

Ministry of Education

Report on

THE PRACTICAL MEASURES CONCERNING THE IMPLEMENTATION OF THE CONVENTION ON THE DISCRIMINATION BETWEEN SEXES (1960)

Presented to:

The seventh consultative meeting of the State parties concerning the implementation of the conventions and recommendations related to the elimination of discrimination in the field of education

May 2007

Introduction:

In its commitment to implement the convention and recommendation regarding the elimination of discrimination between sexes in education, and in it efforts to ensure equal opportunities in education, Kuwait submits this report as requested by the UNESCO Secretary-General. As indicated in article 7 of the UNESCO constitution, States parties are obliged to submit to the Secretary-General a report on the measures that have been adopted to implement the convention within the time schedule specified by the General Conference. This report complies with the general guidelines for writing reports on the previous consultative meetings of States parties concerning the implementation of conventions and recommendations.

This report covers a period of six years; between 2000 and 2005. It also includes required information according to available statistical data on education in the State of Kuwait. The report consists of the following parts:

- A general description of the convention on the elimination of discrimination.
- Evaluation of the role of the State of Kuwait in the implementation of the convention.
- The adopted measures to guarantee the implementation of the convention.
- General conclusion

A general description of the convention:

The convention aims at providing social, cultural and economic rights which guarantee the elimination of discrimination in education on the grounds of gender, colour, race, language or any political, social or economic association. This concerns all stages of education, including high, continuing and adult education.

States parties commit by this convention to provide elaborate statistics explaining how discrimination on the above bases has been illegal, and that there are efforts being made to ensure equality in education according to the decisions made by the human rights committee, which call for the right for education to all without any form of discrimination.

The States parties are also committed to specify the legal and administrative measures taken to achieve the aims of the convention and to guarantee equal opportunities to join educational establishments offering everyone a chance to learn either in regular or continuing education. This will provide those who missed the boat to finish their primary education an opportunity to overcome their illiteracy and be involved in life skills programmes to empower their contribution in the development process.

The convention also commits the States parties to submit reports including the results that have been achieved in the process of eradicating discrimination against women in education, and the obstacles that hindered the implementation of the convention and its recommendations.

Finally, the States parties are urged to take serious steps which will increase awareness of the importance of nondiscrimination and equality in education, as indicated in the convention in national and local languages and published both nationally and locally.

Evaluation of the role of Kuwait in the implementation of the convention:

Kuwait is one of the countries which witness no form of discrimination against women in education. To prove this, we present the following:

1- Constitutional legislations of the State of Kuwait:

The Kuwaiti constitution promulgated in 1962, under article 40, states that "Education is a right for Kuwaitis, guaranteed by the State in accordance with law and within the limits of public policy and morals. Education in its preliminary stages shall be compulsory and free in accordance with law. Law shall lay down the necessary plan to eliminate illiteracy."

The constitution also stresses equal treatment of both sexes in all rights and duties. Article 29 states that all people are equal in human dignity, and in public rights and duties before the law, without distinction as to race, origin, language or religion. This complies with the international declaration of human rights.

2- The laws governing education in Kuwait:

A- The Compulsory Education Act No. 11 of 1965 covers matters relating to compulsory education. Article 1 stipulates that education is compulsory for male and female Kuwaiti children from the beginning of the primary stage until the end of the intermediate stage. It also stipulates that the State is required to provide school premises, books, teachers and any other human or material resources which guarantee the success of education.

The Act also imposes penalties on any parent a child who contravenes its provisions and does not allow his children to school at the specified age.

B- The Ministerial Ordinance No. 50203 , relating to the implementation of the law of compulsory education, determines the time of commitment and the regulations of discharge from the commitment in case the child is physically or mentally impaired which prevents him / her from regular attendance in government or private education schools.

C- The Amiral Decree concerning the Ministry of Education, promulgated in 1979, makes the Ministry of Education responsible for the provision of appropriate opportunities to help individuals to achieve full and comprehensive spiritual, moral, intellectual, social and physical development to the greatest extent permitted by their aptitudes and capacities in the light of the nature, philosophy and aspirations of Kuwaiti society, the principles of the Islam, the Arab heritage and contemporary

culture in such a way as to ensure advancement and development of the Kuwaiti society without any distinction between gender.

D- The Literacy Act No. 4 of 1981 makes it a national duty to provide citizens with an amount of education which raises their cultural and social standards, by meeting life requirements, to enable them to self-develop and contribute in the advancement of the society, without any differentiation between males and females.

E- Act No. 4 of 1987, concerning public education, determines in article 2 that education is a right for all Kuwaitis guaranteed by the State, as a protection of the young from exploitation and from moral, physical and spiritual neglect, as an encouragement of scientific research and as an endorsement of the progress of society.

F- Article 4 stressed that educating Kuwaitis in government schools is free.

3- Statistics proving the nonexistence of discrimination against women in education:

The following tables about education in Kuwait between the school year 2000 / 2001 and 2005 / 2006, show a summary of:

- There is no discrimination against women in education neither in public education, nor in any other types of education (religious and private), nor in higher education.
- The enrollment ratio of females in public education is estimated by 50%, which supports the former conclusion.
- The State of Kuwait is concerned and cares to provide education opportunities for handicapped and disabled children who need special

care without any form of discrimination against women. The average rate of females who are enrolled in special education is about 45% of the gross total enrolled in such a type of education.

