



# Kuwait: Security, Reform, and U.S. Policy

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## Summary

Kuwait has been pivotal to two decades of U.S. efforts to end a strategic threat posed by Iraq. Because of its location and close cooperation with the United States, Kuwait is central to U.S. efforts to remain engaged in the northern Persian Gulf region following the completion of the withdrawal of U.S. forces from Iraq at the end of 2011. Kuwait's relations with the post-Saddam government in Iraq have been hampered by long-standing territorial, economic, and political issues unresolved from the 1990 Iraqi invasion of Kuwait, but those issues have been narrowed since 2011. Kuwait is increasingly suspicious of Iranian intentions in the Gulf, which aligns Kuwait with U.S. efforts to contain Iranian power in the Gulf and prevent Iran from exerting undue influence in post-withdrawal Iraq. Still, Kuwait maintains relatively normal economic and political relations with Iran so as not to provoke Iran to try to empower pro-Iranian elements in Kuwait.

Although Kuwait's foreign policy has remained steady, its political system has been in turmoil since 2006. The disputes in Kuwait have taken the form of infighting between oppositionists in the elected National Assembly and the ruling Al Sabah family, primarily over the political and economic dominance of the Al Sabah. This has been aggravated by disputes within rival branches of the ruling family. The disputes have produced four dissolutions of the National Assembly and new elections since 2006, the latest of which were held on February 2, 2012. Those elections produced a body that is generally adversarial to the government and has strong Islamist influence, leading Amir Sabah al-Ahmad Al Sabah to suspend the Assembly for one month, beginning June 18, 2012. That suspension may have been mooted by a constitutional court ruling, two days later, declaring the December 2011 Assembly suspension unconstitutional and ordering the previous Assembly re-seated. The many years of political paralysis have led to some economic stagnation as well, because parliamentary approval for several major investment projects, such as development of major oil fields in northern Kuwait, has been held up due to the infighting.

As in other Arab countries that have seen political unrest and change in 2011-2012, there have been demonstrations in Kuwait by opposition groups over official corruption, security force brutality, citizenship eligibility, and other issues. However, in contrast with other states in the region, and despite the elite infighting, the demonstrations in Kuwait have been relatively small since early 2011. Kuwait is a relatively wealthy society where most citizens apparently do not want to risk their economic well-being to bring about the downfall of Al Sabah rule. Opposition demands—supported by oppositionists within the National Assembly—are generally limited to the formation of a constitutional monarchy in which the Assembly names a prime minister. The government's use of financial largesse—budgets loaded with subsidies and salary increases—as well as some repressive measures, including beatings and imprisonments, have kept the public displays of dissent relatively limited.

On other regional issues, in part because of its leadership turmoil, Kuwait tends to defer to consensus positions within the Gulf Cooperation Council; this deference is evident in Kuwait's stances on the Israel-Palestinian dispute as well as on the uprisings in Yemen and Syria. On the uprising in Bahrain, in March 2011, Kuwait joined a Gulf Cooperation Council intervention on the side of the government, but unlike Saudi Arabia and UAE, Kuwait sent naval and not ground forces.

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## Kuwaiti Government Changes and Political Reform<sup>1</sup>

Kuwait's optimism after the 2003 fall of its nemesis, Saddam Hussein, soured after the January 15, 2006, death of Amir (ruler) Jabir Ahmad al-Jabir Al Sabah. Since then, Kuwait has lurched from one political crisis to the next, preventing or delaying movement on some key issues. At the time of Amir Jabir's death, his successor, Shaykh Sa'ad bin Abdullah Al Sabah, was very ill (he later died), and a brief succession dispute among rival branches of the ruling Al Sabah family ensued. It was resolved with Prime Minister Shaykh Sabah al-Ahmad al-Jabir Al Sabah (who is now about 80, the younger brother of the late Amir) becoming Amir on January 29, 2006. The succession dispute was unprecedented in Kuwait and the broader Gulf region for the first use of an elected legislature's constitutional ability to formally remove a leader.

Although the leadership question was resolved, it produced a suspension of the tacit agreement to alternate succession between the Jabir and Salem branches of the family. Amir Sabah appointed two members of his Jabir branch as crown prince/heir apparent and as prime minister (Shaykh Nawwaf al-Ahmad Al Sabah and Shaykh Nasser al Muhammad al-Ahmad Al Sabah respectively). The highest-ranking member of the Salem branch in the government was Dr. Mohammad Al Sabah, deputy prime minister and foreign minister until his resignation on October 18, 2011.

Tensions between the two branches of the family have since continued to simmer, and no permanent alternative mechanism has been agreed to replace the previous power-sharing arrangement between the branches. The dispute has led some in the ruling family to side with the political opposition in the National Assembly. The governmental infighting has provided rationale and additional political space for various youth and other reform-oriented groups inspired by the Arab uprisings that began in early 2011.

### The National Assembly and Disputes With the Ruling Family

The National Assembly, established by Kuwait's November 1962 constitution, is the longest-serving all-elected body among the Gulf monarchies. Fifty seats are elected, and up to fifteen members of the cabinet—which is limited by the constitution to 16 members—serve in it *ex-officio*. Amirs of Kuwait have, on several occasions (1976-1981, 1986-1992, 2003, 2006, 2008, 2009, and 2011), used their constitutional authority to dissolve the Assembly when it aggressively challenged the government.

While Kuwait's constitution enshrines the hereditary monarchy, the Kuwait National Assembly has more scope of authority than any legislative or consultative body in the Persian Gulf. It can introduce legislation as well as consider and vote on government-introduced legislation. The Assembly does not confirm cabinet nominees but it can, by simple majority of elected members, vote no confidence in individual ministers. When the Assembly takes that step, it generally does so after parliamentary questioning of that minister, referred to as "grilling." The Assembly can

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<sup>1</sup> Much of this section is from the State Department's country report on human rights practices for 2011 (released May 24, 2012), [http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic\\_load\\_id=186434#wrapper](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dynamic_load_id=186434#wrapper) ; the *International Religious Freedom Report* for July – December 2010 (September 13, 2011), [http://www.state.gov/j/drl/rls/irf/2010\\_5/168268.htm](http://www.state.gov/j/drl/rls/irf/2010_5/168268.htm); and the *Trafficking in Persons Report for 2012* (June 19, 2012), <http://www.state.gov/documents/organization/192596.pdf>

vote no confidence in the prime minister by voting “inability to cooperate with the government,” and it can veto government decrees issued during periods of Assembly suspension.

Political parties are still not permitted, but factions are organized and compete as “currents,” “trends,” or “political societies.” Factions in Kuwait are often fluid, but in general they group around those who want political reform—so-called liberals—who tend to form the core of the opposition to the government; tribalists, who dominate two out of the five electoral districts and tend to divide between pro and anti-government figures; Sunni Islamists of two major groupings—those linked to the Muslim Brotherhood, and harder line Sunnis called Salafists—generally all opposed to the government; and Shiites, who tend to side with the government. When in the Assembly, women tend to group into a faction generally aligned with the government. Kuwaitis have a parallel tradition of informal political consultations in nightly *diwaniyyas*—social gatherings held by elites of all political ideologies and backgrounds. There are a growing number of *diwaniyyas* organized by women.

There has been progress over the past two decades in extending the franchise for the National Assembly and other elected positions (such as the Kuwait City municipal council). For at least two decades, the extent of the franchise has been a closely watched indicator of Kuwait’s political liberalization. The government has expanded the electorate gradually, first by extending the franchise to sons of naturalized Kuwaitis and Kuwaitis naturalized for at least 20 (as opposed to 30) years. The long deadlock on female suffrage began to break in May 2004, after the government submitted to the Assembly a bill to give women the right to vote and run. (A government attempt in May 1999 to institute female suffrage by decree was vetoed by the Assembly.) In May 2005, then Prime Minister Shaykh Sabah (now Amir) pressed the Assembly to adopt the government bill, which it did on May 16, 2005 (35-23); the bill was effective as of the 2006 National Assembly elections.

Those opposing the government have tended to seek greater authority for the Assembly and a limitation of the powers of the government and by extension, limitations of the political and economic power of the Al Sabah. Some in the Assembly seek a constitutional monarchy in which the Assembly, not the Amir, names a prime minister who in turn assembles a cabinet. A constitutional monarchy—as well as an end to governmental corruption—is also a demand of the opposition at the popular level, composed of intellectuals, well-educated youth, women, and other groups that have been demonstrating occasionally since early 2011.

