there were also 'those who were refused registration by the Central System, and therefore do not have civil numbers in the first place [and] therefore, they cannot register on the site.' Citing a parliamentary question by [Mohammed Hayef al-Mutairi](#), the number of these groups would exceed 30 thousand people.⁸¹

⁷⁵ Dr. Fayeze Alfayez (@3adeemQ8), 9 March 2021, https://twitter.com/3adeemQ8/status/1369301965319122950?s=20&t=yy6ZVplolbjGZyit-dl_rKQ, accessed 10 June 2022. He said that medical staff were 'prohibited':

[...] في شرايح من #البدون ممنوعين من التسجيل أونلاين، وفي منهم كوادر طبية تحيل! محتاجين دعمك في هاشتاغ #تسجيل_تطعيم_البدون

⁷⁶ Fitch Solutions - Kuwait's Expanding Covid-19 Vaccination Capacity To Benefit Private Health Sector
Fitch Solutions / Pharma & Healthcare / Kuwait, 17 March, 2021, https://www.fitchsolutions.com/pharma-healthcare/kuwait-expanding-covid-19-vaccination-capacity-benefit-private-health-sector-17-03-2021?ISWebArticleValidation=true&mkt_tok=NzMyLUNLSC03NjcAAAGEOM-HsMzxQ-a6anpjiniIF17H_2qERIBhkSP3OrLD-XDXFFRoRwzGR2gpQjH2vrrLS8CM7_9N4pEOavb2Kw_WtssndW3VCP6_T0aiIzSZVh-8QwUK95A, accessed 10 June 2022

⁷⁷ Global Alliance for Vaccines and Immunization Alliance (GAVI) - COVAX explained / To end this global health crisis we don't just need COVID-19 vaccines, we also need to ensure that everyone in the world has access to them, 3 September 2020, <https://www.gavi.org/vaccine-work/covax-explained>, accessed 10 June 2020

⁷⁸ Dr Fayeze Alfayez (@3adeemQ8), 7 April 2021, <https://twitter.com/3adeemQ8/status/1379796547077074946?s=20&t=3mS5Ya19gm-C3Eu6zh2j5IQ>, accessed 19 June 2022. He stated, in full, the children of Kuwaiti women could also register; but in respect to the stateless he said:

البدون أصحاب البطاقات الأمنية المنتهية، سوف يتم إضافة صفحة تسجيل خاصة لهم

⁷⁹ He addressed his message to another doctor, saying, in the original:

● في شريعة بعشرات الآلاف من #البدون ممن ليس لديهم بطاقة أمنية ولا حتى رقم مدني، لا يستطيعون التسجيل للتطعيم
مركز إسألني يطلب منهم كتاب من الجهاز المركزي، والجهاز يعرقلهم متعمداً
بعيداً عن السياسة والقوانين أكلّمك كطبيب وكمصالحه للكويت اسمح بتطعيمهم

⁸⁰ Dr Fayeze Alfayez (@3adeemQ8), 24 July 2021, <https://twitter.com/3adeemQ8/status/1418729259477225475?s=20&t=65c8kvq-1zuqyYusoDLRjQ>, accessed 10 June 2022. In the original, he stated:

أنا دكتور أقول العديد من البدون ما يقدرن يسجلون

هناك شريحتين من البدون:

1. أصحاب الجوازات المزورة (استخرجوا بالسابق جوازات ارتيرية و دومينيكانية وغيرها بضغط حكومي، وتبين أنها مزورة)، هؤلاء أرقامهم المدنية تم مسح بياناتها فأصبحوا لا يستطيعون التسجيل بالموقع
⁸¹ The hyperlink about Mohammed Hayef al-Mutairi directs to the undared Wikipedia page about him, for more information. Dr Fayeze Alfayez (@3adeemQ8), 24 July 2021, <https://twitter.com/3adeemQ8/status/1418729674352517122?s=20&t=ypaiREe6UOuFj3Dho8I5HQ>, accessed 10 June 2022. The original states:

2. الشريحة الثانية: الذين رفض الجهاز المركزي تسجيلهم، وبالتالي لا يملكون أرقاماً مدنية من الأساس
وعليه لا يمكنهم التسجيل بالموقع

أعداد الشريحتين بحسب سؤال برلماني لمحمد هاييف يتجاوز الثلاثين ألف شخص

If accurate, this incident would have occurred over six months after the GoK indicated to the international community that it would make vaccination available to everyone, without distinction. Moreover, it would confirm that over 30,000 people may not have been able to access vaccinations over six months into a mass vaccination campaign in one of the world's richest and best educated states.

The GoK somehow conformed to what, in June 2021, the UN refugee agency reported as:

‘[T]he “great majority” of national immunisation plans in 157 countries lacked “clarity” on anticipated coverage for people who have no legal proof of their identity, “regardless of whether their age, health status or role in society would otherwise place them in a priority group.”’⁸²

It is possible that discriminatory processes were so embedded and structural that even the pandemic failed to provide the means to ‘*build back better*’ or make Kuwait a fairer place.

Into July 2021, the hiring and then non-payment of salary to stateless Kuwaitis appears to have continued, despite being a feature of the February - May 2020 period of the pandemic.⁸³ If accurate, it provides further evidence that non-payment of salary to stateless staff was not a consequence of the upheaval and administrative chaos at the outset of the pandemic, but rather a structural feature of the economic system overseen by the GoK.

In the third quarter of 2021, the Director-General of the WHO visited the Gulf. On 12 October 2021, he told the sixty-eighth session of the WHO's Regional Committee for the Eastern Mediterranean that ‘During my recent visit to Bahrain, Kuwait and Oman, I was also pleased to see the innovative approaches these countries are taking to respond to COVID-19’, without detailing these approaches.⁸⁴

Regarding the project's findings, according to the October-November 2021 project survey, 94% of the 104 respondents claimed they had received at least one dose of a Covid-19 vaccine in 2021.

One respondent claimed they had not been vaccinated while another said they had been refused access to the vaccine because they did not have a civil number. Although most respondents had received the vaccine, in line with the desk research, several complained that the GoK had not provided them promptly.

Several respondents to the survey believed that stateless Kuwaitis were the last group to be vaccinated in Kuwait; five respondents claimed the GoK had been slow to vaccinate the stateless. One respondent elaborated - in line with the findings set out above - that when the vaccine was first being distributed, Kuwaiti Bidoon were not included in state registries:

‘The Bidoon were discriminated against because the vaccination registration system does not accept those without an identity card and a civil number. Many Bidoon had to resort to mediation and pay money. Priority was given to Kuwaitis... and vaccination centres were allocated to Kuwaitis only.’

Concerns were also raised by activists that stateless Kuwaiti new-borns are not registered with the Ministry of State and Health and not granted a certificate. Consequently, they have trouble gaining access to any vaccines, indicating a systemic issue.

Although the respondents said they've had more success applying for vaccination online, several claimed they were only able to successfully apply online after putting pressure on the government via public appeals on Twitter and contacting sympathetic MPs. They were only included on these registries several months later, however. The most common explanation for these delays from respondents (33%) was discrimination. More specifically, this explanation was divided into two major subgroups: 67% of this group believed this was motivated directly by racial animus towards them while 32% believed it was the result of the GoK's systematic neglect of stateless Kuwaitis and general indifference to issues affecting them. Although both cases cited racism towards Kuwaiti Bidoon from the GoK, the dividing point was its manifestation during the pandemic.

It must be noted, however, that one stateless medical doctor (unnamed) reportedly provided positive feedback about the performance of the GoK during the pandemic, in respect to the stateless community. He worked alongside and as part of the government's overall pandemic response and his reported views provide a counterpoint to this study's findings.

