

International Religious Freedom, July-December 2010 report

The constitution protects freedom of belief, although other laws and policies restrict the free practice of religion; in practice, the government enforced these restrictions intermittently. The constitution calls for "absolute freedom" of belief and for freedom of religious practice in accordance with established customs, provided that it does not conflict with public order or morals. The constitution states that Islam is the state religion and that Sharia (Islamic law) is a main source of legislation. The constitution requires the state to safeguard "the heritage of Islam."

The government placed some limits on the rights of free religious practice and religious minorities experienced some discrimination as a result of government policies. There was no change in the status of respect for religious freedom by the government during the reporting period. Laws prohibit blasphemy, apostasy, and proselytizing. In practice, groups other than state-sanctioned Sunni Muslims find it extremely difficult to obtain property for places of worship.

There were few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The ambassador and other embassy officers actively encouraged the government to address the concerns of religious leaders and met with senior representatives from the recognized Christian denominations. The embassy sponsored events aimed at promoting religious freedom and religious tolerance.

Section I. Religious Demography

The country has an area of 6,880 square miles and a population of 3.53 million, of whom 1.13 million are citizens; the rest are foreign workers and their families. Estimates derived from voting records and personal status documents indicated that 70 percent of citizens, including the ruling family, belong to the Sunni branch of Islam. The national census does not distinguish between Shia and Sunni Muslims. Most of the remaining 30 percent of citizens are Shia Muslims. There are approximately 150-200 Christian citizens and a small number of Bahai citizens. An estimated 150,000 noncitizen residents are Shia. While some areas have relatively high concentrations of either Sunnis or Shia, most areas are fairly well integrated religiously.

The Christian population is estimated to be more than 450,000 and consists mostly of foreign residents. The government-recognized Christian community includes the Roman Catholic Church with 300,000 members, the Coptic Orthodox Church with 70,000 members, the National Evangelical (Protestant) Church with 40,000 members, the Armenian Orthodox Church with 4,500 members, the Greek Orthodox Church (referred to in Arabic as the Roman Orthodox Church) with 3,500 members, the Greek Catholic (Melkite) Church with 1,500 members, and the Anglican (Episcopalian) Church with 200 members.

There were also many unrecognized Christian religious groups including Latin, Maronite, Coptic Catholic, Armenian Catholic, Malabar, Malankara, the Indian Orthodox Syrian Church, Mar Thoma,

Seventh-day Adventists and The Church of Jesus Christ of Latter-day Saints (Mormons).

There are also an estimated 300,000 Hindus, 100,000 Buddhists, 10,000 Sikhs, and 400 Bahai.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards

<http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution protects freedom of belief, although other laws and policies restrict the free practice of religion; in practice, the government enforced these restrictions intermittently. The constitution provides for "absolute freedom" of belief and for freedom of religious practice in accordance with established customs, provided that it does not conflict with public order or morals.

The government does not designate religion on passports or national identity documents, with the exception of birth certificates.

The Ministry of Awqaf and Islamic Affairs has official responsibility for overseeing religious groups. Officially recognized churches worked with a variety of government entities in conducting their affairs. This included the Ministry of Social Affairs and Labor for visas and residence permits for clergy and other staff, the Municipality of Kuwait for building permits and land concerns, and the Ministry of Interior for security and police protection for places of worship. Churches sometimes had difficulties working with these authorities. These churches have expressed concern about a perceived lack of responsiveness from authorities and difficulties in obtaining visas and residence permits.

There is no official government list of recognized churches; however, seven Christian churches -- National Evangelical, Catholic, Coptic Orthodox, Armenian Orthodox, Greek Orthodox, Greek Catholic, and Anglican -- had some form of official recognition enabling them to operate. These seven churches were recognized in that they had open files at the Ministry of Social Affairs and Labor, which allowed them to bring religious workers and staff to operate their churches into the country, as well as guest lecturers and other visitors.

The procedures for registration and licensing of religious groups were similar to those for nongovernmental organizations (NGOs). Unregistered religious groups worshiped at unofficial, private spaces or borrowed the worship spaces of existing non-Muslim religious groups. The government did not interfere with such private gatherings.

Members of religious groups not sanctioned in the Qur'an such as the Bahai --Buddhists, Hindus, and Sikhs -- could not build places of worship or other religious facilities. Unrecognized religious groups were allowed to worship privately in their homes without government interference.

The government exercised direct control of Sunni religious institutions. The government appointed Sunni imams, monitored their Friday sermons, and also financed the building of Sunni mosques. The government did not exert this control over Shia mosques, which were funded by the Shia community and did not receive any government funding.

The constitution states that Islam is the state religion. The government financially supported proselytism by Sunni Muslims towards non-Sunni foreign residents but did not allow conversion away from Islam, in keeping with the state's Islamic tenets.