### **Post-Succession Crises: Assembly Suspensions and Elections in 2006 and 2008**

The post-2006 deadlock has manifested as repeated Assembly suspensions and subsequent elections, none of which has resolved differences over the fundamental power balances between the executive and the legislature. Only five months after becoming leader, Amir Sabah suspended the Assembly in May 2006 when 29 opposition members—an alliance of liberals and Islamists—demanded to question the prime minister over the government’s refusal to endorse a proposal to reduce the number of electoral districts to 5, from the current 25. The opposition wanted to increase the size of each district so that it would be more difficult to influence the outcome through alleged “vote buying” or tribal politics.

*June 2006 Election.* In the June 29, 2006, election, the opposition, which attracted youth support under the “Orange” banner, won 34 out of the 50 seats. The election was the first in which women could vote or run, but none of the 27 female candidates (out of 249) won. The Amir did, however,

ultimately accept the opposition's demand to reduce the number of electoral districts to five; a law to implement that went into effect.

*May 2008 Election.* The schisms between the opposition and the government produced another crisis in March 2008 when the Assembly insisted on pay raises for state employees as a response to spiraling inflation. The government refused, the cabinet resigned, and the Amir dissolved the Assembly and set new elections for May 17, 2008. With the compression to five electoral districts implemented, Sunni Islamists and conservative tribal leaders won a total of 24 seats—an increase of 4. Their allies—the so-called “liberals”—won 7 seats. Shiites increased their representation by 1 to a total of 5 seats. Pro-government and other independent tribalists held the remaining 14 seats. As in the 2006 election, none of the 27 women candidates was elected.

Almost immediately after the 2008 elections and related cabinet appointments, Islamists agitated unsuccessfully against the appointment of two women to the cabinet. The two female cabinet members were Nuriya al-Sebih, who was reappointed as the education minister (after surviving a January 2008 no-confidence vote), and Mudhi al-Humoud, a liberal academic, who was appointed as state minister for two positions: housing affairs and development affairs. Another woman, Ms. Masouma Mubarak, who was the first female minister ever in Kuwait, had resigned in September 2007 after some members of parliament blamed her for mismanagement.

Sunni-Shiite tensions added to the dissension within the Kuwaiti elite. Possibly as a spillover of sectarian tensions in post-Saddam Iraq, recriminations flared in February 2008 after several Shiite politicians attended a public ceremony commemorating the killing earlier that month of Lebanese Hezbollah militant Imad Mughniyah. The sectarian tensions erupted even though the Shiite representation in the cabinet was expanded to two ministers, up from one that was customary. In November 2008, the cabinet resigned when three Sunni Assembly deputies requested to question the prime minister over corruption allegations and his decision to permit the visit of an Iranian Shiite cleric who was perceived as having slighted Sunnis. On December 1, 2008, the Amir reappointed Shaykh Nasser as prime minister, pending formation of a new cabinet, but he did not suspend the Assembly.

The power struggle between the government and opposition deputies in the Assembly resumed in March 2009, when the Assembly insisted on questioning the prime minister over his management of the global financial crisis and alleged misuse of public funds. The disputes had held up passage of a proposed \$5 billion fiscal stimulus and financial guarantees program to address economic weakness and the severe decline in Kuwait's stock market, which had triggered protests from investors who lost substantial portions of their portfolios. The suspension enabled the government to go forward with the stimulus.

*May 2009 Election.* On March 19, 2009, the Amir again suspended the Assembly, triggering a requirement for new Assembly elections by May 19, 2009, under the constitution (60 days from suspension). They were held on May 16, 2009. The election, in which turnout was relatively light at about 55% of the 385,000 eligible voters, produced more than 20 new parliamentarians, including four women—the first females to be elected to the Assembly. They included Masouma Mubarak, mentioned above (a Shiite), as well as Rola Dashti, who had been narrowly defeated in 2006. The other women victors were Aseel al-Awadhi and Salwa al-Jassar, both professors.

Perhaps reflecting the strengthened government position, immediately after the election, the Amir reappointed Shaykh Nasser as prime minister. There had been pre-election speculation that the Amir would appoint the crown prince, Shaykh Nawwaf, as prime minister, concurrently. This

move would produce some measure of stability because the Assembly is not able, constitutionally, to question the crown prince. The move would have restored the tradition of appointing one official to hold the two positions, a tradition which was adhered to until July 2003.

The election of the women, and the setback for Sunni Islamists, signaled to some that Kuwaiti voters wanted an Assembly that would work with the government. However, those hopes proved incorrect in November 2009, when Assembly members filed motions to question four ministers, including the defense minister, for alleged corruption in the arms sale process. The Assembly also demanded to question Prime Minister Nasser for corruption involving the 2008 elections. On December 8, 2009, the prime minister agreed to the questioning, which marked the first time in the Gulf region that a head of government had been successfully summoned by an elected body. A separate motion by 10 members cited the prime minister for “non-cooperation” with the Assembly, although a majority of members later issued a statement expressing confidence in the prime minister. Votes on the motions were held on December 17, 2009, and a new election was avoided when deputies voted 35-13 on a motion to express confidence in the prime minister.

The political deadlock did not break. The fall session of parliament was opened on October 26, 2010, and the government was able to achieve appointment of its allies to key permanent committees, including interior and defense, and the legal and legislative committee.<sup>2</sup> However, opposition deputies resumed their criticism of the government in subsequent days, threatening to question Interior Minister Jabir (for the third time in two parliamentary sessions) for his decision to release from custody two Iranian drug traffickers. Others sought to question why the government was slow to implement a privatization law passed in the winter-spring 2010 session, but which entered into force in September 2010.

The tensions that built throughout 2010 carried over into 2011. A demonstration by parliamentarians and civil society activists on December 8, 2010, protesting what they asserted were government attempts to limit National Assembly powers, was broken up by security forces; several parliamentarians were reportedly beaten. That incident sparked another call to formally question the prime minister on December 28, 2010, (the eighth time he appeared before the Assembly) and a date of January 5, 2011, was set for a no-confidence motion. Of the 50 elected Assembly members, 22 supported the no-confidence motion and 25 opposed it, with 1 abstention, and 2 not voting.<sup>3</sup> Some saw the vote as indicating that the government is losing support among tribal deputies mainly from the outer districts of Kuwait City, which are inhabited by generally less affluent, naturalized citizens.<sup>4</sup>

## **Broader Arab Uprisings Add to Kuwait’s Political Crises**

The January 5, 2011, no-confidence vote by no means resolved the conflict between the government and the opposition within the Assembly. Concurrently, the broader Arab uprisings affected the schisms within Kuwait by bringing broader opposition elements in society into the political struggles in Kuwait. Oppositionists in the Assembly, supported by youths under a banner called the “Fifth Fence,” and who might have been inspired by the Arab uprisings that began in January 2011, called for the resignation of Interior Minister Jabir al-Khalid Al Sabah on the

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<sup>2</sup> “Govt Controls Key Assembly Panels.” *Kuwait Times*, October 27, 2010.

<sup>3</sup> “Kuwait’s Prime Minister Survives Parliament Vote.” *Al Jazeera TV*, January 5, 2011.

<sup>4</sup> Kristin Smith Diwan, “Kuwait: Too Much Politics, or Not Enough?,” *Foreign Policy* online, January 10, 2011.



grounds of “undemocratic practice.” They accused him of failing to prevent the alleged torturing to death of a man in custody for illegal liquor sales. February 8, 2011, was set for a public protest—the same day the interior minister was to be questioned by the Assembly. However, in advance of the questioning, the minister resigned and was replaced by Shaykh Ahmad al Humud Al Sabah, and the Fifth Fence postponed the protest until March 8, 2011. The protest was held but reportedly attracted only a few hundred demonstrators. A demonstration by the stateless Kuwaiti residents known as “bidoons,” demanding citizenship, was held on March 11, 2011.

Popular protests did not broaden substantially, suggesting that popular frustration with governance in Kuwait is not as broad as it was in those Arab countries, such as Egypt, Libya, and Tunisia, where leaders were toppled by unrest. However, the crisis within the elite continued. On March 31, 2011, Shiite parliamentarian Saleh Ashour asked to question the foreign minister about Kuwait’s sending of naval forces as part of a Gulf Cooperation Council military intervention to assist Bahrain’s government against a major uprising by the Shiite opposition there. Many of Kuwait’s Shiites opposed that decision as unjustly supporting the Sunni Bahraini monarchy’s repression of its mainly Shiite opposition.

Rather than face questioning on the Bahrain issue, the cabinet resigned. Prime Minister Nasser was re-appointed to a caretaker government, and a new cabinet, with few changes, was formed on May 8, 2011. (The only ministers changed were those for oil and for commerce.) This was the seventh cabinet formed by Shaykh Nasser since he became prime minister in 2006. Two days later, a fresh challenge came with the request by two National Assembly deputies to question the prime minister over economic issues, although the Assembly voted, on May 17 (37 out of 47 members presented) to approve a government request to put off the questioning for one year.