⁸² UN News - ‘Invisible’ stateless people could miss out on COVID-19 jobs, UNHCR warns, 22 June 2021, <https://news.un.org/en/story/2021/06/1094492>, accessed 10 June 2022

⁸³ Dr Fayeze al-Fayeze (@3adeemQ8) stated on 20 July 2021, at <https://twitter.com/3adeemQ8/status/1417264958828597259?s=20&t=NifvVntN-wl3SKk6afjJKUA> (accessed 10 June 2022) that “It is immoral and illegal to appoint people in light of a global crisis ‘because you need them’ and at the same time deprive them of their rights and salaries.” He called on the GoK cabinet to rectify the situation. In the original, he stated:

من غير الأخلاقي ولا الشرعي أن يتم تعيين ناس في ظل أزمة عالمية “لأنك محتاجهم” وبنفس الوقت تحرمهم حقوقهم ورواتبهم
 اضغط على مجلس الوزراء و استصدر قرار يُرجع حقوق الموظفين #البدون ويبيدهم عن ابتزاز الجهاز المركزي

⁸⁴ World Health Organisation (WHO) - WHO Director-General's remarks at the sixty-eighth session of the WHO Regional Committee for the Eastern Mediterranean / Regional Director's Annual Report, 12 October 2021, <https://www.who.int/director-general/speeches/detail/who-director-general-s-remarks-at-the-sixty-eighth-session-of-the-who-regional-committee-for-the-eastern-mediterranean>, accessed 10 June 2022.



COROLLARY FINDINGS

Bottle – Stateless people in Kuwait are not often granted documentation required to travel and have to stay in Kuwait: they are bottled and, as the image depicts, pressing on the side to see if it ‘gives’.



An image posted by twitter user Abu Thamer on 22 May 2022 (@owais_hamoud) features an imagined, stereotypical, regional image of a man and a woman over which the word Bidoon (stateless) is pasted. Barbed wire surrounds them, enclosing them.

Outside the barbed wire enclosure are expressions that represent their life experience:

- No nationality (at the top)
- No medicine
- No ownership (stateless are not permitted to own property)
- No travel documents
- No work
- No birth certificate
- No education
- No certificate of marriage

Findings unrelated to the conduct of the GoK in relation to its management of the pandemic in terms of stateless people nevertheless inform and shape our understanding of that conduct and clarify GoK policies towards the Bidoon.

As with the findings of other CESF projects in other countries, this research found that the GoK has erected an unwavering, deeply-set structurally discriminatory law, policy and practice framework, which limits and shapes civil and political as well as economic, social and cultural areas of life.

Throughout the course of the project, consultations, and its survey, Bidoon activists asserted that:

- The social conditions under which they live. Their baseless categorisation as illegal residents, without providing either concrete evidence to prove it nor a pathway in keeping with international standards to disprove it, creates conditions in which the state provides for the slow death of the community itself, as evidenced by the growing number of Bidoon who have taken their own lives;
- The systematic delays and/or restrictions in accessing, along with the outright denial of healthcare services constitute an intentional act to cause bodily and/or mental harm;
- The restrictions under which they live, including in relation to the jobs they can take, places they are able to live, and education and/ or health care that is available to them, indicates widely recognised measures to falsify identification documents. This induces swathes of the community to leave areas of long-term habitation and constitute measures that result in its physical destruction;
- Preventing registered marriages results in the prevention of issue of birth certificates, while other restrictions on livelihoods and healthcare reduce the capacity of the community to reproduce; and
- By creating falsified documentation for adults, the children are transferred to ‘another group’ (Iraqi, Saudi Arabian, etc.) and othered.

A number of Kuwaiti legal activists, such as **Omnia Ashraf**, argued during project consultations that Kuwait’s system exists not just to exclude the Bidoon but to gradually excise them from the country. Having no rights or opportunities, Kuwaiti Bidoon are administratively ‘erased’ or moved out of areas where they have long lived. They are pressured to emigrate, by seeking asylum elsewhere when possible. They are forced by administrative measures to take foreign nationalities, or - as some activists assert - driven to take their own lives.

Project findings indicate that the GoK carries out:

- **Express state obfuscation of demographic data 1** - On the eve of the pandemic, because of the lack of accountability and transparency in the operation of the Central System and the GoK, the government has

refused to state the exact number of stateless people on its territory or provide any formal demographic accounting or report on this issue. The GoK's Core Report, which is used by UN treaty bodies as a basic tool for understanding the state, does not address the issue, including in respect to numbers of births, deaths, or marriages on an annual basis. The GoK's submissions to the UN indicate - by omission - that the government refuses to see the Kuwaiti Bidoon community.⁸⁵

- **Express state obfuscation of demographic data 2** - The GoK does not publish birth, death, or health and educational data, as these apply to the stateless community. Up to five participants in this study expressed the belief that the GoK does not do so in order to pave the way for the 'collective erasure' of the community.

On 21 August 2021, Dr Fayeze al-Fayeze tweeted that: *'whoever sees the Central System as a neutral party is either "naïve" or is an accomplice to the Central System in suppressing the stateless Bidoon [community].'* He added that *'It uses rubbery slogans such as deserved and undeserved, forged and not forged, in order to deceive the gullible amongst the people, or the really naïve and [those] deceived by this lie. The end [in reference to what he believes should be its fate].'*⁸⁶

REPORTS OF COERCIVE FALSIFICATION OF IDENTITY 1:

A 14 October 2021 Reuters report acknowledged that 'Authorities have intensified pressure on the community over the last two years to "reveal their country of origin' or accept an 'assigned citizenship" based on investigations by Kuwaiti state security services.'

A 10 September 2019 newspaper article in Alaraby reported that a stateless student had obtained secondary school results that were high enough for him to be awarded a grant to study at Kuwait University. He refused to sign a falsified identity document and forfeited his opportunity, however. He claimed:

*"I registered at Kuwait University, noting my desire to study either in the College of Engineering or the College of Science. I was asked to submit a document stating that the Central System approved [the application]. But when I went to the Central System, I was surprised that the officials asked me to sign a paper affirming that my family is hiding Saudi identity papers but claiming that they are entitled to Kuwaiti nationality. I refused to sign, and consequently lost my chance to enter the university, despite my entitlement to the scholarship." Regarding the university's response after the agency refused to grant him approval for university studies, Al-Zawba'i says: "They simply told me that they could not bypass the laws of the state, so I did not meet the terms of the grant. Thus, my future is out of my hands."*⁸⁷

- **Express state falsification of individuals' identities (in the renewal or issuing of identity cards or other, ad hoc permits)** - Tens of stateless Kuwaitis have told the project team, both during engagements and online (via Twitter) that when a stateless person applies for an identity card, they are required to fill in personal and family information and then submit this to a Central System official. The official then requires them to sign a waiver affirming that the information on the document to be issued is correct. For example, another participant told us on 1 April 2022 (in English), 'Regarding the problem of renewing IDs for stateless people, it has always been a nightmare trying to get it renewed. [...] As of 2019 - they've written that I have a Liberian nationality and I could not get it removed whatsoever [...]' Speaking during a project consultation in July 2020, researcher Ahmad Jaber (Benswait) pointed out that some states are complicit in the false attribution of nationality to specific people. He said that he was aware that the Iraqi Consulate had confirmed that specific people who are not Iraqi were considered so.

We do not know why state officials may have confirmed such information, but participants have suggested that personal or institutional gain could have been an incentive.