The Amiri Diwan's Higher Advisory Committee on Completion of the Application of Islamic Sharia Provisions is tasked with preparing society for the full implementation of Islamic law in all fields. The committee makes recommendations to the emir on ways in which laws can be brought into better conformity with Islamic law, but it has no authority to enforce such changes. The constitution states Islamic law is a main source of legislation.

Personal status law is administered through religious courts, and the government permits Shia to follow their own jurisprudence in matters of personal status and family law at the first-instance and appellate levels. In October 2003 the government approved a Shia request to establish a court of cassation (equivalent to a supreme court) to oversee Shia personal status issues. The court had not been established by the end of the reporting period because the government was "unable to identify sufficiently qualified Shia judges," according to a government official. Shia religious endowments are administered by an independent Shia Waqf.

The 1980 amendment to the 1959 Nationality Law prohibits the naturalization of non-Muslims. The law allows Christian citizens to transmit their citizenship to their descendants.

There are laws against blasphemy, apostasy, and proselytizing. While the number of situations to which these laws applied was extremely limited, the government actively enforced them, particularly the prohibition on non-Muslim proselytizing of Muslims.

The 2006 Press and Publication Law requires jail terms for journalists who defame any religion and prohibits denigration of Islam or Islamic and Judeo-Christian religious figures, including the Prophet Muhammad and Jesus. Also prohibited are publications that the government deems could create hatred, spread dissension among the public, or incite persons to commit crimes. The law also provides that any Muslim citizen may file criminal charges against an author if the citizen believes that the author has defamed Islam, the ruling family, or public morals.

Shia who wanted to serve as imams (clergy) had to seek training and education abroad (primarily in Iraq, Iran, and to a lesser degree Syria) due to the lack of Shia jurisprudence courses at Kuwait University's College of Islamic Law, the country's only institution to train imams. At the end of the reporting period, the Ministry of Education was reviewing a Shia application to establish a private college in the country to train Shia clerics.

The government requires Islamic religious instruction in public schools for all students. The government also requires Islamic religious instruction in private schools that have one or more Muslim students (regardless of whether the student is a citizen or resident). In practice, non-Muslim students were not required to attend these classes.

High school Islamic education textbooks were based largely on the Sunni interpretation of Islam. Some content in the text books from the ninth-grade Islamic studies curriculum declared some Shia religious beliefs and practices heretical.

The law prohibits organized religious education for faiths other than Islam, although this law was not enforced rigidly. Informal religious instruction occurred inside private homes and on church compounds without government interference.

The government observes the following religious holidays as national holidays: Islamic New Year, Birth of the Prophet Muhammad, Ascension of the Prophet, Eid al-Fitr, and Eid al-Adha. Private employers can decide whether to give their non-Muslim employees time off for non-Muslim holidays.

Restrictions on Religious Freedom

The government enforced legal and policy restrictions on religious freedom intermittently. There was no change in the status of respect for religious freedom by the government during the reporting period.

Shia were well represented in the police force and some branches of the military/security apparatus, although not in all branches and often not in leadership positions. Some Shia alleged that a "glass ceiling" of discrimination prevented them from obtaining leadership positions in some of these organizations. However, the prime minister has appointed two Shia ministers to each cabinet since 2006. At the end of the reporting period, the cabinet, appointed in May 2009, had two Shia ministers. The emir had several senior-level Shia advisors.

On November 30 the court of cassation upheld a lower court's decision not to allow a 27-year-old citizen convert from Islam to Christianity to change his stated religion on his birth certificate, which it deemed a violation of apostasy laws.

While seven Christian denominations were legally recognized, the Indian Orthodox, Mar Thoma, Mormon, and Seventh-day Adventist denominations were not. These religious groups were allowed to operate in rented villas, private homes, or the facilities of recognized churches. Members of these congregations reported that they were able to worship without government interference provided that they did not disturb their neighbors or violate laws regarding assembly and proselytizing. Foreign religious leaders of unrecognized groups had to come as non-religious workers and minister to their congregations outside their regular employment.

There is no specific law banning the establishment of non-Muslim places of worship; however, the small number of groups that applied for licenses to build new places of worship were denied permission and have been waiting for approval for years.

During the reporting period, Kuwait City's municipal council repeatedly rejected requests from a local Christian group seeking land for a church. On October 27 and December 3, the municipal council (which consists of ten elected and six appointed members) rejected a request from the Ministry of Foreign Affairs seeking approval for the Greek Melkite Catholic church to build a new house of worship in the suburbs of Kuwait City.

The government allowed worshipers to gather peacefully in public spaces to attend sermons and eulogies during Ashura (the Shia day of mourning for the martyrdom of Hussein) and provided security to Shia neighborhoods. However, the government did not permit public reenactments of the martyrdom of Hussein or public marches in commemoration of Ashura during the reporting period.

Churches of the unrecognized denominations were prohibited from displaying exterior signs including a cross or the congregation's name, and also from engaging in public activities such as ringing bells. These congregations had sought to register in the past and were previously denied.