After a few months of relative quiet, the government came under renewed popular pressure in September 2011 following reports that two of Kuwait’s largest banks had deposited \$92 million into the accounts of two National Assembly members. These transfers, and those to seven other parliamentarians, were placed under investigation, although some reports say the alleged scandal may have involved 16 or 17 parliamentarians. If the reports are accurate, they suggest the government has sought to buy the loyalty of parliamentarians, and that some have accepted the bribes. The corruption case caused thousands of Kuwait protesters to take to the streets on September 21, 2011, calling for the resignation of the prime minister. The crisis intensified on October 18, 2011, with the resignation of Deputy Prime and Foreign Minister Dr. Mohammad Al Sabah, discussed earlier, in protest of the alleged corruption. Two days later, what many called the biggest demonstration in Kuwait of the year (an estimated 10,000) was held demanding the prime minister’s resignation.

In unrest that may not be directly related to the corruption allegations, on October 10, 2011, about 3,000 customs officers went on strike demanding higher wages and better working conditions; the action caused a temporary halt to Kuwaiti oil exports. The stoppage followed strikes in the oil industry and the state-run banking and health care industry in September. Probably as a direct response to the allegations, on September 25, 2011, the cabinet adopted an anti-corruption draft law, although the draft needs to be approved by the Amir and then enacted by the National Assembly. On October 26, 2011, the prime minister opened the 2011-2011 National Assembly session denouncing strikes and demonstrations as unacceptable, and blaming the parliamentary challenges of the government for the lack of progress on key issues.

## **December 2011: The Fall of Another Government and New Elections**

The corruption issue did not abate with the opening of the National Assembly session. Opposition deputies boycotted committee meetings, and the pro-business National Action bloc defected and joined with opposition deputies, giving the opposition enough votes for a successful no-confidence motion against the prime minister. On November 16, 2011, opposition deputies and oppositionists in the public, including youth-oriented groups the Fifth Fence (mentioned above), Kafi, and Nahj, forced their way into the Assembly building and demanded the prime minister's resignation. The Amir issued a decree tightening security at the building, but the political pressure continued and on November 28, 2011, Prime Minister Nasser resigned.

Rather than again reappointing Shaykh Nasser as a caretaker, the Amir appointed another royal family member, then Defense Minister Shaykh Jabir al-Mubarak Al Sabah, as prime minister. He was sworn in, but without first naming a new cabinet, on December 4, 2011. Two days later, on December 6, 2011, he recommended (and the Amir concurred with) dissolution of the National Assembly and new elections. Although some questioned the constitutionality of the dissolution because a new government had not been fully formed, the dissolution was accepted by major political blocs and the country started preparing for Assembly elections within the constitutionally mandated 60 days. The election was set for February 2, 2012.

Subsequently, opposition deputies began nominating themselves as candidates. Primary elections are formally banned, although some tribes hold informal "tribal primaries" to determine who their candidate will be. On December 6, 2011, a group of 20 opposition deputies announced they would compete as one "Opposition Bloc." Opposition youth leaders announced they would back opposition deputies who would push for a fully elected government in which the prime minister is selected by the Assembly, legalization of political parties, and election law changes. Such announcements confirmed the fears of the royal family that dissolving the Assembly and holding new elections would empower oppositionists sympathetic to the 2011 Arab uprisings. However, refusing to call a new election would have portrayed the government as attempting to cover up its own alleged corruption. Some secular oppositionists fear that the new election will increase the ranks of Islamist deputies, who are well organized.

### ***February 2, 2012, Election Results and Crisis Continuation***

Many of the mainstream predictions appeared to be realized in the February 2, 2012, election. As shown in **Table 1** below, groups opposed to the government won at least 32 of the 50 seats. Islamist groups increased their influence markedly and they and their allies who oppose the government took control of the Assembly's agenda. They benefitted at the expense of the pro-government independent deputies who were defeated decisively, many of whom were the Assembly members alleged to have received government funds in the scandal discussed above. Kuwaiti liberals lost support and, in a blow to secular Kuwaitis, none of the 19 women who ran, including the 4 incumbent women, was elected. Turnout was about 62%, up from the 58% of the 2009 election. A leading opposition figure, Ahmad al-Sadun, a previous speaker (1985-99), returned to that post when the Assembly convened in February 2012, replacing the relatively pro-government Jassim Al-Khurafi, a major figure in Kuwait's merchant community.

The new government formed after the election was again headed by Prime Minister Shaykh Jabir al-Mubarak Al Sabah, and about 10 new ministers were appointed, compared to the government that was in office before the election. No women were appointed. And, the government refused opposition demands to appoint oppositionists to at least nine of the sixteen cabinet positions—the

government only appointed four such ministers, contributing to the Assembly's assertiveness in challenging the government. In late March 2012, Shiite Assembly deputy Ashour (see above) filed a successful motion to question the prime minister about alleged failure to fully investigate official corruption allegations—an issue that had caused the Central Bank governor to resign in February 2012. The prime minister was questioned on March 28, 2012, but opponents did not file a vote of no-confidence motion. In May 2012, the Finance Minister resigned after a parliamentary “grilling,” and, on June 12, 2012, the Minister of Social Affairs and Labor resigned rather than face parliamentary grilling on the issue of rising food prices.

With the Assembly insisting on grilling the Interior Minister, on June 18, 2012, the Amir exercised his prerogative under Article 106 of the constitution to suspend the Assembly for one month—a temporary suspension renewable for another two months (but with the concurrence of the Assembly). However, the first month suspension extends nearly to the holy month of Ramadan, at which time the Assembly is not in session anyway, meaning the June 18, 2012, decree would likely close the Assembly until October 2012. Even that attempt to reduce tensions was thrown into disarray on June 20, 2012, when a constitutional court ruled that the December 2012 suspension was not conducted in accordance with the constitution, and the court ordered the previous Assembly reinstated. Statements by some parliamentarians suggested they would abide by the ruling which, if implemented, would see the re-seating of an Assembly somewhat less confrontational to the government than the one elected in February 2012. Still, virtually no observer of Kuwaiti politics asserts that the schism between the government and its opposition is close to resolution.

### **Prospects and U.S. Responses**

Possibly because of Kuwait's relative affluence and tradition of free expression, Kuwait appears to have avoided a broad popular uprising along the lines of those that have toppled regimes elsewhere in the Middle East. However, with the schisms among the political elite unresolved, a resurgence of unrest to the point where the next government or other senior officials resign cannot be ruled out.

Perhaps because the unrest in Kuwait has been relatively minor, the Obama Administration has not made any high-profile comments on it or on the Kuwaiti government's responses, and there has been no evident alteration of the U.S.-Kuwait relationship as a result of any of the unrest.

**Table I. Composition of the National Assembly: 2008–2012**

Ideology/Affiliation	Post-2008 Election	Post-2009 Vote	Post-Feb. 2012 Vote
Sunni Islamist (Muslim Brotherhood and Salafi, including tribalists. generally opposes the government)	24	14	23
Liberals (generally opposition)	7	8	5
Popular Action Bloc (generally opposition)	0	2	4
Shiite Islamist (generally pro-government)	5	9	7
Independents (includes tribalists, pro-business deputies of the National Action Bloc, and women). Generally pro-government	14	17	11
Women (generally pro-government)	0	4	0
Included in categories above			

**Source:** CRS, based on articles and analysis from various observers.

**Note:** Some members of the National Assembly might span several different categories and several sources often disagree on precise categorizations of the members of the Assembly.

## Broader Human Rights Issues

On broader human rights issues, the latest State Department Country Report on Human Rights Practices for 2011, released May 24, 2012, and cited earlier, reiterated comments in previous reports that there are limitations in citizens' rights to change their government, and that authorities restrict freedom of speech and assembly. On May 10, 2011, Kuwait took over Syria's bid for a seat on the U.N. Human Rights Council when Syria, violently suppressing serious popular unrest, decided to compete for the seat in 2013 instead of 2011.

## Women's Rights

Women have made significant strides in achieving their rights in Kuwait over the past several years, as exemplified by their running and winning election to the National Assembly. However, the election of women has not translated into an expansion of women in the cabinet; there was only one in the 2011 cabinet—Dr. Amani Khalid Burisli, who served as minister of commerce and industry. No women were elected in the February 2, 2012, election and none was appointed to the cabinet that took office in February 2012.