⁸⁵ United Nations Digital Library - Common core document forming part of the reports of States parties: International Human Rights Instruments : Kuwait (2016), <https://digitallibrary.un.org/record/839930?ln=en>, accessed 10 June 2022. This is a reference document produced by state authorities, used to inform and guide UN treaty bodies in their assessment of a given country's obligations, in the overall context of the country's socio-economic and political situation. They are assumed to have been prepared in good faith.

⁸⁶ Dr. Fayeze Alfayez (@3adeemQ8), 21 August 2021, <https://twitter.com/3adeemQ8/status/1429205290256326657?s=20&t=6ZHW4j7WV5BPX-UxBxCDA4A>, accessed 10 June 2022. In the original, he stated:

لذلك من يرى بأن الجهاز المركزي جهة محايدة فهو إما "ساذج" أو متواطئ مع الجهاز في قمع #البدون.
ويستخدم شعارات مطاطية مثل مستحق وغير مستحق، ومزور وغير مزور عشان يذخ السذج من الناس أو هو فعلا ساذج ومنظية عليه هذه الكذبة.
انتهى

⁸⁷ The original reads, in part:

[...] فطلب مني تقديم مستند يفيد بموافقة الجهاز المركزي على دراستي. وعندما قصدت الجهاز، فوجئت بأن المسؤولين فيه يطلبون مني التوقيع على ورقة تثبت بأن عائلتي تخفي أوراقاً ثبوتية سعودية وأنها تدعي استحقاتها الجنسية الكويتية. رفضت التوقيع، فخسرت بالتالي فرصتي بالدخول إلى الجامعة على الرغم من استحقاقي المنحة. وعن رد الجامعة بعد رفض الجهاز منحه الموافقة على الدراسة الجامعية، يقول الزويبي: "قالوا لي بكل بساطة إنهم لا يستطيعون تجاوز قوانين الدولة، بالتالي فأنتي غير مطابق لشرط المنحة."

REPORTS OF COERCIVE FALSIFICATION OF IDENTITY 2:

On 1 April 2022, AA, a participant in this study, told the authors about his experience of renewing his identity documents:

*'I reviewed [the identity card] many times. Another state's nationality was added [to the card] and I told them, "Do you have evidence that we have this nationality?" They told me that I signed this paper, a declaration and a pledge, and I provided a fingerprint. I refuted [all] that, so they expelled me from the Central System, and this is our case since 2017. There are no solutions.'*⁸⁸

Tens of individuals told SALAM DHR that on collection, the cards stated that their family had been allocated another nationality - Iraqi, for example. Even if they complain and demand an accurate card, an official would inform them that they had already agreed to the veracity of the document. As the card is required for limited social and educational purposes, the individual is disempowered and often ends up accepting the card, despite it being incorrect. This constitutes a criminal act that one or more people have sanctioned, in the name of the GoK. It is also an open secret: Dr Fayeze al-Fayeze's 3 March 2021 tweet states exactly this.⁸⁹

REPORTS OF COERCIVE FALSIFICATION OF IDENTITY 3:

US State Department, Bureau of Democracy, Human Rights and Labor - 2021 Country Reports on Human Rights Practices: Kuwait (excerpt)

'Security cards provide Bidoon residents with access to basic services. In January the Ministry of Defense requested more than 600 of its Bidoon employees renew their expired security cards to amend their legal working status. Some did not, however, receive renewed security cards from the agency because they were required to declare a different nationality. [emphasis added] In August a Bidoon resident attempted to set himself on fire after the agency refused to renew his security card.'

- **A failure to provide recourse to justice** - Generally, stateless Kuwaitis are not able to challenge state-approved falsification of identity documents by a state body. The GoK, like most states, considers bestowal or removal or citizenship a sovereign matter and therefore it is not subject to conventional legal challenge.
- **De facto indistinguishability of documented / undocumented stateless people and diminishing protection accorded by so-called 'documentation'** - The forced falsification of government-issued identity cards used by the stateless, along with the prevalence of fraud, has created an environment in which limited rights or privileges accorded by specific identity cards is incredibly transactional or devoid of meaning. This paradigm necessitates stateless people to bribe officials through intermediaries in order to obtain documentation, such as the Article 17 travel document. Further, as this report elaborates, during the pandemic, possession of identity documentation did not provide protection against privations such as sacking from employment or state support for livelihood.

On 26 February 2021, stateless rights activist Dr Fayeze al-Fayeze tweeted an imaginary dialogue between a person and a Kuwaiti official. To parody the situation, he wrote:

- 👤 Why don't you naturalize the stateless??
- 😏 We have evidence of their true nationality
- 👤 [So] why don't you turn them over to the court on allegations of forgery?
- 😏 They may be acquitted
- 👤 Gosh, who would have thought?
- 😏 [Well] our evidence, alas, isn't truthful (correct)

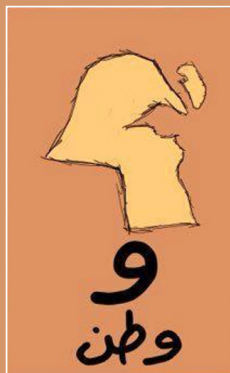
⁸⁸ In the original, he said:

وعند مراجعتي مرات كثيرة تم إضافة جنسية لدولة اخرى وقلت لهم هل يوجد لديكم دليل على اننا نملك هذبه الجنسية قالو لي وقع على هذا الورق اقرار وتعهد واقول بعمل بضمه له ورفضت ذلك فقاموا بطردي من الجهاز المركزي وهذا حالنا منذ عام 2017 ولا يوجد حلول

⁸⁹ Dr Fayeze Alfayez (@3adeeemQ8), 3 March 2021, <https://twitter.com/3adeeemQ8/status/1367097434988494848?s=20&t=ORryMFxjzoe-xC-CZAiwIng>, accessed 10 June 2022.

⁹⁰ Dr Fayeze Alfayez (@3adeeemQ8n), 26 February 2021, https://twitter.com/3adeeemQ8/status/1365208769471393792?s=20&t=80vp3mmp1_kw0nV9B3A8A, accessed 10 June 2022. In the original, he wrote:

ليش ما تجنسون #البدون؟
 عندنا إثباتات على جناسهم الحقيقية
 ليش ما تحولونهم القضاء بتهمة التزوير؟
 راح ياخذون براءة
 شدارك؟
 إثباتاتنا أي كلام مو صحيحة!



CONCLUSION: 'NOTHING BUT A PEN AND A WORD' - WHETHER THE STATELESS OF KUWAIT?

Homeland – This is a picture of the map of Kuwait, as depicted in the cover image – it represents the homeland for the stateless Kuwaitis, whom the government terms “illegal residents”, and routinely subjects to marginalisation, deprivation, and exclusion.

One of the core goals of this project has been to provide a voice to stateless Kuwaitis. During repeated consultations, participants spoke of being ignored and abused. Project consultations, the survey, and desk research sought to assess the conduct of the GoK’s management of the pandemic regarding the stateless Bidoon community, based on independent reports and evidence. Findings relating to the conduct of the GoK towards the stateless community between 2020-2022 in terms of health outcomes indicate that:

- Access to healthcare was not guaranteed at all times;
- When and where access to healthcare and vaccinations existed, it was generally made available later than to citizens;
- Information and assistance for the stateless prior to vaccination rollout was diminished or non-existent;
- Provision of healthcare support appeared to ignore specific vulnerabilities, such as co-morbidities and/or social factors that put the stateless at greater risk than citizens; and
- Acts of individual kindness and graciousness by stateless Kuwaitis in frontline healthcare roles, and in the context of visible support made a significant difference to people’s lives and perception of the pandemic, notably in the early months of the crisis.

