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His Excellency Sheikh Dr. Mohammad Sabah Al-Salem
Al-Sabah
Deputy Prime Minister and Minister of Foreign Affairs
Office of the Deputy Prime Minister and Minister of
Foreign Affairs
PO Box 3, Safat,
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Kuwait

28 June 2011

Dear Minister,

OPEN LETTER RE: KUWAIT'S CANDIDACY AND ELECTION TO THE UN HUMAN RIGHTS COUNCIL

I write on the occasion of Kuwait's election to the UN Human Rights Council on 20 May 2011. We note your submission of election pledges to promote and protect human rights at the national and international levels, as indicated in the Appendix to the *note verbale* dated 11 May 2011 from the Permanent Mission of Kuwait to the United Nations, addressed to the President of the General Assembly.

The Office of the UN High Commissioner for Human Rights has issued guidance in the form of a framework for voluntary pledges and commitments by Member States when presenting candidatures for the Human Rights Council, including that these should make specific, measurable and verifiable commitments.¹ We also recall that, according to General Assembly resolution 60/251, members of the Council shall uphold the highest standards in the promotion and protection of human rights and fully cooperate with the Council.² We welcome measures taken by the Kuwaiti government and also take this opportunity to note some further opportunities to promote and protect human rights on the occasion of its election to the Council.

1. Commitments at the international level:

■ *Ratification of international human rights instruments*

Kuwait has yet to sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the two Optional Protocols to the International Covenant on Civil and Political Rights, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, and the International Convention for the Protection of All Persons from Enforced Disappearance. We encourage you to use the occasion of your election to the Council to commit to ratify these human rights standards.

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¹ Suggested Elements for Voluntary Pledges and Commitments by Candidates for Election to the Human Rights Council prepared by the Office of the High Commissioner for Human Rights <http://www2.ohchr.org/english/bodies/hrcouncil/docs/pledges.pdf>

² Operative paragraph 9.

■ *Cooperation with the treaty monitoring bodies*

Amnesty International welcomes the submission in May 2010 of Kuwait's second periodic report to the Committee against Torture, and its statement of 11 May 2011 regarding the 'list of issues'. We would welcome information on plans by the government to address the Concluding Observations of the Committee against Torture of 25 May 2011.

■ *Cooperation with the Special Procedures*

We note that Kuwait has extended a standing invitation to the Special Procedures and take this opportunity to encourage you to facilitate without delay the visit requested by the Special Rapporteur on trafficking in persons in 2005.

■ *Participation in the deliberations of the Human Rights Council*

As noted above, members of the Council are required to fully cooperate with the Council. In this regard, we urge you to work towards better use of the Council's broad range of working methods and practices to address situations that require its attention and to improve the follow up by the Council of initiatives, including by its expert mechanisms and subsidiary bodies.

2. At the national level it committed to:

■ *National human rights policy*

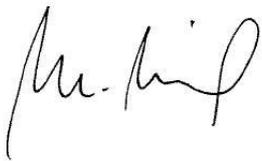
We note your commitment, as expressed in your election pledges, to respect human rights through implementation of international human rights instruments to which Kuwait is a party.

We note, however, that the pledges and commitments made by Kuwait are of a very general nature and therefore encourage your government to further strengthen these by including the additional elements suggested above. We encourage your government to regularly inform the Council of progress in implementing these commitments. This could, for example, be done in the form of an oral or written statement to the Council.

We would be pleased to receive your comments and responses to the issues raised in this letter.

A copy of this letter has been sent to your country's permanent missions in Geneva and New York.

Yours sincerely,



Marianne Lilliebjerg
Interim Director of International Advocacy
Amnesty International