More broadly, women in Kuwait can drive, unlike their counterparts in neighboring Saudi Arabia, and there are several non-governmental organizations run by Kuwaiti women, such as the Kuwait Women's Cultural and Social Society, that are dedicated to improving rights for women and to agitating on several different issues unrelated to gender. Still, women are subject to a broad array of discriminatory practices and abuses. For many years, successive State Department human rights report have noted that violence against women, particularly expatriate women working in domestic service roles, is allegedly frequent. Kuwaiti law, for example, does not specifically prohibit domestic violence. A *New York Times* investigative report of August 2, 2010, described

difficulties faced by expatriate female domestic workers in Kuwait, including non-payment of wages, physical or sexual abuse, and withholding of passports.<sup>5</sup>

## Trafficking in Persons

Kuwait was, for the sixth year in a row, designated by the State Department's *Trafficking in Persons* report for 2012 (issued June 19, 2012, cited earlier) as a "Tier Three" (worst level) country. The Tier Three designation has been maintained because, according to the 2012 report, Kuwait is "not making sufficient efforts" to comply with minimum standards for the elimination of trafficking. The report emphasizes that the National Assembly still has not enacted a comprehensive draft anti-trafficking law that has been on its agenda since November 2009.

## Status of "Bidoons"

Non-Gulf Arabs and Asians, and approximately 106,000 stateless residents (known as "bidoons") continue to face discrimination. On October 26, 2010, Prime Minister Nasser said the government would soon implement a plan to resolve the legal and economic status of the bidoons, although the lack of resolution contributed to the March 11, 2011, demonstration discussed above. Following that demonstration, the government set up a "Central System for Remediating the Status of Illegal Residents," with a mandate to resolve the status of the bidoons within five years. During 2011, the government granted citizenship to several hundred bidoons but 80,000 bidoon citizenship requests were pending at the end of 2011.

### Some Basic Facts

Leadership	Amir: Shaykh Sabah al-Ahmad al-Jabir Al Sabah. Crown Prince/heir apparent: Shaykh Nawwaf al-Ahmad al-Jabir Al Sabah. Prime Minister: Shaykh Jabir al-Mubarak Al Sabah
Population	About 3.44 million, of which 1.1 million are citizens.
GDP (purchasing power parity, PPP)	\$150 billion (2011)
Religions	Muslim 85% (Sunni 70%, Shiite 30%); other (Christian, Hindu, Parsi) 15%
GDP	\$171 billion (2011)
GDP per capita (PPP)	\$40,700/yr (2011)
GDP growth rate	5.7% (2011)
Inflation	5.6% (2011)
Oil (proven reserves)	104 billion barrels
Oil exports	2.15 million barrels per day (mbd)

Source: CRS, CIA World Factbook reports.

<sup>5</sup> Fahim, Kareem. "Away From Home, Fleeing Domestic Life." *New York Times*, August 2, 2010.

## Freedom of Expression and Media Freedoms

Official press censorship ended in 1992, assisting the growth of a vibrant press, but successive State Department human rights reports have asserted that the government does not always respect the constitutional provisions for freedom of speech and the press. The government monitors Internet communications for defamation and security reasons. And, by law, newspaper publishers must be licensed by the Ministry of Information. The law also prohibits material that insults Islam, the Amir, the constitution, or the judicial system.

One case of alleged repression against a journalist and blogger, Mohammad Abd al Qadir al-Jasem, attracted attention from human rights groups and some Kuwait parliamentarians. Al-Jasem was arrested in 2009 and then arrested again on May 10, 2010, for allegedly “instigating to overthrow the regime” by slandering the prime minister at a *diwaniyya*. Supporters say his treatment reflected unwarranted and unconstitutional repression against a government critic, and Al-Jasem reportedly conducted a hunger strike while in jail. A Kuwaiti judge ordered his release on bail on June 28, 2010. He was sentenced to one year in jail in November 2010 but was released in February 2011.

A few related issues have drawn attention from the international human rights community. In June 2011, two were arrested in Kuwait for Internet postings critical of the Kuwait leadership and the Bahraini leadership. In April 2011, security officers arrested and deported 21 Egyptian nationals resident in Kuwait for attending meetings in support of Egyptian opposition figure Dr. Mohammad El Baradei. They were deported under a law prohibiting noncitizens to attend demonstrations or public gatherings. On September 25, 2011, a Kuwaiti court sentenced a Sunni Islamist activist to three months in jail for comments on Twitter deemed derogatory to Shiites. Another activist is facing a jail sentence for using Twitter to insult several Gulf country leaders. In mid-March 2012, a Kuwaiti court suspended the Kuwaiti newspaper *Al Dar* for allegedly publishing articles that insult Shiites and could therefore incite sectarian strife. In early April 2012, Kuwaiti writer Mohammad al-Mulaifi was sentenced to seven years imprisonment for writing on Twitter about sectarian divisions in Kuwait, including insulting Shiite scholars and accusing some Shiites of affiliations to Iran.

## Labor Rights

The government allows one trade union per occupation, but the only legal trade federation is the Kuwait Trade Union Federation (KTUF). Foreign workers, with the exception of domestic workers, are allowed to join unions, and the government has tended not to impede strikes. As mentioned above, on October 26, 2011, the prime minister criticized the strikes in key sectors in September and October 2011 as “tantamount to attacks on the state’s status, sovereignty, its interests, and its citizens,” and “cannot be tolerated.”

## Religious Freedom

On religious freedom, the State Department religious freedom report for July-December 2010 (released September 13, 2011) reported “no change” in the status of respect for religious freedom by the Kuwaiti government during the reporting period. Shiite Muslims (about 30% of Kuwait’s population) continue to report official discrimination, including limited access to religious education and the perceived government unwillingness to permit the building of new Shiite mosques. Unlike in Bahrain, Shiites are well represented in the police force and the

military/security apparatus, although they generally are not offered leadership positions in those institutions. On the other hand, in early April 2012, the Kuwaiti ministry that oversees houses of worship said it will begin monitoring Shiite mourning houses known as Husseiniyas, but it also stated that it is considering providing state funds to Shiite mosques, as it does for Sunni mosques. On June 6, 2012, the Amir refused to sign (vetoed) a National Assembly bill stipulating the death penalty for those who curse the major figures and symbols of Islam, including the Quran.

Kuwait has seven officially recognized Christian churches to serve the approximately 450,000 Christians (mostly foreign residents) in Kuwait. However, press reports in April 2012 said that Islamists in the Kuwaiti National Assembly, empowered by the results of the February 2012 elections, announced that they would introduce legislation to prevent the building of new churches in Kuwait.<sup>6</sup> Members of religions not sanctioned in the Quran—including Baha’i’s, Buddhists, Hindus, and Sikhs—are not allowed to operate official places of worship, but they are allowed to worship in their homes. These religions are practiced mostly by the South Asian and East Asian workers resident in Kuwait.

### **U.S. Efforts to Promote Democracy and Human Rights**

The U.S. Embassy in Kuwait uses various programming tools, including discussions with Kuwaiti leaders, public diplomacy, and funds from the Middle East Partnership Initiative (MEPI), to encourage further democratization. However, Kuwait is considered perhaps the furthest along in the Gulf on democratization, and some believe U.S. policy should concentrate elsewhere in the Gulf where civil society and public participation are less well established. In Kuwait, MEPI funds have been used to enhance the capabilities of the media, to promote women’s rights, to support democracy initiatives, and to provide a broad spectrum of educational opportunities.

## **U.S.-Kuwait Relations and Defense Cooperation**

Kuwait has been a pivotal partner of the United States through three Gulf wars: the Iran-Iraq War, the 1991 Persian Gulf War, and Operation Iraqi Freedom (overthrow of Saddam Hussein). In all three cases, Kuwait’s security was directly at stake, but U.S. officials stress that Kuwait went to extraordinary lengths to support U.S. policy and operations. As a result of the complete U.S. troops withdrawal from Iraq at the end of 2011, Kuwait’s cooperation could become even more crucial to U.S. efforts to ensure Iraq’s stability.

A U.S. consulate was opened in Kuwait in October 1951; it was elevated to an embassy upon Kuwait’s independence from Britain in 1961. Kuwait, the first Gulf state to establish relations with the Soviet Union in the 1960s, was not particularly close to the United States until the Iran-Iraq War (1980-1988). Kuwait and the United States grew politically and militarily close during that war because of its spillover to Kuwait. Through intimidation, Iran sought to compel Kuwait not to support Iraq in that war. Iran fired at and struck some Kuwaiti oil facilities, including the Al Ahmadi terminal, with Silkworm surface-to-surface missiles. In 1987-1988, the United States established a U.S. naval escort and tanker reflagging program to protect Kuwaiti and international shipping from Iranian naval attacks (Operation Earnest Will). As part of the skirmishes between

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<sup>6</sup> Middle East Media Research Institute. “In Kuwait, Public Debate Over Demand to Demolish Churches,” April 10, 2012.

the United States and Iran in the course of that operation, Iran attacked a Kuwaiti oil installation (Sea Island terminal). Recognizing Kuwait's consistent and multi-faceted cooperation, particularly with U.S. operations in Iraq, on April 1, 2004, the Bush Administration designated Kuwait as a "major non-NATO ally (MNNA)," a designation held by only one other Gulf state (Bahrain).