Apart from their health outcomes, on the basis of the data provided and evidence created by this study, tens or even thousands of stateless people appear to have suffered tremendous economic and psychological hardship during the pandemic, including in the course of successive lockdowns during which they did not have access to broadly analogous forms of socio-economic or healthcare support as that accorded to citizens.

A total of 71% of the respondents to this project survey believed it would not be possible for the Bidoon community to take political action in Kuwait. They claimed the Kuwaiti power structure is almost entirely against them; that their status meant that their lives have less value than those of citizens. Respondents and project participants viewed the GoK as openly prejudiced against the Bidoon, deprived of their very identity, real livelihoods and life opportunities, but having to face arbitrary force and punishments against them if they attempted to mobilise. Most respondents claimed they feared being imprisoned if they protested, leaving them feeling powerless within the country. As one respondent lamented, they are *‘shackled and have nothing but a pen and a word’*.



‘TOGETHER WE CAN’

Placard – This picture of a placard, depicted on the report cover - states ‘citizenship is our one objective’. Members of the community have used placards to campaign for citizenship for at least a decade, if not longer. The significance of this image is both in asserting the freedom of expression, assembly, and protest of the Bidoon community, but also in recognising that in order to find sustainable and just solutions to their longstanding marginalisation, there is a profound obligation to listen to the community’s demands.

62% of respondents said they believe that international organisations can help the Bidoon community. They expressed hope that international organisations, such as NGOs, will report their findings to international human rights bodies, which can, in turn, place international pressure on the GoK and facilitate more critical engagement, leading to positive outcomes. There was little rejection of alternative routes to protest prevailing privations.

There is hope that such intervention can potentially compel the GoK to abide by international law and human rights by disseminating information about their suffering and making their voices heard inside and outside Kuwait. A smaller number of respondents hope international organisations can provide medical and financial aid to Bidoon or simply help ‘make it easier to migrate from this hell’.

SALAM DHR asked respondents to name 3-5 domestic and international advocacy measures they believe will be most effective in ensuring fair treatment for the Bidoon community in relation to Covid-19. Although the answers were varied, key recommendations emerged:

- Work to ensure equality between citizens and Bidoons in the vaccination process, receiving medical treatment, and in hiring medical personnel;
- International organisations should increase their advocacy for the citizenship rights of the Bidoon community;
- Promote media awareness of the dangers the pandemic presents: publishing the number of Covid-19 cases in hospitals, providing medicine, employing young people with medical qualifications to work in the Ministry of Health Holding, and providing free courses in medical emergencies;
- Organise campaigns via Twitter and peaceful sit-ins to advocate for the adoption of the law on civil, social, cultural, and economic rights for Bidoons, and most importantly, the adoption of the right to citizenship;
- Communicate with stateless Kuwaitis and visit the areas they live in, documenting them and submitting reports to the United Nations;
- Treat reports from the GoK and the Central System with a degree of scepticism and mobilise to create a more accurate narrative of the Kuwaiti Bidoon community, including with respect to births, marriages, deaths; health and education data;
- Coordinate with sympathetic (Kuwaiti) parliamentarians, lawyers, the Bar Association, and with women in the community to advocate for human rights issues; and, perhaps quixotically
- Appoint oversight and protection bodies to protect stateless Kuwaitis from racist institutions in Kuwait.

As noted above, one of the core goals of this project was to provide a voice to stateless Kuwaitis. For this reason, the single most important recommendation of this project is for leading political and other public figures, UN agencies and other international actors, to listen to stateless Kuwaitis.

The advent of the pandemic, during which have witnessed remarkable acts of generosity from stateless Kuwaitis; when Kuwait's parliament has considered new ideas about the legal basis of the stateless in Kuwaiti life and law, marks an opportunity for a new start. For this reason, we urge the GoK and stakeholders to review and consider the Ten Calls to Action (on pages 9 and 10) in the Together We Can report, as applicable to Kuwait. Namely:

THE ROADMAP

1. Reflect on, engage and act to internalise and implement the Together We Can: Roadmap to Address the COVID-19 Impact on Stateless People; appoint focal points with the responsibility and necessary resources to mainstream statelessness, ensure that statelessness and the right to nationality is duly considered in all programming and collaborate with external partners and stakeholders.
2. Engage with the Roadmap as a tool to inform, shape and guide institutional responses to statelessness in the context of COVID-19 and the longer term, by promoting and supporting dedicated, intersectional and joined-up action to protect the rights of all vulnerable groups, including stateless people; take steps to centre stateless activists, communities and NGOs, draw on their expertise and insights, involve them in finding solutions, support their independent work and remain accountable to them at all times.

RIGHT TO NATIONALITY, DOCUMENTATION AND LEGAL STATUS

3. Treat civil registration, refugee and statelessness determination, naturalisation, consular and other services as essential; ensure that such services operate during the pandemic and that any backlogs are expeditiously dealt with; extend the validity of nationality and residency documentation, protection status and interim measures to protect those impacted by the closure or slowing down of services; combat intergenerational statelessness; and when encountering undocumented people, desist from penalising them, but instead, provide them with documentation and nationality.

EQUALITY & NON-DISCRIMINATION

4. Recognise that discrimination is the primary driver of statelessness and that stateless people face additional discrimination; desist from unfairly targeting or scapegoating minorities, migrants, stateless and other groups; prosecute and penalise instigators of hate speech; ensure that stateless people and those who lack documentation are not discriminated against in access to healthcare, relief and other COVID-19 measures; combat gender discrimination and sexual and gender-based violence impacting stateless women and girls; and acknowledge and dismantle root causes of structural discrimination that undermine the right to nationality.

RIGHT TO HEALTH

5. Ensure that access to healthcare is equal and universal, and not based on nationality, documentation or legal status; remove all fees and other barriers to healthcare; ensure that public health imperatives take precedence over immigration enforcement and other motives; strengthen initiatives to address the mental health impacts of COVID-19 on stateless people; invest in measures to address environmental determinants of health, including poor sanitation and inability to socially distance; and ensure that public health measures and advice are effectively communicated to stateless people, taking into account location, language, and literacy.

6. Taking into consideration the moral and public health imperative to protect everyone from COVID-19, and, given that the only sustainable way of doing so is through achieving universal vaccination, while also considering the heightened vulnerability of many stateless people due to structural challenges, ensure that all necessary positive steps – including mobile clinics, awareness campaigns and incentives - are taken to ensure that stateless people have equal vaccine access, and that all barriers such as lack of nationality, documentation or legal status, as well as technological and financial barriers are anticipated and addressed in vaccine roll out.

SOCIOECONOMIC RIGHTS

7. Protect the livelihoods of stateless people and ensure that undocumented people and those engaged in informal labour are equally covered by COVID-19 relief measures; ensure that stateless people and other vulnerable groups can work safely. Ensure that stateless children have equal access to education and are supported to attend online lessons through the provision of relevant tools, internet access and language support. Provide a robust safety net for all stateless people who face poverty, starvation, and homelessness as a result of COVID-19 and its wider societal impacts.
8. Strengthen institutional awareness of statelessness, to ensure that humanitarian relief also covers stateless and undocumented people. Extend emergency support packages to all, on the basis of need (and not other criteria). Distribute relief regardless of legal status, prioritising the furthest left behind and take special measures to mitigate the transmission of COVID-19 in densely populated areas, such as camps, collective shelters, and informal settlements.

