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Kuwait: Charges against Musallam al-Barrak must be dropped

The Kuwaiti authorities must drop charges against Musallam al-Barrak, who faces prosecution purely for peacefully exercising his right to freedom of expression with remarks he made that have been deemed to undermine the Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al Sabah, Amnesty International said.

Al-Barrak was charged on Thursday with "undermining the status of the Amir", which could result in a prison sentence of up to five years, for making statements at a public demonstration on 15 October.

The former parliamentarian was released after spending four days in detention and making a heavy bail payment of 10,000 KD (US\$35,500).

"The arrest and prosecution of Musallam al-Barrak, on account of his peaceful criticism of Amir Sheikh Sabah Al-Ahmad Al-Jaber Al Sabah, is outrageous and is yet another manifestation of the increasing restrictions on freedom of expression and assembly in Kuwait," said Ann Harrison, Deputy Director for Amnesty International's Middle East and North Africa Programme.

"He did not incite violence or hatred but was engaged purely in exercising his right to peaceful freedom of expression – the Kuwaiti authorities must drop the charges against him and against anyone else facing similar charges for peacefully expressing their views."

A number of protesters were arrested on Wednesday night during demonstrations against al-Barrak's arrest and dozens of people, including children, were taken to hospital after inhaling teargas.

Al-Barrak was arrested on 29 October following his appearance in the 15 October demonstration where he warned against the government's proposal to amend the country's electoral law and argued that Kuwait risked becoming an autocratic state.

The government has called for a parliamentary election on 1 December. A registration process for candidates began on Wednesday 31 October.

His arrest led to a protest by around 200 people the same day outside Kuwait's Central Courthouse which was dispersed by police and security personnel.

A further demonstration of more than 2,000 people on Wednesday 31 October, calling for al-Barrak's release, was dispersed by security forces using tear gas and stun grenades (sound bombs), an eyewitness told Amnesty International.

"The Kuwaiti authorities must ensure the people of Kuwait are free to peacefully express their opinions, including about the electoral law, the elections and the Amir. The security forces must abide by international policing standards and refrain from using unlawful force in response to peaceful demonstrations, requirements both under international law and Kuwait's own constitutional provisions," said Harrison.

Peaceful demonstrators attacked

On 21 October, the Kuwaiti authorities invoked a 1979 ban on gatherings of more than 20 people in the Gulf state after peaceful demonstrators were attacked by riot police and political activists were forcibly dispersed by teargas and stun grenades (sound bombs) during mass protests in several sites in Kuwait City.

Two days later, the authorities indicated they were overturning their decision after several states, including the USA, publicly called for them to exercise restraint and respect the right to peaceful assembly.

But Interior Ministry officials have since reportedly said they will not tolerate demonstrations of more than 20 people anywhere other than Kuwait's Erada Square.

Another opposition figure, former MP Faisal Al Muslim, was summoned for questioning on Wednesday 31 October and accused of undermining the status of the Amir during a television interview he gave in August.

He is the sixth former opposition MP to be summoned for questioning for making remarks concerning the Amir.

Political tensions have risen in the Gulf state after the authorities dissolved parliament twice since June 2012, as well as the proposals to amend the country's electoral law.

The government's increasing resort to unlawful use of force to police successive demonstrations, including those staged by members of the stateless Bidun community, has also come under criticism.