## **Assistance in Addressing the Threat from Iraq**

Believing Saddam Hussein would reward Kuwait for assisting Iraq financially and logistically during the Iran-Iraq War, Kuwait's leaders were shaken by the August 1990 Iraqi invasion. Iraq's public justification was an accusation that Kuwait was overproducing oil and thereby harming Iraq's ability to repay its debts and recover economically from the long war with Iran. However, most experts believe that the invasion was a result of Saddam's intent to dominate the Persian Gulf politically, economically, and militarily. Kuwait was liberated by the U.S.-led January 16-February 28, 1991, "Desert Storm" offensive that expelled Iraqi troops, and its leaders, who spent the occupation period in exile in Saudi Arabia, were restored to power in Kuwait.

## **Bilateral Defense Pact**

The U.S.-led expulsion of Iraqi forces from Kuwait in the 1991 Persian Gulf War led to a deepening of the U.S.-Kuwait security relationship, the cornerstone of which was a broad 10-year defense pact signed on September 19, 1991. Although the text is classified, the pact reportedly provides for mutual discussions in the event of a crisis; joint military exercises; U.S. evaluation of, advice to, and training of Kuwaiti forces; U.S. arms sales; prepositioning of U.S. military equipment (armor for a U.S. brigade); and U.S. access to a range of Kuwaiti facilities, such as Ali al-Salem Air Base, Camp Arifjan, and Camp Buehring.<sup>7</sup> A related Status of Forces Agreement (SOFA) provides that U.S. forces in Kuwait be subject to U.S. rather than Kuwaiti law—a common feature of such arrangements. In September 2001, the pact was renewed for another 10 years, and it was widely assumed among experts on Kuwait that renewal in September 2011 would be a formality. However, as of April 2012, the Defense Department has not announced whether this presumed renewal schedule is operative, raising the possibility that it had earlier been extended beyond September 2011.

## **The Containment Era**

Efforts to contain Saddam Hussein after the 1991 war depended heavily on Kuwait. Kuwait contributed materially to the 1991 war and subsequent Iraq containment efforts—it paid \$16.059 billion to offset the costs of Desert Shield/Desert Storm and funded two-thirds of the \$51 million per year U.N. budget for the 1991-2003 Iraq-Kuwait Observer Mission (UNIKOM) that monitored the Iraq-Kuwait border. Kuwait also contributed about \$350 million per year for U.S. military costs of Kuwait-based Iraq containment operations, including the 1992-2003 enforcement of a "no fly zone" over southern Iraq (Operation Southern Watch), involving 1,000 Kuwait-based U.S. Air Force personnel. During the 1990s, the United States prepositioned enough armor in Kuwait to outfit one combat brigade, and there were generally about 4,000 or more U.S. troops stationed there at any given time. Kuwait hosted an additional 5,000 U.S. forces

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<sup>7</sup> Hajjar, Sami. *U.S. Military Presence in the Gulf: Challenges and Prospects*. U.S. Army War College, Strategic Studies Institute. p. 27.



during the major combat phases of Operation Enduring Freedom, which ousted the Taliban from power in Afghanistan.

### **Supporting the U.S.-Led Effort to Militarily Oust Saddam**

Given that Saddam Hussein had invaded Kuwait, Kuwait enthusiastically supported, although quietly, the Bush Administration's decision to militarily overthrow Saddam Hussein (Operation Iraqi Freedom (OIF)). It hosted the vast bulk of the U.S. invasion force of about 250,000 forces, as well as the other coalition troops that entered Iraq. To secure that force, Kuwait closed off its entire northern half for weeks before the invasion. It also allowed U.S. use of two air bases, its international airport, and sea ports; and provided \$266 million in burden sharing support to the combat, including base support, personnel support, and supplies such as food and fuel.

### **Helping Stabilize Post-Saddam Iraq**

During 2003-2011, when U.S. troops were in Iraq, there were an average of 25,000 U.S. troops based in Kuwait (not including those rotating into Iraq) at a given time, primarily supporting the U.S. forces moving into or out of Iraq. The main U.S. staging facility in Kuwait is Camp Arifjan and a desert firing range facility, Camp Buehring; it is at these locations that equipment from the Iraq battlefield has been cleaned, repaired, and packed up for return to the United States or stored in regional prepositioning sites. U.S. forces vacated Camp Doha, the headquarters for U.S. forces in Kuwait during the 1990s, in December 2005.

According to Defense Department budget documents, Kuwait has since contributed about \$210 million per year in similar in-kind support to help defray the costs incurred by U.S. military personnel that have rotated through Kuwait into or out of Iraq for operations in Iraq. However, for FY2012, Kuwait is contributing \$350 million for these purposes, according to the FY2012 Consolidated Appropriation (P.L. 112-74). Kuwaiti contributions might run higher in FY2012 than in past years because of the work that will be done in Kuwait to clean, store, and return to the United States weapons and equipment withdrawn from Iraq.

Kuwait served as the key exit route for U.S. troops as they implemented President Obama's February 27, 2009, drawdown plan and then his October 21, 2011, announcement that all U.S. troops would be out of Iraq by the end of 2011. The United States and Iraq discussed retaining some U.S. troops in Iraq beyond 2011 (anywhere from 3,000 to about 15,000, according to varying recommendations under consideration) to continue training Iraqi forces. However, Iraq and the United States were unable to agree on a legal status framework for retaining U.S. troops, and the last U.S. troops left Iraq on December 18, 2011.

### **Kuwait's Role in Long-Term Gulf Security**

In light of continuing concerns about Iraq's stability without any U.S. forces, there was discussion that the United States might build up forces in Kuwait, with potential to intervene in Iraq if the Iraqi Security Forces run into difficulty.<sup>8</sup> A substantial U.S. force in Kuwait would also

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<sup>8</sup> [http://www.worldtribune.com/worldtribune/WTARC/2011/me\\_iraq1201\\_09\\_26.asp](http://www.worldtribune.com/worldtribune/WTARC/2011/me_iraq1201_09_26.asp); Thom Shanker and Steven Lee Myers. "U.S. Is Planning Buildup in Gulf After Iraq Exit." *New York Times*, October 30, 2011; Pauline Jelinek, "Kuwait, U.S. Still Talking About Troop Plan." *Associated Press*, November 7, 2011.

presumably add to U.S. capabilities to confront Iran if disputes with the United States over its nuclear program and its role in the Middle East and Persian Gulf were to escalate.

Downplaying the possibility of a substantial buildup in Kuwait, deputy National Security Adviser Ben Rhodes told journalists after the U.S. completed its withdrawal from Iraq that “There are not really plans to have any substantial increases in any other parts of the Gulf as this war winds down.”<sup>9</sup> A staff report of the Senate Foreign Relations Committee published June 19, 2012, said that the United States will keep about 13,500 troops in Kuwait as of mid-late 2012—somewhat less than the 25,000 there during the U.S. presence in Iraq. However, the troops in Kuwait during the Iraq mission were mostly support forces, or combat forces there temporarily on their way into or out of Iraq. Press reports say some of the U.S. forces to be placed in Kuwait long term will be combat troops, not purely support forces.<sup>10</sup> This altered mix of U.S. forces in Kuwait indicates that the United States wants to retain combat power in close proximity to both Iraq and Iran.

Possibly signaling that Kuwait wants to be fully integrated into post-U.S. withdrawal security structures, including with other U.S. partners, it was reported in December 2011 that NATO is discussing with Kuwait opening a center in Kuwait City. This is a follow-on to a decision taken in Istanbul in June 2004 under the “Istanbul Cooperation Initiative (ICI).” Kuwait joined the ICI in December 2004.

## **U.S. Security Assistance**

Although the threat from Iraq is low compared to what it was during the Saddam era, the United States continues to bolster Kuwait’s defense capabilities. U.S. officials say that the U.S.-Kuwait defense relationship, enhanced by the small amounts of U.S. assistance shown in **Table 2** below, has improved the quality of the Kuwaiti military, particularly the air force. Kuwait receives very small amounts of U.S. assistance because of its ability to fund its own security requirements and, as noted above, Kuwait has been mainly a donor to U.S. operations rather than a recipient of U.S. funds. As a result of Kuwaiti recruitment efforts, its military has now nearly regained its pre-Iraq invasion strength of 17,000. In 2008, U.S. Central Command (CENTCOM) established in Kuwait a permanent platform for “full spectrum operations” in 27 countries in the region—among its objectives is to help Kuwait establish a more capable navy.