CIVIL AND POLITICAL RIGHTS

9. Ensure that border closures do not result in family separation, including by allowing non-citizen spouses and children to re-enter countries. Ensure that stateless people with residence status or strong ties to a territory are allowed to return. Provide legal status and protection to those deemed to be irregularly on the territory and ensure that where livelihoods are damaged by the imposition of movement restrictions, those affected are adequately compensated.
10. Ensure that increased policing powers are proportionate and do not result in stateless people being arbitrarily targeted; that immigration detainees are released with adequate status and support and are not subject to burdensome reporting requirements. Ensure that stateless people, migrants, and others are not detained as part of COVID-19 responses and that COVID-19 measures are not used to clamp down on the freedom of expression and assembly of stateless people and their allies and that stateless people have equal and effective access to justice to challenge rights deprivations in times of COVID-19

In addition to these rounded, and global considerations, we call on the Government of Kuwait to:

- Re-assess and re-evaluate its entire approach in respect to its engagement with the Bidoon community, including by committing to abide by internationally binding human rights treaties, such as by taking objectively verifiable measures to implement treaty body recommendations;
- Take steps to end all discriminatory and arbitrary restrictions and limitations currently applied to stateless Bidoons, in keeping with contemporaneous measures regarding their legal status;
- Pending development of new pathways for legal and social inclusion, stop referring to stateless Kuwaitis as 'illegal residents' and ratify and implement international treaties relating to statelessness;
- Immediately abolish the Central System and bring its functions under state bodies applicable to citizens;
- In consultation with national and international civil society, as well as intergovernmental bodies and experts, determine and publish clear, objectively verifiable assessment criteria for Kuwaiti citizenship;
- Create an independent pathway in line with international standards that enables non-citizens in Kuwait to apply for citizenship, with a right of appeal where rejected;
- Enable stateless Kuwaitis to have access to the courts or another form of independent tribunal with the force of law to challenge decisions made by the Central System (until such time as it is abolished);
- Guarantee the right to peaceful assembly, end the use of excessive force against peaceful demonstrations, and drop all charges against those facing prosecution in connection with their peaceful participation in demonstrations if they are not to be charged with an internationally recognizable criminal offence; and
- Constructively engage with the UNHCR, notably with respect to the campaign to end statelessness by 2024, including by publicly committing to pledges set out by UNHCR in 2019's High Level Segment, as set out in the annexes, below.

UNHCR's #IBelong Campaign to End Statelessness ends in 2024. While Kuwait has currently failed to enact any of UNHCR's recommendations, they nonetheless remain relevant. UNHCR's 2017 IBelong report states:

'Ensuring equal access to nationality rights for minority groups is one of the key goals of UNHCR's by 2024. To achieve this, UNHCR urges all States to take the following steps in line with Actions 1, 2, 4, 7 and 8 of UNHCR's Global Action Plan to End Statelessness:

- *Facilitate the naturalisation or confirmation of nationality for stateless minority groups resident on the territory, provided that they were born or have resided there before a particular date or have parents or grandparents who meet these criteria.*
- *Allow children to gain the nationality of the country in which they were born if they would otherwise be stateless.*
- *Eliminate laws and practices that deny or deprive persons of nationality on the basis of discriminatory grounds such as race, ethnicity, religion, or linguistic minority status.*
- *Ensure universal birth registration to prevent statelessness.*
- *Eliminate procedural and practical obstacles to the issuance of nationality documentation to those entitled to it under law.'*

We also urge the parliament of Kuwait to:

- *Fully and independently consider all bills put to it, by any party, with a view to finding a just, permanent, and human rights-complaint resolution to the fate of the Bidoon community, including by way of consulting with international experts and convening in-depth consultations at the National Assembly.*

Finally, we urge the international community, including intergovernmental (IGO) bodies, to:

- *Remind the GoK of its international human rights obligations and maintain pressure on the GoK with regard to its treatment of the Bidoon community, notably by engaging in good faith with IGOs' treaty bodies in order to end statelessness and the corruption and suffering it creates.*

ANNEXES

ANNEX 1: SELECTED CHRONOLOGY, INCLUDING SOCIO-LEGAL DEVELOPMENTS BEFORE AND DURING THE PANDEMIC⁹¹

1959 - The nationality law defines categories of Kuwaiti nationality and a range of criteria and limitations.

1961 - Kuwait declares independence from the United Kingdom.

1962 - Kuwaiti constitution is finalised. Nomads continue to enter and leave Kuwait freely. Some settle in Kuwait.

1965 - Census establishes government baseline for citizenship.

1967 - A range of tribal communities are enfranchised.

1980 - Amendment to the nationality law strips Kuwaiti women of the right to bestow citizenship on their children, even when the children cannot take their father's nationality.

1981 - Some tribal communities settled in Kuwait are given political rights, enabling them to vote.

1986 - A government decision strips Bidoons of most rights, including free healthcare and education, and classifies them as "non-Kuwaitis".

Late 1980s - GoK expels some Bidoons. A court overturns the application of the Alien Residence Act as the Bidoon cannot be defined as "aliens", but its ruling is largely ignored.

1990-91 - Iraqi invasion of Kuwait. International military action restores Kuwaiti rulers and sovereignty, but thousands of Bidoons who fled Kuwait are not allowed to return. Post-war IDs are issued, but many Bidoon IDs are not renewed.

1999 - A government decree allows stateless people to apply for citizenship if they can prove their family has lived in Kuwait since 1965. Up to 6,000 are naturalised.

2000 - Law No. 20 facilitates the naturalisation of people registered in the 1965 census and descendants, limited to 2,000 per year. It is suspended before completion.

2006 - The Kuwait Society for Human Rights holds a ground-breaking conference on the Bidoon situation.

2010 - Government Decree No.467 established the (so-called) Central Apparatus for Illegal Residents' Affairs.

2010-11 - The GoK proposes to create different categories of Bidoon registration.

2011 - Demonstrations by Bidoons gather pace and are met by increased repression.

September 2019 - The legal status of Kuwait's stateless community re-emerges in national and parliamentary debate and discourse.

October 2019 - The Kuwait Bar Association sets out proposed legislation relating to the stateless community, followed by legislation tabled by parliamentarian Thamer al-Thufairi.

November 2019 - Parliament speaker, Marzouq al-Ghanim tables draft legislation supported by the GoK, on the status of the stateless Bidoon community.

February / March 2020 - emergence of Covid-19 in Kuwait.

CURFEWS AND LOCKDOWNS:

24 February 2020 - The first 5 confirmed cases of Covid-19 in Kuwait are announced. They were individuals who had arrived from Iran and were taken directly to a hospital specially designed and equipped for receiving COVID-19 cases.

⁹¹ Some dates taken from the Amnesty International - Kuwait: The 'Withouts' of Kuwait: Nationality for stateless Bidun now, September 16, 2013, <https://www.amnesty.org/en/documents/mde17/001/2013/en/>, accessed 8 June 2022.

11 March 2020 - With recorded cases reaching 73, the government introduces a voluntary stay-at-home policy for state employees and suspends all government work save those in emergency services.[5] On 13 March, the government suspends international flights and land border crossings; and from 14 March permits entry only to returning Kuwaiti residents and first-degree relatives. According to al-Khaleej Online, large, public gatherings, including in public places, restaurants, and shopping centres are banned. This is followed by a suspension on gatherings in schools, mosques, and churches. From 22 March, the GoK designated a 17:00-04:00 curfew - or lockdown.

6 April 2020 - Kuwait News Agency (KUNA) reports that curfews are extended to the areas of Mahboula and Jleeb al-Shuyoukh, areas with large numbers of migrant workers and lower-income housing that also includes stateless Kuwaitis.

