



# General Assembly

Distr.: General  
26 August 2022

English only

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## Human Rights Council

### Fifty-first session

12 September–7 October 2022

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Khiam Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[9 August 2022]

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\* Issued as received, in the language of submission only.



## Human Rights situation in Kuwait

In continuation to the reports that we have previously provided on the human rights situation of Kuwait, we are pleased to present to you this report on the latest developments in the Kuwaiti arena regarding the developments of the human rights situation.

We, as activists in Kuwait, have followed up on the implementation of the recommendations of the Human Rights Council for Kuwait. We had previously mentioned this to you in our previous reports - the Government of the Kuwait had informed your esteemed Council on July 2021 that it had taken note of your recommendations regarding the amendment of laws relating to freedoms. By handing over to the office of His Highness the Prime Minister Sheikh Sabah Al-Khaled Al-Sabah an official letter, we asked him to know the reasons for the government's delay in implementing these recommendations, but with great regret we did not receive any response from the office. Our speech was ignored, and we have not received any answer to date.

We also sent an official letter to His Excellency the Minister of Foreign Affairs, Dr. Sheikh Ahmed Al-Nasser, but unfortunately he refused to receive our letter. We asked to know the reason for the delay in implementing the recommendations of your esteemed council. In addition, we tried to meet with the Human Rights Committee of the Kuwaiti Parliament to present our reservations about not implementing the recommendations of your esteemed assembly. We were surprised that the Speaker of Parliament, Mr. Marzouq Al-Ghanim, had issued instructions not to hold any meetings from outside the National Assembly except through his approval. We sent an official letter to His Excellency on March 31, 2022, asking him to set a date for us to meet with the Human Rights Committee, but we have not received any response from him until now, despite our urging more than once to respond to our letter.

The human rights situation in Kuwait, with no exaggeration, is getting worse, from what we have observed of judgments issued against opinion holders, twitter account holders, and politicians - a total of 926,6,10 years of imprisonment (nine hundred and twenty-six years, six months and ten days.) We reached this number despite our request to the Minister of Justice to issue all statistics, but he ignored all our requests. The courts are still issuing their rulings until now. Even though you've given recommendations to the Kuwaiti government to amend laws, the Kuwaiti human rights gap is widening, along with an increase in the number of Kuwaitis who have requested political asylum in Europe, the United States of America and Canada.

As for the Amnesty Committee, a royal decree was issued to form a committee to set rules for a royal pardon from the Amir for those who have been sentenced to final prison sentences. This came after the escalation of demands by the Public Prosecution and the People's Office to pardon many MPs, twitter account holders, most of whom are victim of laws restricting freedoms. Unfortunately, it became clear that there was an amnesty issued for a group of politicians known as the Istanbul group and the Hezbollah cell group. But the committee's door was closed in the face of dozens of Kuwaitis who are victims of laws that are restricting freedoms. It is clear that the government uses laws to prosecute and imprison anyone who uses their right to express. We are facing a fierce war in the field of freedoms, and the number of those being summoned for investigations because of their opinions has increased terrifyingly. This is unprecedented in the history of the Kuwait. International Human Rights advisor and the head of the campaign "Tweeting Isn't A Crime" was not spared of the summons and investigations because of a malicious complaint filed against him by the father of Mr. Marzouq Al-Ghanim, Mr. Ali Thunayan Al-Ghanim.

As for the file of Kuwaiti women, they still suffer discrimination in clear violation of Article 29 of the Kuwaiti Constitution and all relevant international norms and conventions, particularly the CEDAW Convention. Kuwait has always affirmed its commitment in implementing the Convention on the Elimination of Discrimination against Women without actually achieving any progress in this file.

As for the issue of the Kuwaiti Bidoon, a number of activists from among the Kuwaiti stateless people staged a sit-in in a tent, the hunger strike lasted 16 days (sixteen days.) After that, the hunger strike was ended because of a promise from political currents and civil society institutions to hold a national conference and find a just situation. The issue and

discussions are still underway to arrange that conference. It is worth mentioning that we, as activists, tried to participate in these preparatory activities for holding a conference to solve the issue of the Kuwaiti Bidoon.

But we were surprised by the participants who tried to exclude us from these events, and we sent them an official letter asking to officially be invited to attend those events that precede the conference, but unfortunately, we did not receive any response from them to our speeches. We informed them in the context of our letter that we will be observing the conference, even if it is from a distance, while we assure them that we are only observers. We will not have any role, whether in discussions or voting on decisions.

Finally, we monitored the summoning of Sheikh Fahad Salem Al-Ali to interrogate him only because he demanded the activation of the Al Emara law. He was interrogated through the Public Prosecution and was released after a day of detention. We, as human rights activists, affirm that the preferences of Sheikh Fahad Salem Al-Ali, one of the sons of the ruling family, did not go beyond the scope of the law, but it falls within the scope of restricting opinion-holders in general, which confirms the deterioration of the Kuwaiti human rights situation in an unprecedented manner. This is in contrast to hundreds of cases that we receive daily from summonses to the Department of Electronic Investigations and the Media Prosecution specialized in investigating opinion-holders and twitter account holders, not to mention our noting that the work of those laws resulted in the formation of a mafia. We called them the mafia of laws that restrict freedoms, which are often formed by a group of lawyers. Sheryan Al-Shiryan ignored our letter and did not respond to us until now, despite our communication with him through his personal account on Twitter.

## **Recommendations**

First: I have already asked in a number of previous reports that your esteemed council adopt a draft report of a special rapporteur to investigate the facts about freedoms for Kuwait and the security persecutions that many citizens are subjected to because of their views, hoping to adopt this recommendation as soon as possible.

Second: Working to develop the recommendations of your esteemed council to be binding and not an option for countries to adopt or reject the recommendations.

Third: Developing punitive mechanisms for countries that refuse to implement the recommendations of the Human Rights Council.

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