## **Arms Sales**

U.S. arms sales have sought to enhance Kuwait’s capability. In 2010, Kuwait agreed to purchase \$1.6 billion in U.S. defense articles and services through the Foreign Military Sales Program. U.S. sales to Kuwait are intended to comport with the overall goals of the “Gulf Security Dialogue” program designed to contain Iran by enhancing the individual and joint capabilities of the Gulf states. Kuwait is not eligible to receive U.S. excess defense articles. Major post-1991 Foreign Military Sales (FMS) include:

- 218 M1A2 tanks at a value of \$1.9 billion in 1993. Delivery was completed in 1998.

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<sup>9</sup> “The Cable: Foreign Policy’s Josh Rogin.” *Washington Post*, December 22, 2011. p. 17.

<sup>10</sup> Michelle Tan. “15,000 in Kuwait, At Least For Now.” *Army Times*, January 16, 2012.

- A 1992 sale of 5 Patriot anti-missile fire units, including 25 launchers and 210 Patriot missiles, valued at about \$800 million. Delivery was completed by 1998. Some of them were used to intercept Iraqi short-range missiles launched at Kuwait in the 2003 war.
- A 1992 sale of 40 FA-18 combat aircraft (purchase of an additional 10 is under consideration).
- A September 2002 sale of 16 AH-64 (Apache) helicopters equipped with the Longbow fire-control system, valued at about \$940 million.
- A December 4, 2007 Defense Security Cooperation Agency (DSCA) notification to Congress reported a sale to Kuwait of 80 PAC-3 (Patriot) missiles and 60 PAC-2 missiles and upgrades, valued at about \$1.3 billion.
- On September 9, 2008, DSCA notified a sale of 120 AIM-120C-7 Advanced medium Range Air-to-Air Missiles (AMRAAM), along with equipment and services, with a total value of \$178 million.
- On August 11, 2010, the Administration notified Congress of another potential Patriot-related sale—of 209 Patriot “Guidance Enhanced Missile-T” (GEM-T) missiles valued at \$900 million. The prime contractor for that system is Raytheon.
- On February 27, 2012, the Administration notified Congress of a potential sale of 80 AIM-9X-2 SIDEWINDER missiles, and associated parts and support, with an estimated value of \$105 million. The sale, if completed, would help Kuwait modernize its fighter aircraft and enhance interoperability with U.S. aircraft.

### International Military Education and Training (IMET)

As noted in the Table below, in recent years Kuwait has received very small amounts of funding under the International Military Education and Training (IMET) program. However, Kuwait sends military students to U.S. military institutions to study intelligence, pilot training, and other disciplines. In FY2010, Kuwait spent about \$9.7 million to provide such education for 216 Kuwaiti military students. IMET funding that has been provided to Kuwait has been primarily to get Kuwait a discount for Kuwait-funded trainees in U.S.

**Table 2. U.S. Aid to Kuwait and Purposes**

(dollars in thousands)

	FY2006	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013
International Military Training and Education (IMET).	-	19	14	0	10	0	0	0
Non-Proliferation, Anti-Terrorism, De-Mining and Related (NADR).	628	1,025	0	0	0	0	0	0

## Foreign Policy Issues

Kuwait and the United States largely share a common threat perception and cooperate on a wide range of regional issues. After the United States, Kuwait's most important security alliance is with the Gulf Cooperation Council (GCC), which consists of fellow Gulf monarchies, although the GCC is not perceived as able to provide Kuwait—or any of its members—with as extensive a security umbrella as can the United States. In May 2012, Saudi Arabia proposed a close political union among the GCC states—a position that ran into opposition from several GCC states, including Kuwait, and was not adopted. Kuwait has a much longer experience with elections and parliamentary process than does Saudi Arabia or the other GCC states, and most Kuwaitis are perceived as fearful of backsliding on democracy were there to be such a GCC union.

### Iraq

Even though Iraq no longer poses a strategic threat to Kuwait, Iraq's stability and the bilateral Iraq-Kuwait relationship remain paramount Kuwaiti foreign policy concerns. Kuwait has tried to build political ties to the dominant Iraqi factions in order to ensure there is no repeat of the 1990 Iraqi invasion of Kuwait or the Iraqi Shiite-led violence that rocked Kuwait in the 1980s. However, even if Kuwait-Iraq relations were to deteriorate sharply, Iraq's U.S.-built post-Saddam military is judged insufficiently strong to defend Iraq's borders, let alone commit aggression against a neighbor. The presence of U.S. forces in Kuwait further diminishes the possibility of conventional military conflict between Iraq and Kuwait. On July 18, 2008, Kuwait named its first ambassador to Iraq since the 1990 Iraqi invasion—Ali al Momen, a retired general. Momen is a Shiite Muslim, and his appointment signaled Kuwait's acceptance that Iraq is now dominated politically by Shiites.

Violence emanating from extremist groups in Iraq is a more viable threat to Kuwait. The December 1983 bombings of the U.S. and French embassies in Kuwait and an attempted assassination of the Amir in May 1985 were attributed to the Iran-inspired Iraqi Da'wa (Islamic Call) Party. This is the party that Iraqi Prime Minister Nuri al-Maliki heads, although the party no longer has a militia wing. Seventeen Da'wa activists were arrested for these attacks, and Da'wa activists hijacked a Kuwait Airlines plane in 1987. In July 2011, an Iraqi Shiite militia supported by Iran (the militia of young cleric Moqtada Al Sadr) rocketed Kuwait's embassy in Iraq and caused Kuwait to bring its diplomats back to Kuwait. These and other Iraqi Shiite militias continue to operate in Iraq close to the Kuwaiti border, and a munition reportedly was fired into Kuwaiti territory in August 2011, although perhaps not intentionally.

In order to promote relations and Iraqi stability, since the fall of Saddam Hussein, Kuwait has built a water line into Iraq, and it ran a humanitarian operation center (HOC) that gave over \$550 million in assistance to Iraqis, in line with Kuwaiti pledges. A Kuwaiti company, First Kuwaiti General Trading and Contracting, was lead contractor on the large U.S. embassy in Iraq that opened in January 2009. On April 22, 2008, Kuwait hosted a regional conference on Iraq's stability, which included the United States, Iran, and other neighboring countries. The potential for a more permanent breakthrough occurred on January 12, 2011, when Prime Minister Nasser became the first Kuwait prime minister to visit Iraq since the August 2, 1990, invasion. Kuwaiti leaders reportedly appreciated the statement by Iraqi Prime Minister Maliki, a few days before the

visit, that Iraq's former ambitions against Kuwait "have gone forever and will never return again."<sup>11</sup> These statements paved the way for Maliki's first visit to Kuwait on February 16, 2011.

By July 2011, the exchange of visits in early 2011 had given way to mutual suspicions and recriminations that have plagued their relations since Kuwait's independence. On July 23, 2011, Iraqi parliamentarians called on Kuwait to suspend construction for its Mubarak the Great port (named after a past ruler) because it would impinge on Iraq's attempts to expand its access to the Persian Gulf at the tip of the Faw peninsula. A pro-Sadr Iraqi Shiite militia threatened to attack South Korean firms who are building out the Mubarak the Great port. Other parliamentarians alleged that Kuwait is slant drilling in the area and therefore stealing oil from Iraq. The disputes were reminiscent of the arguments made by Saddam Hussein to try to justify his invasion of Kuwait in 1990; he claimed that Kuwait sought to economically strangle Iraq. However, some bilateral issues were resolved during a March 15, 2012, Maliki visit to Kuwait, as discussed below, which also paved the way for Amir Sabah's attendance at the March 27-29, 2012, Arab League summit in Baghdad—an event Iraq considered crucial to its efforts to return to the Arab fold after decades of isolation.

### **Residual Issues Related to the 1990 Iraqi Invasion**

Even before the disputes over the rival Gulf ports erupted in July 2011, the lingering after-effects of the 1990 Iraqi invasion had not been fully resolved. U.N. officials, as outlined in a July 27, 2009, report by the Secretary General pursuant to U.N. Security Council Resolution 1859 (December 22, 2008),<sup>12</sup> and a June 9, 2010, report pursuant to Resolution 1284 (December 17, 1999), attempted to find compromises to satisfy both sides.