6 May 2020 - The repatriation plan of Kuwaiti citizens is accomplished (from 19 April - 6 May).

8 May 2020 - Kuwait News Agency (KUNA) reports the imposition of an 8-30 May lockdown.

31 May 2020 - Al-Rai (Media) reports that while restrictions are eased in Mahboula and Jleeb al-Shuyoukh, new / extended lockdowns are applied to al-Farwaniyah, Khaitan and Hawalli, noting that the situation in Maidan Hawalli was to be clarified. These areas include low-income housing for migrant workers as well as many stateless Kuwaitis.

10 May 2020 - The country is placed under full curfew as of 4 pm until 30 May 2020, based on an assessment by the Ministry of Health after the number of active cases had reached 8688 cases and with 1065 new cases and 9 deaths; the death toll had reached 58.

5 September 2020 - The then current five bills relating to the status of the stateless are scheduled to be discussed in parliament.

9 September 2020 - The Central System orders the state banking system (Union of Banks) to no longer accept identity documentation from the Ministry of Defence's non-civilian personnel, requiring that banks only accept Central Agency-issued identity cards, in order for stateless persons to access their own accounts.

20 September 2020 - Parliament ordinary session no. 4, meeting 19: (page 15), under item No. 48: Committee of Human Rights, Women's Rights, and Family, [discusses a bill which] seeks to: define 'stateless persons' based on international treaties; replace 'illegal residents' with 'stateless persons' in all governmental bodies; compel the Central Agency to quantify and limit the number of names applicable under their (and several other governmental) jurisdictions; compel the Public Authority of Civil Information to release their documentation cards with up to 5 years' validity subject to renewal; incorporate stateless people under the same Labour Law as that applicable to GCC-nationals under law no. 1/2016 of the private sector; implement executive regulations relative to the protection and performance of the bill.

1 October 2020 - The GoK suspends parliament until 20 October, to mark the passing of (then) Emir Sabah al-Ahmad al-Jaber al-Sabah.

28 October 2020 - The Kuwaiti Cabinet announces that handpicked seniors, patients with chronic diseases, medics, front-liners and providers of basic services as major categories to be vaccinated against Covid-19 once the country takes delivery of a first shipment of vaccines. No stateless individuals are named.

VACCINATION ROLLOUT:

December 2020 - Following licensing of the first vaccinations, the GoK reportedly issues a decision allowing all persons on the territory to access medical services linked to COVID-19, including vaccination. The decision covers those without legal status and those who do not possess an identification card (as is the case for thousands of stateless Kuwaitis).

24 December 2020 - An AFP report stated that Kuwait had confirmed more than 148,000 coronavirus cases, including 924 deaths, and that the GoK would start a mass vaccination programme, as it had received 150,000 doses of the US-German Pfizer / BioNTech vaccine. Later, the Kuwaiti Ministry of Health recognizes AstraZeneca, Moderna, and Johnson & Johnson vaccines.

7 February 2021 - Kuwait cuts opening hours for non-essential retail shops and bans non-citizens from entering the country, leading once again to a curfew of one month from 5 p.m. until 5 a.m. starting 07 March 2021 until 08 April 2021. After reporting the highest numbers of infections in 24 hours since the outbreak started with 1,716 new coronavirus cases on 04 March 2021, Kuwait extended the curfew until 22 April.

March / April 2021 - According to a 5 March 2021 Arab News report, the GoK re-imposes a (new) month-long curfew (lockdown) amidst renewed rising infections.

March 2021 - Under government 'circular' or regulation No. 5/2021, the Ministry of Health is empowered to issue

vaccination licences, enabling private (italics added) hospitals, health centres and clinics to purchase and administer Covid-19 vaccines.

June 2021 - The WHO opens an office in Kuwait, noting Kuwait's generous contribution to global humanitarian efforts.

21 July 2021 - Kuwait starts vaccinating teenagers aged 12 to 15 against Covid-19 in July 2021.

24 October 2021 - Airport operations resume at full capacity.

30 October 2021 - Registration to vaccinate children aged 5 to 11 opens.

October / November / December 2021 - SALAM DHR survey circulated.

ANNEX 2: SAMPLE COMMITMENTS THAT COULD BE MADE BY STATES IN RESPECT TO ENDING STATELESSNESS, TAKEN FROM UNHCR'S 2019 HIGH LEVEL SEGMENT

UNHCR - Global Action Plan to End Statelessness, 2014–2024 [excerpt] - Guidance and Sample Commitments from UNHCR's 2019 High Level Segment on statelessness, 12 April 2019 - for states to insert name of state (the GoK did not provide any response)

2.3 Sample commitments to protect stateless persons

- By [year, not later than 2024], [name of State] commits to establish a dedicated statelessness determination to identify stateless persons within the territory, grant them protection status and facilitate their naturalization. (Relates to Action 6 of the Global Action Plan to End Statelessness. This sample commitment also relates to the identification of stateless persons and to the reduction of statelessness.)
- [Name of State] commits to accede to and fully implement the 1954 Convention Relating to the Status of Stateless Persons by the end of [year, no later than 2024]. (Relates to Action 9 of the Global Action Plan to End Statelessness.)

2.4 Sample commitments to identify stateless persons

- By [year, not later than 2024], [name of State] commits to undertake and publish a qualitative study to better understand the situation of stateless groups and individuals living in its territory with a view to finding a solution to their situation. (Relates to Action 10 of the Global Action Plan to End Statelessness. This sample commitment also relates to the reduction of statelessness.)
- By [year, not later than 2024], [name of State] commits to undertake and publish a comprehensive survey to identify the number of stateless persons living in its territory with a view to finding a solution to their situation. (Relates to Action 10 of the Global Action Plan to End Statelessness. This sample commitment also relates to the reduction of statelessness.)
- [Name of State] commits to include a question or questions in its next national census to identify stateless persons living in its territory. (Relates to Action 10 of the Global Action Plan to End Statelessness.)

ANNEX 3: COMPARATIVE COVID-19 (OVERALL) IMPACT IN GULF COOPERATION COUNCIL STATES, DECEMBER 2020

Comparative Covid-19 (overall) impact in Gulf Cooperation Council states, from north to south, December 2020, at the start of mass vaccination programmes					Covid-19 Vaccine Doses Administered Per 100 people As Of March 15 2021 ⁹²
Country	Total estimated population (nationals and non-nationals)	Coronavirus Cases	Fatalities	Mass vaccination start	
Kuwait	4.3m	148,000	924	Reported 24 December 2020, with 150k does of the Pfizer- BioNTech vaccination	8.4

⁹² Note: The total number of vaccination doses administered is counted as a single dose and may not equal the total number of people vaccinated, depending on the specific dose regime (eg, people receive multiple doses). Source: Our World In Data, [Fitch Solutions \(non-pay, registration wall\)](#)

Bahrain		90,000		As of 24 December 2020, 40k had <u>reportedly</u> received vaccine; as of December 2020, it had approved both Pfizer-BioNTech (US/Germany) and Sinopharm (China)	33.3
Qatar		142,000	243	<u>Reportedly</u> started 23 December 2020.	13.2
United Arab Emirates		200,000	645	<u>Reportedly</u> started mass vaccinations on 14 December 2020; with Pfizer-BioNTech (US/Germany) and Sinopharm (China)	66.5
Saudi Arabia		360,000	6,148	<u>Reportedly</u> started on 17 December 2020, with the Pfizer-BioNTech vaccine	6.7
Oman		128,000	1,491	<u>Reportedly</u> started 27 December 2020	2.1

ANNEX 4: SALAM DHR'S QUALITATIVE ASSESSMENT OF GOK ENGAGEMENT WITH THE BIDOON COMMUNITY DURING THE PANDEMIC IN TERMS OF THEMED UNHCR GUIDANCE

