

AMNESTY INTERNATIONAL

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"The decision by Kuwait's Administrative Court on Monday 1 June, to refer a challenge to the constitutionality of Kuwait's electoral law, which denies women the right to vote, to the Constitutional Court, is an important step towards full political rights of women" Amnesty International said today.

KUWAIT

Women Win Right to Challenge Discriminatory Electoral Law

Amnesty International today welcomed the decision by Kuwait's Administrative Court to refer a challenge to the constitutionality of Kuwait's electoral law, which denies women the right to vote, to the Constitutional Court, and considered it as an important step towards full political rights of women.

Under existing legislation, women are denied the right to register to vote and to stand for election. Two women successfully challenged the law by referring to the Kuwaiti constitution, which states that "Justice, Liberty and Equality are the pillars of society" and to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), to which Kuwait acceded in 1994, lodging a crucial "reservation" to the article that calls on states to ensure that women have the right to vote in all elections and be eligible for election to all publicly elected bodies.

The decision by one of the Administrative Court's chambers allows lawyer Dr Badria al-Awadhi, former dean of Kuwait University's Law College, and her client Dr Rola Dashti one month to challenge the constitutionality of Kuwait's electoral law. The constitutional court can still refuse to examine the law.

As the Beijing plus 5 conference gets underway, reviewing the Platform for Action agreed at the Fourth World Conference on Women, Amnesty International urges the government of Kuwait to drop its reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR) and to give women full political rights.

Background

In May 1999, the Amir of Kuwait, Sheikh Jaber al-Ahmad al-Sabah decreed that women could vote in the next election, to be held in 2003. Parliament rejected this and a similar parliamentary proposal in November. In February 2000, a number of women tried to register their names on the electoral roll but were turned away. Refusal by the Ministry of the Interior enabled a number of women to challenge the electoral law.

Other chambers of the Administrative Court, sitting on the same day, rejected similar cases on procedural grounds and postponed the decision in another. Lawyers of cases rejected have stated that they will appeal the decisions or seek a judicial review.

In February, human rights activists in the Gulf affirmed the safeguards of an independent judiciary, transparency and accountability during Amnesty International's first seminar on human rights in the Gulf, held in Kuwait. Participants at the seminar strongly reaffirmed their solidarity with initiatives by Kuwaiti women to obtain political rights.
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