Kuwait has refused to drop its insistence on full U.N.-supervised reparations by Iraq for damages caused from the 1990 invasion. Iraq wanted the issue closed out to cease the deduction of 5% of all its revenue that is used to pay compensation to the victims of the Iraqi invasion of Kuwait. As of April 2012, the U.N. Compensation Commission (UNCC) created by the post-Desert Storm U.N. resolutions has paid out over \$34 billion to over 100 governments, encompassing nearly 1.5 million claimants. However, about \$25 billion is still owed to Kuwaiti claimants; at current Iraqi revenue rates, it could take many years to pay off. Iraq has sought to end the compensation process outright, or at least have the percentage deduction reduced to 1% or 2%. However, the results were mixed for Iraq on December 15, 2010, when the U.N. Security Council passed three resolutions—1956, 1957, and 1958. The resolutions did end most Saddam-era sanctions against Iraq, thereby taking Iraq out from under "Chapter 7" restrictions, but continued the reparations process and the 5% automatic revenue deduction to fund it.

*Missing Kuwaitis and Kuwaiti National Archives.* The U.N. resolutions adopted December 15, 2010, also continued the effort, required under post-1991 war U.N. resolutions (most notably 687), to resolve the fate of the 605 Kuwaitis and third party nationals missing and presumed dead from the 1991 war, as well as that of the missing Kuwaiti national archives. A special U.N. envoy, Gennady Tarasov, is U.N. coordinator for these issues. In September 2011, Iraq called for an end to the mandate of Tarasov to pursue the issue, but the U.N. Security Council has not acted on that demand. In December 2011, the Security Council supported a recommendation by the Secretary General to fund the Tarasov mission until mid-2012.

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<sup>11</sup> "No Claim on Sovereign Kuwait, Iraqi Ambitions Gone Forever." Arab Times (Kuwait). January 9, 2011.

<sup>12</sup> Report of the Secretary-General Pursuant to Paragraph 5 of Resolution 1859 (2008). S/2009/385, July 27, 2009.

As of April 2012, the cases of 369 Kuwaiti and third-party nationals remain unresolved. The bodies of over 227 have been found (confirmed by DNA tests) in post-Saddam searches, and another 20 cases were resolved through information developed in the course of investigation. In 2010, Kuwait made a \$1 million grant to the Iraqi Ministry of Human Rights, which is the lead Iraqi agency trying to determine the fate of the Kuwaitis. A Tripartite Commission on the issue (Kuwait, Iraq, International Committee of the Red Cross) met on May 18, 2011, for the first time in many years. A June 20, 2011, U.N. report (S/2011/373) did not indicate any additional Kuwaiti cases had been resolved, although it did note that the remains of 32 persons believed to be Iraqi military personnel killed during the Iraqi retreat from Kuwait had been discovered. This added to the return by Kuwait of the remains of 55 Iraqi soldiers to Iraq in 2010. A December 15, 2011, statement by the Security Council president, which followed a briefing by Tarasov, did not indicate any additional cases had been resolved.

The June 2011 U.N. report said no progress had been made since the June 2010 report on the whereabouts of the Kuwaiti National Archives. The Security Council presidential statement on December 15, 2011, mentioned above, welcomed Iraq's approval for a joint Kuwait-Iraq ministerial committee to lead and coordinate further efforts to determine the archives' fate.

*Kuwait-Iraq Border.* There has also been a dispute over the Iraq- Kuwait border. Under post-1991 Gulf war U.N. Security Council Resolution 833, the Council accepted the U.N.-demarcated border between them. Kuwait has sought that the post-Saddam government in Iraq formally acknowledge its commitments under the resolution to pay some of the costs of border markings and signs. Kuwait's foreign minister again called on Iraq to fulfill these commitments, at the U.N. General Assembly meetings in September 2011. In July 2010, Kuwait gave preliminary approval to open a special border crossing into Iraq that would facilitate the work of international oil companies working in Iraq. And, as a consequence of the March 15, 2012, Maliki visit to Kuwait, Iraq agreed to pay its portion of the costs of maintaining the border markings.

*Other Outstanding Bilateral Disputes/Iraqi Airways.* Among other residual issues from the Saddam era, in 2004, Kuwait reportedly pledged to forgive a substantial portion of the \$25 billion Saddam era debt, but it has not written off the debt to date. Another major dispute concerned Kuwait Airways' lawsuits alleging that Iraq owed Kuwait \$1.2 billion for planes and parts stolen during the Iraqi invasion; the actions led to the long-term impoundment of Iraqi Airways jets. The March 15, 2012, Maliki visit resolved the issue with agreement for Iraq to pay Kuwait \$300 million in compensation, and to invest \$200 million in an Iraq-Kuwait joint venture to form a small new airline. Subsequent to the visit, Iraq-Kuwait direct flights resumed.

## **Iran**

During the rule of Saddam Hussein of Iraq, Kuwait was seen by its Gulf neighbors as too willing to engage and support Iran as a potential counterweight to Saddam. Kuwait often hosted pro-Iranian Iraqi Shiite oppositionists against Saddam, even though these same Shiite groups had conducted attacks in Kuwait in the 1980s. Unlike Bahrain, Kuwait's leaders have refrained from openly accusing Iran of attempting to support Kuwaiti Shiites as a potential internal opposition in Kuwait. The Amir, in November 2009, publicly endorsed Iran's right to purely peaceful nuclear energy.

Since Saddam's fall, Kuwait has taken a slightly harder line against Iran, in conjunction with U.S. efforts to enact strict international sanctions on Iran to compel it to curb its nuclear program. In December 2009, Kuwait declined to invite Iran to the GCC summit in Kuwait that month. (Qatar

angered some Gulf leaders by inviting Iranian President Mahmoud Ahmadinejad to the GCC summit in 2007.) In May 2010, Kuwait confirmed that it had arrested some Kuwaiti civil servants and stateless residents for allegedly working on behalf of the Qods (Jerusalem) Force of the Revolutionary Guard Corps of Iran in a plot to blow up Kuwaiti energy facilities.<sup>13</sup> The Qods Force, a subject of U.S. sanctions under several executive orders (see CRS Report RS20871, *Iran Sanctions*, by Kenneth Katzman, for details), is the unit that supports pro-Iranian movements and conducts espionage in neighboring and other foreign countries. The arrests could suggest that Iran might be looking to Kuwait to exert leverage on the United States, presumably by positioning Iran to be able to attack U.S. forces withdrawing from Iraq. In March 2011, a Kuwait court sentenced two Iranians and a Kuwaiti to death in the alleged plot. Subsequently, Kuwait expelled three Iranian diplomats, and Iran expelled three Kuwaiti diplomats in response. However, a visit to Kuwait by Iranian Foreign Minister Ali Akbar Salehi on May 19, 2011, partly calmed tensions; both sides agreed to return their respective ambassadors. In October 2011, the British Embassy in Kuwait closed for four days because of a suspected terrorist plot, although it is not known if the alleged plot involved Iranian agents, or those of Al Qaeda or some other organization. No attack on that or other facility in Kuwait has occurred to date. In November 2011, Iran arrested several individuals in Iran who it alleged were “Kuwaiti spies.”

Kuwait also is cooperating with the growing global consensus to sanction Iran. In July 2010, a U.S. law, P.L. 111-195 (the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010) was enacted that would penalize firms that supply gasoline to Iran. A Kuwaiti gasoline trading firm, Kuwait’s Independent Petroleum Group, was reported to be a supplier of gasoline to Iran,<sup>14</sup> although the firm has told U.S. officials it is not doing so, as of September 2010.

## **Arab-Israeli Dispute**

For many years after Kuwait’s liberation in 1991, the Iraqi invasion and occupation colored Kuwait’s foreign relations. On the Arab-Israeli dispute, Kuwait was more critical than were the other Gulf states of the late Palestinian leader Yasir Arafat because he had opposed war to liberate Kuwait. Because of Arafat’s stance, Kuwait expelled about 450,000 Palestinian workers after liberation. Kuwait has maintained consistent ties to Hamas, and in March 2006, pledged \$7.5 million per month in aid to the then Hamas-led government. Kuwait has supported Qatari and Saudi efforts to broker Fatah-Hamas reconciliation and unity governments. At a March 2, 2009, conference in Cairo, Kuwait pledged \$200 million for Gaza reconstruction following the Israel-Hamas War of December 2008-January 2009. Still, possibly because it is distracted by its internal political crises, Kuwait has not, as have Saudi Arabia and Qatar, stepped forward as a major mediator in intra-Palestinian disputes, nor has it publicly advanced its own proposals for resolving the Israeli-Palestinian dispute. It supports U.N. recognition of the State of Palestine, requested formally by Palestinian Authority President Mahmoud Abbas at the U.N. General Assembly meetings in September 2011.