UNHCR - The Impact of COVID-19 on Stateless Populations: Policy recommendations and good practices on vaccine access and civil registration - 3 June 2021			
THEME	BRIEF DESCRIPTION	EVIDENCE	ASSESSMENT (0 - 5) ⁹³
Nationality or legal status.	<p>Stateless people risk being excluded due to lack of nationality of the country of residence.</p> <p>A number of national vaccination roll-out strategies either prioritize their nationals over non-nationals, explicitly exclude non-nationals without legal status in the country, or make no explicit provision for non-nationals to benefit from vaccines.</p>	<p>Lack of nationality was key hindrance in accessibility of Covid-19 related healthcare services and absolute hindrance in financial and social support.</p> <p>Mixed; survey may not have asked detailed enough questions in relation first contact for general healthcare.</p> <p>Survey and verbal evidence indicate high level of exclusion and/or later delivery of service; and taken with service as frontline workers, when quickly sacked / not paid / not supported or provided PPE, evidence suggests poor GoK performance.</p> <p>There is no evidence that vaccine strategies circa December 2021, despite expression of inclusion, expressly included, let alone prioritized stateless, but opening of extra centres in early 2021 may have met needs, in part.</p>	2/5

⁹³ Where 0 indicates the lowest adherence to the object of the theme, that is, not at all, while a higher number is a greater fulfilment of the target, and 5 equals a qualitative assessment of full compliance. On this basis, each category consists of 6 available points, from non to total compliance.

Lack of identity documentation.	Stateless people may be excluded from vaccination programs either deliberately or de facto because they lack proof of legal identity. While some countries expressly bar undocumented persons from getting vaccinated, in other contexts they are in principle eligible but in practice face obstacles linked to their lack of identity documentation. The documentation requirement in practice stems from the need to keep track of who has been vaccinated, to invite persons for subsequent inoculations and to track the safety of vaccines. [...] Alternative arrangements therefore need to be considered for those who lack proof of legal identity. The lack of documentation also makes it harder for authorities to reach these populations as they typically do not appear in civil registers or national population registers; their lack of legal identity documents has effectively made them invisible to the authorities.	With respect to both healthcare and livelihood-related matters, documentation appears to have been, on the basis of the survey and testimony shared, less important than legal status in general. A small minority of participants suggested that a lack of documentation fully excluded them, but these phenomena were marginal - however pronounced for the persons involved. The project accrued no information regarding vaccine registry or distribution method.	3/5
Lack of awareness.	The majority of known stateless people and those at risk of statelessness belong to minority groups and many live in remote, hard-to-reach locations. They may not speak the dominant national language and may or may not be literate. For a variety of reasons, they thus may not be aware of the possibility to get vaccinated and may face difficulties in obtaining information on how to access vaccines, especially where this requires navigating administrative systems. Information may not be provided in a language they speak or may be transmitted through a means of communication that they do not have access to. Due to a general lack of data on stateless populations, regular outreach efforts are likely to overlook these groups.	The phenomena described by UNHCR does not fit well in terms of the Kuwait situation. The criteria present as basic and information-based; for it to be applicable to Kuwait, a discrimination lens would be more applicable. That said, outreach to more remote areas of Bidoon settlement do not appear to have been undertaken.	2/5
Fear of coming forward for vaccination.	Many stateless persons do not have legal status in the country where they live. Consequently, they are generally reluctant to approach the authorities lest they be subject to arrest or detention. Registering and coming forward for vaccination is likely to be perceived as posing similar risks.	The socio-legal standing of the Bidoon and long history of arrest and harassment, in an overall context of intolerance towards expression and assembly. However, this factor does not appear to have become entangled with presenting for vaccination.	4/5
Prohibitive cost of vaccination.	Many stateless persons do not have access to healthcare insurance due to lack of legal identity and legal status, which can make accessing vaccination prohibitively costly. While vaccination in many countries is free of charge for nationals, in many countries this will not be the case for non-nationals without legal status.	Evidence suggests that the vaccination was free for everyone in the state of Kuwait.	5/5

Discriminatory and inconsistent vaccination distribution practices.	While most governments are developing vaccine distribution plans at a national level, implementation is often managed locally by a host of different actors. The urgency behind the roll-out of vaccination plans and lack of training and monitoring of vaccine distribution risks leading to inconsistent and discriminatory practices. Alternative arrangements for those not able to meet the usual requirements for vaccine registration, such as a national identity document, may not be consistently applied. This may lead to stateless persons and other groups not being able to get vaccinated despite being eligible.	A poorly organised and chaotic rollout appears to have been the case when the vaccination was introduced, but this occurred in a wide range of countries. However, inconsistency persisted and information about vaccine distribution also appears to have been poor - even six months into the process.	3/5
6 questions			19/36 or 52.7%

ANNEX 5: THE SURVEY USED TO INFORM PART OF THIS PROJECT'S FINDINGS

ENGLISH	ARABIC
<p>Survey: The Impact of Covid-19 on Kuwait's stateless, Bidun communities.</p> <p>This survey is part of a project by Salam for Democracy and Human Rights (SALAM DHR, see: https://salam-dhr.org/?lang=en) designed to measure the impact of Covid-19 amongst the stateless Bidun community in Kuwait and the ensuing needs of that community. The findings will be made public and serve as a basis for recommendations to the Government of Kuwait (GoK) as well as other states (in order to inform their policies), international bodies and non-governmental organisations. All information in this survey is confidential and will be securely held by SALAM DHR. We WILL NOT use any names in any research reports and specific respondents will be anonymised</p> <ol style="list-style-type: none"> Name (optional): Name of area in which you live: Status (employed, self-employed, student, homemaker etc) How has your status as a stateless person affected you personally, in terms of your health? (please describe) How has your status as a stateless Bidun person impacted your family, in terms of the health of family members? (please briefly describe) Have you contracted Covid-19 (the illness)? (yes / no) Were you hospitalised? (yes / no) If you were hospitalised because of Covid-19, how were the costs paid? If you were hospitalised because of Covid-19 and you or your family paid for the costs, please describe the impact of those costs on your family (please briefly describe) If you were hospitalised because of the illness of Covid-19, did you or any member of your family experience any discrimination in hospital? If you were hospitalised because of the illness of Covid-19, was there a need for follow up medical treatment and if so, how were there costs addressed? (please briefly describe) Have you received a vaccination against Covid-19? (yes / no) 	<p>دراسة تأثير كوفيد-19- على مجتمع عديمي الجنسية في الكويت هذه الدراسة هي جزء من مشروع مقدّم من قبل منظمة سلام للديمقراطية وحقوق الإنسان، (SALAM DHR) لقياس تأثير كوفيد-19- بين مجتمع عديمي الجنسية "أو البدون" في الكويت والاحتياجات المضمونة لتلك الفئة. سيتم الإعلان عن النتائج لتكون بمثابة أساس للتوصيات إلى حكومة الكويت وكذلك الدول الأخرى والهيئات الدولية والمنظمات غير الحكومية. جميع المعلومات الواردة في هذا الاستطلاع سرية وستحتفظ بها منظمة سلام للديمقراطية وحقوق الإنسان. لن نستخدم أي أسماء في أي تقارير بحثية وسيتم إخفاء هوية المستجيبين المحددين.</p> <ol style="list-style-type: none"> الاسم (اختياري) اسم المنطقة التي تسكن فيها: الحالة (موظف، صاحب عمل، طالب، ربة منزل، إلخ) كيف أثر وضعك كعديم جنسيّة عليك شخصياً، من حيث صحتك؟ (يرجى الوصف بإيجاز) كيف أثر وضعك كمشخص "بدون" على عائلتك من حيث صحة أفراد الأسرة؟ (يرجى الوصف بإيجاز) هل أصبت بفيروس كوفيد 19-؟ (نعم / لا) هل دخلت المستشفى؟ (نعم / لا) إذا تم إدخالك إلى المستشفى بسبب فايروس كوفيد 19-، كيف تم دفع التكاليف؟ إذا تم إدخالك إلى المستشفى بسبب فايروس كوفيد 19- ودفعت أنت أو عائلتك التكاليف، يرجى وصف تأثير هذه التكاليف على عائلتك. (يرجى الوصف بإيجاز) إذا تم إدخالك إلى المستشفى بسبب فايروس كوفيد 19-، فهل تعرضت أنت أو أحد أفراد عائلتك لأي تمييز في المستشفى؟ إذا تم إدخالك إلى المستشفى بسبب فايروس كوفيد 19-، فهل كان هناك حاجة لمتابعة العلاج الطبي، وإذا كان الأمر كذلك، فكيف تمت معالجة التكاليف؟ (يرجى الوصف بإيجاز) هل تلقيت لقاحاً ضد فايروس كوفيد 19-؟ (نعم / لا)

