



STATELESSNESS IN KUWAIT

OVERVIEW

Kuwait has a population of 4.2 million people, of whom more than half are not Kuwaiti citizens. The country is also home to an estimated **93,000 stateless people**. The main stateless population is known as the *Bidoon* (Arabic word for 'without'): people who failed to acquire citizenship during the formation of Kuwait as an independent state, and their descendants. Other stateless groups, including an estimated 80,000 Palestinians, are also present in the country, as well as individuals who have been left stateless due to flaws and gaps in Kuwait's 1959 Nationality Law. One of the most significant problems with the law is that women cannot pass on their nationality to their children. There are also religious restrictions on naturalisation and Kuwait has engaged in the withdrawal of nationality in a manner that has left people stateless and even extended this to their children.

Explore the main issues below or [download the detailed Country Position Paper](#) (with bibliography).

KUWAITI NATIONALITY LAW AND STATELESSNESS

The [1959 Nationality Law](#) regulates acquisition and withdrawal of nationality in Kuwait. There are a number of problems and flaws associated with the Nationality Law that can lead to statelessness.

In Kuwait, nationality transferral is gender discriminatory, as the law follows *paternal jus sanguinis*: nationality is transferred from father to child. This means that women are prohibited from passing on their nationality, so a child of a stateless father will also be stateless, even if the child is born in Kuwait and/or has a Kuwaiti mother, compounding the problem of intergenerational statelessness in the country. A child of a Kuwaiti mother and an unknown father, or a father who is unable or unwilling to transfer his own citizenship, will also be left stateless.

It is also very difficult for people in Kuwait to naturalise and acquire Kuwaiti nationality. The country's naturalisation requirements are very strict. One of the conditions is that the person has to live in Kuwait for a minimum of 15 to 20 years. The person must also be Muslim by birth or have converted to Islam more than five years prior to making the application for naturalisation. Kuwait also prohibits dual nationality and so to naturalise as a Kuwaiti, a person must renounce their original nationality.

DEPRIVATION OF NATIONALITY

Kuwaiti law establishes a wide array of provisions for the withdrawal of nationality. There are different grounds on which this can happen, depending on whether the person is a naturalised Kuwaiti or a Kuwaiti citizen by birth. There has been a [reported increase in the withdrawal of nationality in Kuwait since the start of the Arab Spring in 2011](#). There are no official numbers on how many people have lost their nationality, but it is believed to be in the hundreds. In addition, there have been reports that children have also lost their Kuwaiti nationality as a result of one of their parents losing theirs.



THE BIDOON

The largest stateless group in Kuwait is the [Bidoon](#) (or Bedun, Bidoun or Bidun), which means 'without' in Arabic. Estimates vary on the exact size of the Bidoon population, with [UNHCR reporting the figure to be in excess of 93,000 in 2018](#).

Most Bidoon are descendants of nomadic tribes from across the Arabian Peninsula. When Kuwait gained independence in 1961 and subsequently started to register its nationals, around a third of the population were unable to register for a variety of reasons and were left stateless. Due to a lack of safeguards against statelessness for children born in Kuwait, it has become an intergenerational problem. Any child of a Bidoon father is also stateless, regardless of whether the child is born in Kuwait and even if the mother is a Kuwaiti national. A smaller number of Bidoon were initially settled in neighbouring Arab states and joined the Kuwaiti national army in the 1980s but were never granted citizenship and lost their ties to other states.

Up until the 1980s, Bidoon had almost the same rights as Kuwaiti citizens. In 1986, the Kuwaiti Government however changed the official status of the Bidoon to 'illegal residents', [leading to the loss of many of their rights](#). They have since faced severe restrictions, including in access to education, healthcare and employment, and live in relative poverty and social segregation. Many Bidoon have been unable to access any form of documentation, making their status in the country even more precarious and increasing the risk of arbitrary arrest or detention. The situation of undocumented Bidoon has been considered [so severe as to amount to persecution](#), although those Bidoon who do hold documentation (such as the 'security document') also [face severe restrictions of rights](#).

CURRENT SITUATION AND DEVELOPMENTS

In 2011, following the Arab Spring, many Bidoon protested against their poor treatment and demanded recognition as citizens. Even though there have been promises made by Kuwait to solve the statelessness problem in the country, the situation on the ground has not improved. Rather, in reaction to protests that Bidoon have participated in over recent years, there has been a [rise in harassment, arrests, detention and other extra-legal attempts to curtail public and civil society efforts to advocate for the position of the Bidoon](#).



Statelessness is often overlooked in asylum and migration debates. It is a hidden but very real issue affecting many refugees and migrants in Europe.

#StatelessJourneys is a joint project between the European Network on Statelessness and the Institute on Statelessness and Inclusion. It was designed to expose gaps, identify solutions and deliver evidence-based advocacy to secure the protection of stateless refugees and migrants, and to prevent new cases of statelessness arising in Europe.

For more information about the issue and the project please visit <https://statelessjourneys.org>



European
Network on
Statelessness



Institute on
Statelessness and
Inclusion

We would like to acknowledge the support of Open Society Foundations.

OPEN SOCIETY FOUNDATIONS

This report is licenced under a Creative Commons Attribution-NonCommercial-Share Alike 4.0 International licence. With appropriate credit, this report can be copied, redistributed and adapted for non-commercial purposes. If you build upon the material, you must distribute your contributions under the same license as the original. The terms of this licence however should not be interpreted as precluding in any way the use of the report as a reference tool by legal practitioners working for remuneration.