During the period of active Gulf-Israel negotiations (1992-1997), Kuwait attended multilateral working group peace talks with Israel—sessions on arms control, water resources, refugees, and other issues that were begun as part of the “Oslo Accords process” between Israel and the

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<sup>13</sup> “Iran Spy Cell Dismantled in Kuwait.” Associated Press, May 6, 2010; “Iran Cell Planned Attacks in Kuwait, Minister Says. *Reuters*, April 21, 2011.

<sup>14</sup> [http://www.defenddemocracy.org/index.php?option=com\\_content&task=view&id=11788115&Itemid=105](http://www.defenddemocracy.org/index.php?option=com_content&task=view&id=11788115&Itemid=105).

Palestinians. However, Kuwait did not host any sessions of the multilaterals. In 1994, Kuwait was key in persuading the other Gulf monarchies to cease enforcement of the secondary (trade with firms that deal with Israel) and tertiary (trade with firms that do business with blacklisted firms) Arab boycotts of Israel. However, Kuwait did not, as did Qatar and Oman, subsequently exchange trade offices with Israel, amounting to a renunciation of the primary boycott (boycott on direct trade with Israel).

## **Positions and Actions on 2011 Uprisings Elsewhere in the Region**

Kuwait has generally acted within the GCC toward the uprisings in the Middle East that began in 2011. Of the uprisings, Kuwait has paid the closest attention to the situation in Bahrain, which is a fellow Gulf state. As noted above, Kuwait supported the March 14, 2011, intervention of the GCC's "Peninsula Shield" unit to assist Bahraini security forces' suppression of unrest there. However, the nearly 2,000 GCC forces that entered Bahrain were Saudi troops and UAE police, and Kuwait sent only a naval unit ostensibly to help Bahrain protect its maritime boundaries. The naval unit returned to Kuwait in July 2011 following the end of the state of emergency and beginning of a national dialogue between the Bahrain government and its opposition. The GCC intervention was at odds with the United States, which supports dialogue between Bahrain's government and protesters, and not repression. It also, as noted, put the Kuwaiti government somewhat at odds with many Kuwaiti Shiites. At the risk of Kuwaiti Shiite criticism, then Prime Minister Nasser visited Bahrain during July 9, 2011.

On Libya, Kuwait supported the Arab League position in favor of U.N.-mandated intervention to protect civilians. On April 24, Kuwait stopped short of recognizing the Transitional National Council (TNC) as the legitimate representative of the Libyan people (an action that Qatar and the UAE have taken), but it did pledge about \$177 million in financial aid to the TNC. Of that amount, \$50 million was made available to the TNC in connection with a July 15, 2011, meeting of an international contact group on Libya, held in Istanbul. It recognized the TNC as the sole legitimate representative after the fall of Tripoli in late August 2011.

As a GCC state, Kuwait cooperated with developing and implementing the GCC plan for a peaceful transition of power in Yemen. That effort bore fruit with the departure of President Ali Abdullah Saleh in January 2012 and the subsequent presidential elections in March 2012.

Because Syria is aligned with Iran, Kuwait and the other GCC states are hoping that the downfall of Bashar Al Assad in Syria—an outcome that would likely bring Sunni Muslims to power instead of the Alawite community—would weaken Iran's strategic position in the region. Along with its GCC partners, Kuwait has criticized Syria's extensive use of force against peaceful protesters in the uprising there in 2011 and, along with Saudi Arabia and Bahrain, withdrew its ambassador from Damascus in August 2011. In November 2011, the GCC countries, including Kuwait, voted with other Arab League countries to suspend Syria's membership in that body. Following escalation of violence in February-March 2012, all the GCC states closed their embassies in Damascus. In early April 2012, the GCC states proposed provide \$100 million in funding to the armed opposition, and some of the GCC states—particularly Saudi Arabia and Qatar—reportedly are providing arms to the rebels.

Kuwait has not contributed troops to the U.S. and NATO stabilization operation in Afghanistan. Other GCC states Bahrain and UAE have contributed forces or police to that mission. In July 2011, Kuwait contributed \$1 million to help relieve the effects of drought in Somalia.



## **Kuwaiti Cooperation Against Islamic Militancy**

The State Department report on global terrorism for 2010 (released August 18, 2011) credited Kuwaiti leaders with prosecuting terrorism and terrorist financing in Kuwait. However, according to the report, there is still a relative lack of a clear legal framework for prosecuting terrorism-related crimes. On the other hand, a draft law submitted to the National Assembly in December 2009 that strengthens laws against terrorism financing has not been enacted to date.

The State Department terrorism report also repeats praise for Kuwait's programs to encourage moderation in Islam in Kuwait, and for funding a four-year action plan of counterterrorism programs. Among plans drawn up by Kuwait's Ministry of Interior in October 2009 are programs to prevent smuggling and counter radicalization, and a television network to secure vital installations and transportation routes. Other programs are intended to enhance air and sea port security. The NADR funds shown above assist Kuwait with counterterrorism efforts, border control, and export controls.

Some Kuwait-based organizations have proved problematic in the past. On June 13, 2008, the Treasury Department froze the assets of a Kuwaiti charity with alleged links to Al Qaeda—the Revival of Islamic Heritage Society—under Executive Order 13224.

## **Kuwaiti Economic Policy**

The global financial crisis of 2008-2009 caused unrest in Kuwait over falling stock prices and the effects of lower oil prices. As noted above, executive-legislative disputes delayed passage of stimulus measures to address the crisis. However, as the crisis abated, the Assembly has taken some steps to try to ensure Kuwait's long term economic health. The body passed legislation, which took effect September 2010, to privatize major sectors of the Kuwait economy. The planned privatization of Kuwait Airways is reportedly moving forward as well. However, some Kuwaitis, particularly those newly naturalized and less affluent than longtime citizens, fear that privatization will bring higher unemployment. The large Kuwait budget adopted in late June 2011 might have been intended to alleviate those concerns. Still, the political deadlock in Kuwait, and perceptions of economic and political stagnation, has caused foreign direct investment in Kuwait to lag that of its neighbors significantly. Only \$800 million has been invested in Kuwait in the past 10 years. In contrast, in the same time period, \$10 billion was invested in Bahrain, \$73 billion in UAE, and \$130 billion in Saudi Arabia.<sup>15</sup>

The government-Assembly political deadlock also has prevented movement on several major initiatives, the most prominent of which is Project Kuwait. The project, backed by the Kuwaiti government, would open Kuwait's northern oil fields to foreign investment to generate about 500,000 barrels per day of extra production. The Assembly has blocked the \$8.5 billion project for over a decade because of concerns about Kuwait's sovereignty, and observers say no compromise is in sight. As far as a project to build a fourth oil refinery, estimated to cost \$8 billion, the Assembly blocked the project in 2008 by alleging that the contracts awarded by the state oil company did not comply with procedures set out by Kuwait's Central Tenders Committee, which handles all public sector contracts. It has not advanced.

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<sup>15</sup> "Kuwait in Crisis As Ruling Family Splits, MP's Rebel." Reuters, June 7, 2011.

The 2008 financial crisis, coupled with the political infighting, also caused Kuwait to shelve the formation of a joint venture with Dow Chemical to form the largest maker of polyethylene. On December 29, 2008, in the face of National Assembly opposition to the project, the government cancelled the venture. It was to have required a Kuwaiti investment of \$7.5 billion by state-run Petrochemical Industries Co. Kuwait and Dow Chemical had finalized the joint venture agreement in November 2008, and Dow Chemical expressed surprise at Kuwait's cancellation only four weeks later. Dow had planned to use the proceeds of the investment to fund its purchase of the Rohm and Haas chemical firm, although that deal ultimately went through anyway.

The state-owned oil industry still accounts for 75% of government income and 90% of export earnings. The United States imports about 260,000 barrels per day in crude oil from Kuwait (about 3% of U.S. oil imports). Total U.S. exports to Kuwait were about \$2.7 billion in 2011, roughly the same as the few preceding years, consisting mostly of foods, industrial equipment, and automobiles. Total U.S. imports from Kuwait in 2011 were about \$7.8 billion.

Like other Gulf states, Kuwait sees peaceful uses of nuclear energy as important to its economy, although doing so always raises fears among some in the United States, Israel, and elsewhere about the ultimate intentions of developing a nuclear program. Kuwait is cooperating with the International Atomic Energy Agency (IAEA) to ensure international oversight of any nuclear work in Kuwait.

There are ongoing discussions about reviving the project. In 1994, Kuwait became a founding member of the World Trade Organization (WTO). In February 2004, the United States and Kuwait signed a Trade and Investment Framework Agreement (TIFA), often viewed as a prelude to a free trade agreement (FTA), which Kuwait has said it seeks. Kuwait gave \$500 million worth of oil to U.S. states affected by Hurricane Katrina.

Figure I. Map of Kuwait



Source: CRS Graphics.

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