- In the religious education, girls form 40% of the general total.
- The rate of female students in adult education and obliteration of illiteracy is about 50%.
- The enrollment of females in Higher Education and the Public Authority of Applied Education and Training is notably higher than that of males; about 66%.

No.	School Year		Gross Total of Kuwaiti students enrolled in Public Education (primary – secondary)				Special Education		Religious Education		Adult Education		Higher Education	
			Public Education	Private Education	Total	Percentage %	Enrolled	Percentage %	Enrolled	Percentage %	Enrolled	Percentage %	Enrolled	Percentage %
1	2000 / 2001	Males	112694	59351	172045	50.4	1132	53.1	1718	64.2	4625	46.7		
		Females	119104	50436	169540	49.6	1000	46.9	956	35.8	5271	53.3		
		Total	231798	109787	341585	100	2132	100	2674	100	9896	100		
2	2001 / 2002	Males	116655	61103	177758	50.7	981	55.5	1385	62.6	3777	53.4	11651	35.6
		Females	121828	51283	173111	49.3	787	44.5	829	37.4	3290	46.6	20894	64.4
		Total	238483	112386	350869	100	1768	100	2214	100	7067	100	32455	100
3	2002 / 2003	Males	118695	15285	133980	49.9	937	52.3	1465	63.1	4526	44.6	11109	34.2
		Females	125940	8651	134591	50.1	853	47.7	858	36.9	5623	55.4	21346	65.8
		Total	244635	23936	268571	100	1790	100	2323	100	10149	100	32455	100
4	2003 / 2004	Males	119417	17562	136979	49.9	913	52.3	1511	63.6	5323	47.2	11158	34.7
		Females	128783	9001	137784	50.1	833	47.7	866	36.4	5947	52.8	21026	65.3
		Total	248200	26563	274763	100	1746	100	2377	100	11270	100	32184	100
5	2004 / 2005	Males	121918	18657	140575	50	936	54.5	1669	60.6	5755	49.9	10747	34
		Females	130971	9686	140657	50	781	45.5	1085	39.4	5788	50.1	20840	66
		Total	252889	28343	281232	100	1717	100	2754	100	11543	100	31587	100
6	2005 / 2006	Males	123277	20255	143532	49.9	946	56.9	1698	66.1	5952	59	16253	37.7
		Females	133873	10353	144226	50.1	717	43.1	871	33.9	4132	41	26839	62.3
		Total	257150	30608	287758	100	1663	100	2569	100	10084	100	43092	100

The results of the State's endeavor in the provision for education during the school years 2000 / 2001 and 2005 / 2006 show the following:

1- Women literacy:

School Year	Age 15 and above	Age 15 to 24
2000 / 2001	86.5	98.7
2001 / 2002	87.7	99
2002 / 2003	88.8	99.4
2003 / 2004	90.2	99.7
2004 / 2005	90.7	99.8
2005 / 2006	92.2	99.6

The above table clearly shows the raise in female literacy in Kuwait. It also indicates that the rate is getting higher and higher year after year. The women literacy in the year 2000 / 2001 was 86.5, but reached 92.2 in the year 2005 / 2006. This proves there is no discrimination against women.

The statistics also show literacy among females aged between 15 and 24 increases along the specified years. In the year 2000 / 2001, it was 98.7 and it became 99.7 in the year 2005 / 2006.

2- Dropout rates:

School Year	Boys	Girls
2000 / 2001	-----	-----
2001 / 2002	0.6	0.6
2002 / 2003	0.5	0.4
2003 / 2004	0.3	0.2
2004 / 2005	0.5	0.4
2005 / 2006	-----	-----

The above table shows the low percentage of dropout in the primary stage to the extent that can be ignored since this dropout can be proved simply by the transfer of the student to another type of education. The figures show also that there is no evidence of discrimination against women, if otherwise; the rate of girls' dropout would have been higher in the above table.

3- Rates of girls' education achievement :

School Year	Primary education	Secondary education
2000 / 2001	-----	-----
2001 / 2002	89	72.3
2002 / 2003	98.4	77
2003 / 2004	97.7	78.6
2004 / 2005	96.1	78.5
2005 / 2006	98.6	80.7

The above table indicates how girls are concerned with the completion of their studies, either in the primary or secondary stage. This is supported by the high rates shown in the period of the preparation of this report between the year 2000 / 2001 and 2005 / 2006. It is worth noting that the rates of girls' education achievement in the secondary stage is higher than boys' in the same stage, which testifies that there is no trace of discrimination against women in education in Kuwait.

3- The general framework of training teachers and trainees:

School Year	Primary stage		Total	Percentage	Secondary stage		Total	Percentage
	Boys	Girls			Boys	Girls		
2000/2001	2056	6114	8170	74.8	7983	10441	18424	56.7
2001/2002	1832	6627	8459	78.3	8357	10718	19075	56.1
2002/2003	1545	7468	9013	82.8	8837	11024	19861	55.5
2003/2004	1314	8299	9613	86.3	9035	11173	20208	55.2
2004/2005	1713	11767	13480	87.3	8668	10193	18861	54.0
2005/2006	1844	14490	16334	88.7	8985	10688	19673	54.3

The rate of women teachers' contribution in the primary stage was about 74.8 in the year 2000/2001 and increased to 88.7 in the year 2005/2006. This is explained by the policy of making education in the primary stage feminine, a policy adopted by the State to assign the responsibility of teaching to women. This fact eliminates any discrimination against women in education or employment.