<p>13. If yes: date of vaccination</p> <p>14. Provider of vaccination (government / private /national body like Red Crescent or international body)</p> <p>15. Did the Government of Kuwait consider the needs of those whom they call "illegal residents" in the country's vaccination programme? (yes / no and please briefly describe)</p> <p>16. In what way were the stateless included or nor included in the rollout of Kuwait's vaccination programme? (please briefly describe)</p> <p>17. In general, how would you describe the impact of Covid-19 amongst the stateless (Bidun) community in Kuwait? (please briefly describe)</p> <p>18. Where do you get your information about the impact of COVID-19 from? (friends / family / newspapers /twitter / other? Please describe? (around 50 words maximum, please)</p> <p>19. What factors do you think made the impact of Covid-19 worse amongst the stateless Bidun community in Kuwait? (around 100 words maximum, please)</p> <p>20. How do you think the Government of Kuwait could have improved its response to COVID-19 in respect to the stateless Bidun community? (please briefly describe)</p> <p>21. Why do you think the government of Kuwait treated "the Bidun" as it has in relation to COVID-19? (please briefly describe)</p> <p>22. What new measures do you think could improve the situation for the stateless Bidun community in respect to Covid-19? (please briefly describe)</p> <p>23. What organisation do you think could help implement those measures (for example, the government / private sector. charities / international organisations?)</p> <p>24. What action do you think members of the stateless Bidun community can take - themselves - to promote fair treatment regarding both Covid-19 and other health concerns? (please briefly describe)</p> <p>25. Could members of the stateless Bidun community engage with human rights organisations to ensure fair treatment for the stateless community regarding Covid-19? (yes / no)</p> <p>26. If yes, what do you think are the best or most effective ways in which a human rights organisation such as Salam for Democracy and Human Rights could help ensure fair health treatment for the stateless community notably in terms of the impact of Covid-19? (please briefly describe)</p> <p>27. What subjects do you think Salam for Democracy and Human Rights should include in a workshop which would advance the rights of the stateless Bidun community? (please briefly describe)</p> <p>28. How could you benefit from a 2-hour online workshop on communications and international human rights standards and advocacy?(please briefly describe)</p> <p>29. Can you list 3-5 (or more) local (inside Kuwait) and international advocacy measures that you think would be the most effective in ensuring fair treatment for the stateless Bidun community in relation to Covid-19 (please briefly describe)</p>	<p>13. إذا كانت الإجابة "نعم": تاريخ التطعيم</p> <p>14. مقدم اللقاح (الحكومة / خاص/هيئة وطنية مثل الهلال الأحمر أو هيئة دولية مثل اللجنة الدولية للصليب الأحمر)؟</p> <p>15. هل نظرت حكومة الكويت في احتياجات من تسميهم "المقيمين بصورة غير قانونية" في برنامج التطعيم في الدولة؟ (نعم / لا) يرجى الوصف بإيجاز.</p> <p>16. بأي طريقة تم إدراج أو عدم إدراج عديمي الجنسية "البدون" في برنامج التطعيم الكويتي؟ (يرجى الوصف بإيجاز)</p> <p>17. بشكل عام، كيف تصف تأثير كوفيد 19- على مجتمع عديمي الجنسية "البدون" في الكويت؟ (يرجى الوصف بإيجاز)</p> <p>18. من أين تحصل على معلوماتك حول تأثير كوفيد19-؟ (الأصدقاء / الأسرة / الصحف / تويتر / مصادر أخرى؟ (يرجى الوصف بإيجاز)</p> <p>19. ما هي العوامل التي تعتقد أنها جعلت تأثير كوفيد19- أسوأ بين مجتمع عديمي الجنسية "البدون" في الكويت؟ (يرجى الوصف بإيجاز)</p> <p>20. كيف تعتقد أنه كان بإمكان حكومة الكويت تحسين استجابتها ل كوفيد19- فيما يتعلق بمجتمع عديمي الجنسية "البدون"؟ (يرجى الوصف بإيجاز)</p> <p>21. لماذا تعتقد أن حكومة الكويت تصرف مع "البدون" كما فعلت فيما يتعلق ب كوفيد19-؟ (يرجى الوصف بإيجاز)</p> <p>22. ما هي الإجراءات الجديدة التي تعتقد أنها يمكن أن تحسن وضع مجتمع عديمي الجنسية "البدون" فيما يتعلق ب كوفيد19-؟ (يرجى الوصف بإيجاز)</p> <p>23. ما هي المنظمة التي تعتقد أنها يمكن أن تساعد في تنفيذ هذه الإجراءات (الحكومة / القطاع الخاص / الجمعيات الخيرية / المنظمات الدولية)؟</p> <p>24. هل تعتقد أن أعضاء مجتمع عديمي الجنسية "البدون" يمكنهم اتخاذ إجراءات، بأنفسهم، لضمان معاملة عادلة فيما يتعلق بكل من كوفيد19- والمخاوف الصحية الأخرى. (يرجى الوصف بإيجاز)</p> <p>25. هل يمكن لأعضاء مجتمع عديمي الجنسية "البدون" التعامل مع منظمات حقوق الإنسان لضمان معاملة عادلة لمجتمع عديمي الجنسية فيما يتعلق ب كوفيد19-؟ (نعم / لا)</p> <p>26. إذا كانت الإجابة بنعم، فما هي برأيك أفضل الطرق أو أكثر الطرق فعالية التي يمكن من خلالها لمنظمة حقوق الإنسان مثل منظمة سلام للديمقراطية وحقوق الإنسان أن تساعد في ضمان العلاج الصحي العادل لمجتمع عديمي الجنسية ولا سيما فيما يتعلق بتأثير كوفيد19-؟ (يرجى الوصف بإيجاز)</p> <p>27. ما هي المواضيع التي تعتقد على منظمة سلام الديمقراطية وحقوق الإنسان إدراجها في ورشة عمل من شأنها تعزيز حقوق مجتمع "البدون"؟ (يرجى الوصف بإيجاز)</p> <p>28. كيف يمكنك الاستفادة من ورشة عمل عبر الإنترنت لمدة ساعتين حول التواصل والمعايير الدوليّة لحقوق الإنسان والمناصرة؟ (يرجى الوصف بإيجاز)</p> <p>29. هل يمكنك ذكر 3-5 (أو أكثر) من تدابير المناصرة المحلية (داخل الكويت) والدولية التي تعتقد أنها ستكون أكثر فعالية لضمان المعاملة العادلة لمجتمع عديمي الجنسية "البدون" فيما يتعلق ب كوفيد19-؟</p>
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