The government did not permit the establishment of non-Islamic religious publishing companies or training institutions for clergy. Several churches published religious materials solely for their congregations' use despite this restriction. A private company, the Book House Company Ltd., was permitted to import Bibles and other Christian religious materials for use solely by government-recognized church congregations with the stipulation that any content did not insult Islam. The Book House Company Ltd. was the only company that had an import license to bring in such materials. The government barred the churches from bringing Bibles and other Christian literature to prisoners in detention facilities.

The government imposed quotas on the number of clergy and staff the seven recognized Christian groups could bring into the country. Most of the seven groups' churches found the quotas insufficient for the needs of their congregations. Most of the groups considered their existing facilities inadequate to serve their respective communities and faced significant problems in trying to build new facilities.

Members of the Shia community expressed concern over the relative scarcity of Shia mosques due to the government's slow approval of the construction of new mosques and of repair to existing ones. Since 2001 the government granted licenses and approved the construction of six new Shia mosques. Including these six, there are a total of 35 Shia mosques nationally.

There are hundreds of Shia community religious gathering places (husseiniyas). Most were informal or unlicensed. The country's husseiniyas are generally privately owned and associated with prominent Shia families. The Municipal Council controlled access to government land and at times reportedly refused to grant land to Shia Muslim religious institutions.

Teachers at British schools were not allowed to teach comparative religion, although this unit is a required part of the British curriculum under U.K. law.

At the end of the reporting period, the government had not responded to a request from the Catholic Church to permit Catholic students in certain private schools to study the Catechism separately during the period allotted for instruction in Islam.

The government prohibited non-Muslim missionaries from working in the country and prohibited them from proselytizing among Muslims; however, they were allowed to serve non-Muslim congregations.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners or detainees.

In September exiled Kuwaiti Shia cleric Yasser al-Habib disparaged the wife and companions of the Prophet Muhammad, all of whom Sunnis revere. In response the Kuwaiti government revoked al-Habib's citizenship. The government briefly detained, but did not charge, Sunni Islamist Mubarak al-Bathali, who, in response to al-Habib's statements, advocated violence against the Shia community.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

In general citizens were open and tolerant of other religious groups; however, there is a tiny minority that opposes the presence of non-Muslim groups in the country and rejects the legitimacy of Shia Muslims.

While some discrimination based on religion reportedly occurred on an individual level, discrimination appeared to be neither systematic nor widespread.

Some domestic workers reported that their employers confiscated religious articles such as Bibles and rosary beads along with nonreligious items.

Some church officials reported that some Christian domestic workers complained that their employers would not allow them to leave their homes, which prevented them from worshiping with their congregations and regularly practicing their faith. Most domestic workers in Kuwait are allowed only one day off per week, complicating workers' ability to worship weekly and accomplish all other personal business.

Some churches without the financial resources to rent a location were able to gather in schools on the weekends. Representatives from these churches reported that there was societal pressure on the schools to stop allowing such gatherings.

Many hotels, stores, and other businesses patronized by both citizens and non-citizens acknowledge non-Muslim holidays such as Christmas, Easter, and Diwali openly. During Christmas, stores, malls and homes were decorated with Christmas trees and lights, and Christmas music -- including songs with explicitly Christian lyrics -- was broadcast in public spaces and on the radio. Christian holiday decorations were widely available for purchase. None of the many stores that had Christmas-themed displays reported negative incidents. The news media regularly printed reports of religious holiday celebrations, including large supplement sections detailing the religious significance of Christmas.

The Ministry of Education requires that school administrators expunge English-language textbooks of any references to Israel or the Holocaust, though some teachers report limited inclusion of the Holocaust in their textbooks. There were also reports that some preachers at mosques used anti-Semitic language in their religious services. The government did not publicly make a statement on textbook censorship or discourage mosque preachers.

Section IV. U.S. Government Policy

Intensive engagement on religious freedom matters remained an embassy priority. Embassy officials met frequently with recognized Sunni, Shia, and Christian groups as well as representatives of various unrecognized religious groups and NGOs that deal with religious freedom concerns.

The ambassador and other embassy officers actively encouraged the government to address the concerns of religious leaders such as overcrowding, lack of adequate worship space, lack of access to religious materials, insufficient staffing, and bureaucratic delays in processing routine requests. During the reporting period, the ambassador and other embassy officials met with senior representatives from the recognized Christian denominations, encouraged them to present their concerns in a unified manner to the government, and advocated on their behalf in high-level meetings with government officials to secure better worship facilities.

In August the embassy and the Ministry of Awqaf and Islamic Affairs sponsored and arranged an "Islam in America" photo exhibition at Kuwait's Grand Mosque, which depicted Muslim Americans' everyday lives and their ability to freely practice their faith in the U.S.

In September the embassy sponsored the visit of Muslim-American speaker Randa Kuziez, who spoke to Muslim women's organizations and Muslim leaders from the Ministry of Awqaf and Islamic Affairs about interfaith pluralism and religious tolerance.