As for the secondary stage, women teacher's contribution was 56.7 in the year 2000/2001, but decreased to 54.3 in the year 2005/2006. This does not indicate any reduction of women teachers in the secondary stage, but can simply be explained by the increased number of men teachers in the same stage. The number of women teachers in the year 2000/2001 was 10441 and increased to 10688 in the year 2005/2006.

Table: Figures and statistics 2000/2001
P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	89.3	98.9						97.2			10274	8170	18424	
By sex														
Male	90.8	99									4983	2056	7983	
Female	86.5	98.7									5291	6114	10441	
By national region														
Citizens	90.8	99.7	1.0					97.5				7485	10287	
Non-citizens	88.6	98						95.5				685	8137	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	89.3	98.9										8170	18424	
Below poverty line														
By region														
Urban	89.3	98.9										8170	18424	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Table: Figures and statistics 2001/2002
P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	90.1	99.1	95	86.7						27.3	9458	8459	19075	
By sex														
Male	91.6	99.2	95	84.8						30.1	4511	1832	8357	
Female	87.7	99	96	89.4						24.6	4947	6627	10718	
By national region														
Citizens	91.3	99.8	100	94.8						6.8		7670	10610	
Non-citizens	89.7	98.5	89	75						68.1		789	8465	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	90.1	99.1	95	86.7						27.3		8459	19075	
Below poverty line														
By region														
Urban	90.1	99.1	95	86.7						27.3		8459	19075	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Table: Figures and statistics 2002/2003

P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	91.1	99.4	95	87.5			0.42	98		28.7	8999	9013	19861	
By sex														
Male	92.4	99.4	96	85			0.49	97.6		32.7	4101	1545	8837	
Female	88.8	99.4	95	89.8			0.35	98.4		24.9	4898	7468	11024	
By national region														
Citizens	91.7	98.8	101	95			0.46	98.1			7.9	8097	11254	
Non-citizens	90.8	99	86	75.5			0.2	97.3			70.8	916	8607	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	91.1	99.4	95	87.5				98		28.7		9013	19861	
Below poverty line														
By region														
Urban	91.1	99.4	95	87.5				98		28.7		9013	19861	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Table: Figures and statistics 2003/2004
P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	92.4	99.7	96	88.5						30.2	10067	9613	20208	
By sex														
Male	93.6	99.6	96	81					60.8	35.6	4848	1314	9035	
Female	90.2	99.7	96	91					79.7	25.3	5219	8299	11173	
By national region														
Citizens	92.4	99.9	100	96						9.4		8474	11642	
Non-citizens	92.4	99.5	89	76.4						72.6		1139	8566	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	92.4	99.7	96	88.5						30.2		9613	20208	
Below poverty line														
By region														
Urban	92.4	99.7	96	88.5						30.2		9613	20208	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Table: Figures and statistics
2004/2005
P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	92.9	99.7	97	87.5				95.6		29.2	11543	13480	18861	
By sex														
Male	94.1	99.7	98	84				95.2		34.9	5755	1713	8668	
Female	90.7	99.8	96	91.5				96.1		24.1	5788	11767	10193	
By national region														
Citizens	92.7	99.9	102	96						8.1		9884	10321	
Non-citizens	93	99.6	88	74.6						72.5		3596	8540	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	92.9	99.7	97	87.5						29.2		13480	18861	
Below poverty line														
By region														
Urban	92.9	99.7	97	87.5						29.2		13480	18861	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Table: Figures and statistics 2005/2006
P= Primary education; S= Secondary education; H= Higher education

	Literacy rate		Gross enrolment ratio			Out-of-school children compulsory school age	Drop out rates in primary education	Completion rates		Private enrolment as % of total enrolment	Number of participants in adult / continuing education programmes	Trained teachers		
	Adult (15 and over)	Adult (15-24)	P	S	H			P	S			P	S	H
Total	93.4	99.5	95.6	87.3				98.2	86.7	32	16096	16334	19673	
By sex														
Male	94.6	99.4	95.4	82.1				97.7	84.6	36.2	8487	1844	8985	
Female	92.2	99.6	95.9	93.1				98.6	89.8	30.3	7609	14490	10688	
By national region														
Citizens	93.2	99.9	99.7	95.9						5.6	10854	11735	11070	
Non-citizens	93.6	99.1	88.7	73.8						76.3	5242	4599	8603	
Refugees														
Indigenous people														
National minorities														
(linguistic/religious/ethnic/etc														
By economic condition														
Above poverty line	93.4	99.5	94.5	87.3				98.2	86.7	32		16334	19673	
Below poverty line														
By region														
Urban	93.4	99.5	94.5	87.3				98.2	86.7	32		16334	19673	
Rural														
Best performing region														
Worst performing region														
Any socially and economically disadvantaged populations (nomads , slum, dwellers, tribal communities , disabled, etc.)														

Measures taken to implement the convention and recommendations against discrimination in education.

- All legislations and laws governing education in Kuwait treat individuals equally without any discrimination as to race, colour, language, religion, public opinion, social background or economic situation.
- The policies adopted by educational institutes are based on providing equality in job opportunities.
- Enforcing the law of compulsory education to ensure no drop out of either male or female students.
- Allowing parents to choose the types of education they wish to give their children according to their abilities and desires by enrolling them in either public or private schools.
- The Ministry of Education undertakes general supervision of private schools to guarantee the non-existence of discrimination against women in education.

General conclusion

The State of Kuwait strives to commit to the implementation of international conventions and treaties as it is a member of the organizations of the United Nations, including the UNESCO. This report has been prepared as requested by the General Director of the Organization.

By considering the different measures, statistics, legislations and laws related to the matter, it has been proved that there is no discrimination against women either in education or employment in the State of Kuwait.

Appendices

Law No. 11 of 1965 Concerning Compulsory Education

We, ABDULLA Al-SALEM Al-SABAH,
AMIR of the State of Kuwait,

Having considered Acts 40 and 65 of the constitution, the National Assembly has approved the following Law, which we have endorsed and promulgated:

Article 1

Education shall be compulsory and free for all male and female Kuwaiti children from the beginning of the primary stage until the end of the intermediate stage. The State commits to provide school premises, books, teachers and any other human or material resources which guarantee the success of education.

Article 2

Compulsory education for children starts from the age of six and remains compulsory throughout the period prescribed by the administrative rules and regulations. The Minister of Education is allowed to permit children under the age of six to join schools on condition that the Ministry of Education guarantees the complete care for the nursery period prior to the age of compulsory education.

Article 3

The father is the one who is responsible for compulsory education, and in case of death, absence or placed under guardianship, the responsibility goes to the one who is in charge of the child.

Article 4

A child is discharged from compulsory education if he / she is attacked by an illness or physically impaired, preventing him / her from regular attendance in special education schools or equivalent establishments made available by the Ministry of Education for the disabled.

Children residing in about two kilometers or more away from the nearest school are also exempted from compulsory education in case the Ministry of Education or the parents are unable to provide transportation.

Article 5

All cases of exemption are decided by the Minister of Education and remain valid as long as the causes remain. If the causes no longer exist, commitment to compulsory education will be applicable.

Article 6

Those who are eligible for applying compulsory education are allowed to enroll their children in a private institute, which offers a similar education to that offered in compulsory education schools. The Ministry of Education

should be informed about the name of the institute at least a week before the beginning of the school year.

Article 7

Institutes where education is equivalent to school syllabuses in compulsory education are decided by a Ministerial ordinance.

Article 8

Those responsible for birth registration are entitled to send the Ministry of Education a list of all the names of children who are a year younger than the age of compulsory education every June.

In the first year of the application of this law, the list should include children aged 4 and 5.

The lists should include the name of the child, his parent's, family name, area of residence and address. In case of address change, the child's parent or guardian should inform the Ministry of Education.

Article 9

Official authorities in the Ministry of Education should inform the child's father or guardian about the name of the school where the child will be enrolled as well as the date studies will start, at least two weeks before the school year. If the child does not show up in due time, or does not regularly attend school without any reasonable reasons, the school principle is

obliged to inform the parent with an official document to the registered address.

If the child does not show up during two weeks after the delivery of the official document, or repeats absence without any acceptable reason, the school principle should inform the Ministry of Education during a maximum period of two weeks.

Article 10

Penalties are imposed on any parent or guardian of a child who contravenes the provisions of law by means of a fine of up to KD10 or detention of up to two weeks.

The court is authorized to grant the parent a chance to comply. If he does, he will be discharged of the contravention. Otherwise, he will be penalized as specified, and if the law is broken again, the punishment will include both the fine and the detention.

Article 11

The Ministry of Education is supposed to appoint some of its staff to be responsible for the implementation and regulations of the law of compulsory education.

System of education

Article 12

Compulsory education starts lasts from the primary stage till the intermediate one. The Ministry of Education is allowed to increase or reduce the school years in both primary and intermediate stages.

Article 13

The Ministry of Education sets the curricular and plans, determines the subjects to be studied, lays out the regulations for passing from a class to another, limits the years a student can repeat classes, and specifies the regulations of certificate awards. It also determines the beginning and end of the school year along with other related matters which guarantee the success of work.

Article 14

Those who spent the period of compulsory education without success, and are older than the legal age, are given a special certificate indicating the stage they covered; and may be allowed by the Ministry of Education to get a graduation certificate from private schools equivalent to that given in compulsory education on condition that they have passed the primary stage successfully. All this is done according to the rules and regulations prescribed by the Ministry of Education.

Article 15

All Ministers, each within his jurisdiction, shall implement this Law Decree, and the Minister of Education and Higher Education lays out the necessary regulations related to its implementation. The law will come into force the time it is published in the Official Gazette. Commitment to this law will take effect starting from the school year coming after its publication.

Amir of the State of Kuwait,

Abdullah al-Salim al-Sabah,

Issued on March 27th 1965.

Ministerial Ordinance No 50203

Concerning the Implementation of Compulsory Education

Having considered law No. 11 of 1965 concerning compulsory education, we have decided the following:

First: Period of commitment to the law:

Education is compulsory for all Kuwaiti children from the primary stage till the end of the intermediate stage.

Students, who are older than 14 before they finish the primary stage, are excluded from schools; and are, therefore, exempted from commitment to this law.

Commitment to this law is suspended for students who are older than 16 before finishing the intermediate stage successful. In this case, they are allowed to continue their studies till the age of 18.

Intermediate students, over18, are excluded from schools and have the right to get an intermediate certificate from outside.

Second: Discharge from commitment:

Exclusion from the commitment occurs in cases of illness or physical or mental impairment preventing the student from regular attendance in government or special schools by a decision from the Minister of Education as follows:

The child's parent or guardian requests an exclusion from the commitment from the school principal where the child is entitled to enroll providing the required documents.

The school principal transfers the request to the exam department and students' affairs to consider the request and issue the exclusion.

Third: Remote Areas:

Children who reside two kilometers or more far from the nearest school are exempted from the commitment.

Fourth: Private schools:

The departments of exams and students' affair are responsible for deciding which schools provide equivalent education to the prescribed compulsory education.

Private schools must go by the laws set by the Ministry of Education concerning the equivalence of their school curricular to compulsory education. They should also be technically and administratively supervised by the Ministry of Education to guarantee the ongoing of the required standard.

Minister of Education

Legislative Decree

Concerning the Ministry of Education

Having considered article 73 of the constitution,

Having considered the Amiral Decree No. 2 of 1962 concerning the reorganization of the ministries and the regulations associated to it,

Having considered the decree governing the formation of the Cabinet issued on February 16th 1978,

In response to the Prime Minister's request,

The Cabinet has passed the following Law which we hereby ratify and promulgate as follows:

We have resolved the following:

Act No.1:

The Ministry of Education undertakes the progress of the Kuwaiti society and a full comprehensive spiritual, moral, intellectual, social and physical development of its sons in the light of Islamic principles, Arabic heritage and contemporary culture in accordance to the nature of
Kuwaiti society and what guarantees its advancement and development.

Act No.2

The Ministry of Education is responsible for the following:

1- Proposing the general framework for educational policies and plans to be implemented according to the specifications of the Ministry. The Ministry can establish high committees and consultative subcommittees to assess the implementation of these plans.

2- Attending to educational affairs and all related matters, which include the determination of the stages of education, development of the curricula and setting the admission policies and the regulations related to exams and approval of local and foreign textbooks.

3- Attending to adult education affairs, centers for eradication of illiteracy, public schools, and other technical and religious institutes, as well as giving opinion on the establishment of institutes under other authorities.

4- Appointing unemployed students to educational missions and training courses.

5- Designing and applying extra-curricular activities in sports, social and cultural fields; and providing students with social care.

6- Overseeing Arabic and foreign public schools and institutes according to legislations and laws.

7- Cooperating with ministries and authorities concerned with matters of sports, science, culture and youth's care.

8- Cooperating in matters of education and culture with Arab, international and foreign countries and organizations.

Act No.3

The Prime Minister, all Ministers each within his jurisdiction, shall implement this Law Decree which will come into force the time it is published in the Official Gazette.

AMIR OF KUWAIT

JABER AL-AHMED AL-SABAH

Prime Minister

Saad Al-Abdullah al-Sabah

Issued on January 7th 1979.

Legislative Decree No.4 of 1981

concerning eradication of illiteracy

Having considered the Amiral Decree issued on Ramadan 4th 1396 AH, corresponding: August 29th 1976 , concerning the amendment of the constitution,

Having considered the Amiral Decree issued on Shawal 14th 1400, corresponding August 24th 1980, and Law No. 15 of 1979 concerning public service,

And Law No. 38 of 1964 governing employment in private sectors, amended by Law No. 43 of 1968,

And Law No. 11 of 1965 concerning compulsory education,

Responding to the Prime Minister's request, the Cabinet has passed the following Law which we hereby ratify and promulgate as follows:

Article 1

Obliteration of illiteracy is a national responsibility aimed at providing citizens with a degree of education intended to improve their cultural and social status, as a result of which they will be better able to make a contribution by furthering themselves and society and by confronting life's demands.

Article 2

In the application of this Law, the term "illiterate" applies to anyone who did not get a certain amount of education. The Minister of Education lays down rules and regulations determining the level of literacy of those who are able to read and write and do not hold a certificate of eradication of illiteracy.

Article 3

Eradication of illiteracy is compulsory for every one of the followings:

a- Illiterate male Kuwaitis who are over age according to the Law of compulsory education and below 40.

b- Illiterate female Kuwaiti employed in the public sector, and who are below 35. Any Kuwaiti who does not belong to either categories has the right to willingly enroll in the elimination of illiteracy programmes. The enforcement of this Law will be gradual according to the categories specified by a decree laid down by the Minister of Education.

Article 4

A literacy Committee is formed, chaired by the Minister of Education and consisting of representatives of the relevant ministries. This committee will be responsible for the general policy to be adopted in implementing this

Law. The Minister of Education will lay down the rules regulating the work process of the committee and its areas of specialization.

Article 5

All ministries, public authorities and institutes, and private employers undertake the responsibility of eradicating illiteracy and implementing the procedures of work approved by the literacy committee.

Article 6

The Ministry of Education is responsible for the executive procedures required to act according to the general policy for elimination of illiteracy.

Article 7

The Ministry of Education undertakes the provision of necessary classes to receive illiterates. The Ministry is authorized to have classes in work places, with the approval of the employer, on condition that the number of illiterates is not less than 25, and on condition that the Ministry deems it necessary to provide such classes.

Article 8

Employers are obliged to facilitate the enrolment of their illiterate employees, who fall under the conditions of this Law, in classes of eradication of illiteracy. The time spent in these classes should count as official working hours in case they overlap.

Article 9

Education in centers of eradication of illiteracy is free. Learners will be provided with books and different learning aids free of charge throughout the period of study.

Article 10

Every illiterate, who has become eligible by this Law, has to enroll in the nearest centre for eradication of illiteracy in his area of residence during sixty days starting from the enforcement of this Law, mentioned in article 3, or from the time the conditions apply. He is also subject to regular attendance and exam taking as specified in illiteracy programmes on the dates set by the Ministry of Education. Employers should inform the Ministry of Education about the names of their illiterate employees subject to illiteracy programmes as indicated in the regulations of this Law.

Article 11

In cooperation with other governmental authorities, the Ministry of Education is entitled to list illiterate people who are eligible to the commitment to this Law and those who contravene it according to the previous article of this decree without contradiction to article 18 in this Law.

Article 12

Those who have an illness or an impairment which prevents them from regular class attendance are legally excluded from commitment to this Law. Commitment will take place if the illness or impairment no longer exists.

A Law determining these cases will be laid down by the Ministry of Education in collaboration with the Minister of Public Health.

Conditions for postponing commitment can also be decided by a Ministerial Decree.

Article 13

The Ministry of Education conducts exams for students in illiteracy programmes at the end of each school year, and a Ministerial Decree regulates its procedures and timing.

Article 14

Everyone who passes the final exams in illiteracy programmes will be awarded an accredited certificate from the Ministry of Education.

Article 15

Best performers in illiteracy programmes will be awarded prizes for encouragement according to the regulations set forward by the illiteracy committee. The committee can propose encouraging incentives for illiteracy certificate holders.

Article 16

Employment of Kuwaiti illiterates is forbidden in public sector starting from the time of this Law. Exception includes those who are enrolled in illiteracy classes and those whom the Board of public service deems to be employed for special reasons.

Article 17

No promotion is allowed to the illiterate employee unless he gets the certificate indicated in article 14 of this Law. In this case, the promotion will take place from the time it was deserved.

Article 18

Anyone who contravenes this Law and does not enroll in one of the illiteracy centers during the time specified in article 10 of this Law will be fined up to KD 100 unless he has a legal excuse.

Article 19

If the percentage of absenteeism, without any reasonable excuse, in a school year is about 25% of regular attendance, the student will be fined up to KD 50. The Minister of Education will regulate accepted excuses.

Article 20

An employer who contravenes articles 8 and 10 of this Law will be fined up to KD100 per employee who breaches the rules of this Law. The fine will be doubled in case the contravention is repeated.

Article 21

Representatives of the Ministry of Education who are assigned the control of the implementation of this Law have the right to inspect all premises, except domiciles, and are allowed to see all documents to check any law breakers and to register fines. They can be accompanied by police force.

Article 22

The Minister of Education lays down the necessary rules for implementing this Law.

Article 23

The Prime Minister, all Ministers each within his jurisdiction, shall implement this Law Decree which will be published in the Official Gazette and come into force at the beginning of the school year 1981/1982.

AMIR OF KUWAIT

JABER AL-AHMED AL-SABAH

Prime Minister

Saad Al-Abdullah al-Sabah

Minister of Education

Legislative Decree No.4 of 1987

Concerning Public Education

Having considered the Amiral Decree issued on Shawal 27th 1406 AH, corresponding: July 3rd 1986 , and the Acts 10, 13 and 40 of the Constitution,

Having considered the Law regulating Justice issued by the Amiral Decree No. 19 of 1959, and the Laws of its amendment,

And Law No.11 of 1965 concerning compulsory education,

And the Legislative Decree No. 20 of 1981 concerning the establishment of a Unit in High Justice Court for administrative disputes, amended by Law No. 61 of 1982

Based on the request of the Minister of Education, the Cabinet has passed the following Law which we hereby ratify and promulgate as follows:

Article 1

In the application of rules of this Law, we mean by:

a- The Ministry: The Ministry of Education

b- The Minister: The Minister of Education

c- Education: Public education in its three stages

d- Committee: High Committee of Education

Article 2

Education is a right for all Kuwaitis guaranteed by the State, as a protection of the young from exploitation and from moral, physical and spiritual neglect, as an encouragement of scientific research and as an endorsement of the progress of society.

Article 3

Education aims at providing opportunities for individuals to achieve full and comprehensive spiritual, moral, intellectual, social and physical development to the greatest extent permitted by their aptitudes and capacities in the light of the principles of the Islam, the Arab heritage and contemporary culture and the nature, customs and traditions of Kuwaiti society, and instilling in individuals spirits of socialization and loyalty for the Nation and His Highness the Amir.

The regulations will clarify the detailed objectives of kindergartens and each stage of education to achieve the above mentioned aim.

Education guarantees balance between students' self-fulfillment and their preparation to contribute in the advancement of Kuwaiti society in particular and the Arab society in general.

Article 4

Educating Kuwaitis in government schools is free. Fee-paying for non Kuwaitis, and money payment for extra school services may be assigned to all according to a Decree from the Minister of Education, after consulting the Committee and having the Cabinet's approval.

Article 5

A High Committee for Education is established chaired by the Minister of Education and membership of the followings:

1- Under-secretary

2- Dean of University

3- 17 members concerned with educational affairs

A Decree will be issued to form this Committee and identify the period of membership and the procedures of its meetings, decisions and the mechanism of its work.

Article 6

The Committee is specialized in giving opinion on educational policies, plans and curricular, and in particular on:

- Proposing educational policies
- Formulating educational plans and procedures for implementing public policies and following up their application.
- Amendment of the periods of study in the different stages.
- Proposal of amendment of the rules of this Law, and other laws and regulations concerned with education.
- Counseling the Minister of Education on issues to be addressed to the Cabinet.

Article 7

Schools undertake education, and are supervised and supported by technical and administrative staff. Legislations indicate the required

conditions to occupy posts of teachers in the different stages and kindergartens.

After the Minister's approval, management of schools can be contributed by supporting committees. Legislative rules indicate how these committees are formed, their functions, and how they work in the management system of schools.

Article 8

The Ministry of Education is entitled to establish educational zones according to population density and needs of work to oversee education, each in its area of sociality. The Minister will define the type of relation between these zones and the different departments of the Ministry.

Article 9

For a child to be accepted in the first year of the primary stage, he / she has to be 6 years old AD calendar. The legislations show the conditions under which the child can be accepted up to 6 months younger than that on the day of the beginning of the school year.

Article 10

The legislation regulates the conditions for accepting students in different stages and kindergartens, the ages for each stage, and conditions for transfer from and to private schools.

Article 11

The Ministry provides, as far as possible, children in kindergartens with experience to prepare them to be positively involved in the coming stages.

Article 12

Education is divided into three stages:

1- Primary stage

2- Intermediate stage

3- Secondary stage

Article 13

The period of education is twelve years equally distributed between the three stages of education. The Minister is authorized, after the Committee's approval, to integrate, reduce or redistribute these years.

Article 14

The Minister sets the rules governing the educational process in a way that guarantees complete distribution of subjects and curricular throughout the stages of education and a rational balance between theory and practice.

Article 15

The legislation determines exam subjects and how grades are distributed for each school subject including the on-going assessment and the final exam. It also determines conditions for passing, failing, repeating and second session, as well as the rules of absence, attendance and punishment.

Article 16

Students are awarded a school leaving certificate after they successfully fulfill the requirements of passing the final year of the secondary stage. The legislation clarifies such requirements.

Article 17

Decisions made by the Ministry concerning exam procedures and results can not be contested in court.

Article 18

Current rules and laws concerning education remain applicable, as long as they do not contradict the rules of this Law, until mentioned decrees and laws are issued.

Article 19

The Minister will lay down the necessary rules for implementing this Law.

Article 20

The Minister of Education has to put into action this Law. It will come into force the time it is published in the Official Gazette.

Amir of Kuwait

Jaber Al-Ahmed Al-Sabah

Prime Minister

Saad Al-Abdullah al-Sabah

Minister of Education

Anwar Abdullah Al-Nouri

Issued in Seef Palace on Jumadah II 12th 1407

Corresponding: February 11th 1987

Legislative Decree No, 164/ 88
Concerning Higher Education

Having considered Article 73 of the constitution, and Law No. 29 of 1966 concerning Higher Education and its governing rules,

And the Law No. 63 of 1982 concerning the establishment of the Public Authority of Applied Education and Training,

And the Legislative Decree issued on Safar 8th 1399 AH corresponding January 7th 1979 concerning the Ministry of Education,

And the Decree No. 130/88 concerning the appointment of the Minister of Higher Education, and the Decree No. 140/88 concerning the transfer of subordination of Kuwait University,

And the Decree No. 141/88 concerning the transfer of subordination of the Public Authority of Applied Education and Training,

Upon request of the Prime Minister, the Cabinet has passed the following Law which we hereby ratify and promulgate as follows:

Article 1

The Ministry of Higher Education is responsible for all matters relating to university-level and applied education and for the research carried out in institutes and colleges of higher education for the benefit of society and its advancement and relating it to its Arabic and Islamic culture, in order to meet the country's needs for specialists, technicians and experts in various fields, according to the State's plans aiming at contributing in the development of the intellect, science and morals.

Article 2

The Ministry of Higher Education is concerned with the following:

1- Formulation of the general framework of the policies and plans needed to develop and monitor the twin branches of university and applied education.

2- Supervision and implementation of plans and programmes for the training and development of human resources through the provision of opportunities for higher education and specialization in varied human and natural sciences and graduating reasonable numbers of specialists, technicians and experts in varied branches of science and its applications.

3- Instilling the sense of scientific competition among students and researchers, and providing equivalent opportunities for outstanding students to further their higher education in varied scientific majors.

4- Sending of students to universities and higher institutions abroad.

5- Coordination between the Board of Public Service and other authorities concerning conditions for sending employees abroad.

6- Unifying the supervision board and the regulations governing studies abroad, and the requirements needed to be met by the foreign institutes and colleges.

7- Overseeing Higher Education Institutes following the Public Education stage according to the regulating rules.

8- Encouraging and coordinating scientific research among the varied educational institutes and authorities in the country.

Setting the necessary bases that could be beneficial to overcome problems and matters of development.

9- Contributing in training programmes which help transfer new scientific developments to graduates in different fields of their work.

10- Caring for practical instruction in varied applied matters related to the fields of the Ministry's concern for the benefit of serving and developing society.

11- Caring for matters of science, culture, sports and youth's care for the students of university and higher institutes, in collaboration and coordination with other ministries and authorities.

12- Setting relations with Arabic and international universities and higher scientific institutes and authorities.

Article 3

All Ministers, each within his jurisdiction, shall implement this Law Decree. It will come into force the time it is published in the Official Gazette.

Amir of Kuwait

Jaber Al-Ahmed Al-Sabah

Prime Minister

Saad Al-Abdullah al-Sabah

Issued in Seef Palace on Rabee I 5th 1409

Corresponding: October 16th 1988

Clarifying Note
On the Legal Decree Relating to Public Education

The decree issued on 25 Jumada Al-Awal 1404, corresponding the 27th. Feb. 1984, included the legal rules organizing public education. Due to the great importance of public education and the necessity of organizing it, as well as putting its rules into an integrated law in order to comprise only the basic rules and the major laws of public education, the proposed above mentioned law was prepared to confirm- in its second article – what the constitution stresses that public education is a right for all Kuwaiti nationals.

According to what's included in the third article, article 1, education aims at providing suitable opportunities for the individual to fully develop mentally, spiritually and physically to the extent of their readiness and abilities, in accordance to the Islam principles, Arab traditions, contemporary culture and the nature of the Kuwaiti society and its customs and traditions; and to instill spirits of socialization and loyalty for the Nation and His Highness the Amir in individuals.

Consequently, the general objective is providing all human and material resources such as teachers, school premises, equipment and other systems helping individuals grow in a right way.

Not only is the objective teaching amounts of knowledge and information, but also it is deeper and more comprehensive. It leads to teaching students how to learn and how to supply themselves with knowledge so as to be able

to continue self-learning as well as searching for what helps them fully grow mentally, spiritually and physically.

The subsidiary aims relating to both kindergarten and other educational stages were included in article 2 of the same document so as to be flexible enough to cover any coming rules in such a way to help achieving the general objective.

The legislation confirms - in its fourth article - that education is free for all Kuwaiti nationals in all public schools. The same article authorized imposing fees on non- Kuwaitis and extra charges on all students for school services, which are – according to their nature – out of the range of the school system. This should be governed by a Ministry regulation after consulting the Higher Committee of Education, and to be approved by the Cabinet.

Responding to the needs for co-operation between Ministries and corporations involved in educational affairs, to make use of all factors concomitant to society educational issues, and to confirm the policy of public participation in preparing educational strategies, plans and all other relating affairs, the legislation specified article 5 to explain the particular rules of the High Committee of Education, which has to be under the leadership of the Minister of Education, Under-Secretary of Education and the Dean of University as members, along with other seventeen members concerned with educational affairs.

The legislation recommended that a regulation should be issued to form this Committee and identify the period of membership and the procedures of its meetings, decisions and the mechanism of its work.

The sixth article of the legislation determined the functions of the High Committee of Education which consist of the main issues of education policies, plans and programs, but which need to be approved by the Cabinet.

In addition, the Committee proposes education policies, decides educational strategies and the programs of achieving public education policies and other necessary issues.

What we should refer to, here, is that the limit of the Committee functions extends to include all necessary matters relating the Ministry activity in the filed of education.

The legislation, in its seventh article, identified the party that should carry out the main role of education represented in schools, on a basis that they are the main sections which embrace all other authorities that supply schools with what is needed for achieving the desired objectives.

The project suggested identifying conditions of these authorities and conditions of teachers' jobs.

The legislation, also, confirmed the principle of participating in schools' administration by approving – after the Minister agreement - assistant boards that can help in forming school administration, its functions, the mechanism of its work and the executive rules.

It was mentioned in the eighth article that the Ministry is to build new educational Zones all over Kuwait, on a basis that each zone manages the educational affairs within its area.

Regarding the rules of school admission, the ninth article stipulates that pupils who are to join the primary stage should be six years old, considering that this is a compulsory stage.

Article 2 of the same document authorized legislations to determine conditions of accepting those who are under the above mentioned age. The tenth article authorized rules for accepting pupils in kindergartens and other educational stages, the maximum age for each class, conditions for shifting in public schools and the rules of transfer from private schools.

The eleventh article stipulated that the ministry is to provide educational service for children before joining the primary stage so as to prepare them to be involved in that stage properly, with a readiness to improve their senses, perception and motional skills, side by side with enjoying useful activities that will help them take an active part in their society.

The twelfth article stipulated that the stages of education are; primary, intermediate and secondary.

The thirteenth article identified that the duration of study in these three stages is twelve years, equally distributed to be four years for each stage. The article allowed the Minister, after getting the Committee's approval, to integrate, decrease or redistribute these years.

The fourteenth article gives the Minister the right to issue organizing legislations for the educational process within the plan of public education

policy in order to combine sides of both theory and practice in school subjects and curricular for each stage in accordance to what is suitable for strategies and education necessities.

Legislations should include mechanism of study, distributing the subjects for each stage and other necessary factors to secure the process, especially the period of practical schooling and official holidays.

The fifteenth article stipulated examination subjects, rates of distributing the total grade based on the on-going assessment and the final written examination. It also stipulates rules of passing, failing, repeating, second session exams, rules of attendance and punishment, in such a way that allows enough flexibility needed to alter or change issues according to education necessities.

The sixteenth article determined the mechanism of giving general secondary school certificate, due to its importance to students.

In order to get this certificate, the article laid conditions and requirements to be met for students to pass school subjects successfully, whether in general exams or to get a number of units as in the Unit Credit System, and left the legislation clarify rules and conditions of such requirements.

The seventeenth article resolved a problem that often affected the desired stability of general examinations results. It stipulated that it is not allowed to contest the decisions relating procedures and results of examinations in any courts.

The eighteenth article stipulated to continue working with legislations and rules in use, relating education in such a way that does not contravene rules of the law.

The nineteenth article stipulated that the Minister of Education - being the leader of this utility - is to lay down rules and legislations necessary for implementing this law.