

URGENT ACTION

KUWAITI ARRESTED FOR TWEETING ABOUT PROTESTS

A 26-year-old Kuwaiti, Nasser Abul was arrested on 7 June 2011 and accused of insulting the Bahraini and Saudi Arabian ruling families on his Twitter account. He says that he was tortured and ill-treated during the first two days of his detention. He is a prisoner of conscience, held solely for his legitimate exercise of his right to freedom of expression.

Nasser Abul is a 26-year-old online activist, who had been tweeting mainly in support of the protestors in Bahrain and elsewhere in the Middle East. He was arrested on 7 June 2011 after being summoned by phone for interrogation by the State Security Police. He was accused of tweeting messages insulting the Bahrain and Saudi Arabian ruling families. Nasser Abul was not allowed contact with his family and, except for ten minutes during an interrogation session, his lawyer was not able to meet his client. His mother was eventually able to speak with him four days after his arrest. Nasser Abul is held at the State Security facility.

On 12 June, Nasser Abul appeared before the General Prosecution office on state security charges, including “damaging the country’s interests” and “severing political relationship with brotherly countries”. Neither his family, nor his lawyer, were allowed to attend the hearing. Nasser Abul was taken to his family’s home on 14 June; the house was searched and his computer and phone were confiscated. During the search, Nasser Abdul told his mother he had been beaten during the first two days of his detention, insulted and threatened, adding that he was not permitted to turn off the light in his cell.

PLEASE WRITE IMMEDIATELY in English, Arabic or your own language:

- Calling on the Kuwaiti authorities to immediately and unconditionally release Nasser Abul and to drop the charges brought against him on account of his peaceful exercise of the right to freedom of expression as he is a prisoner of conscience;
- Urging the Kuwaiti authorities to ensure that Nasser Abul is protected from torture and other ill-treatment and that he is granted access to his family, and a lawyer of his choice and adequate medical care;
- Noting that the detention of Nasser Abul is in breach of Kuwait’s international obligation to uphold freedom of expression as guaranteed in the International Covenant on Civil and Political Rights (ICCPR) to which Kuwait is a state party.

PLEASE SEND APPEALS BEFORE 27 JULY 2011 TO:

Amir of the State of Kuwait

His Highness Sheikh Sabah al-Ahmad
al-Jaber Al Sabah

al-Diwan al-Amiri, al-Safat, Kuwait

Fax: +965 22430559

Email: amirsoffice@da.gov.kw

Salutation: Your Highness

Minister of Justice

His Excellency Mohammad Mohsen al-
Afas

Minister of Justice

Ministry of Justice

PO Box 6, al-Safat 1300, Kuwait

Fax: +965 2242257

Email: info@moj.gov.kw

Salutation: Your Excellency

And copies to:

Chairperson

Parliamentary Human Rights

Committee National Assembly

P.O. Box 716, al-Safat 13008, Kuwait

Fax: +965 2245 5806

**Email: ipu-grp@kna.kw (In subject line:
FAO Chairperson of the Parliamentary
Human Right Committee)**

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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Twitter is a website offering a social networking and microblogging service. It enables its users to send and read messages called tweets. Tweets are text-based posts of up to 140 characters displayed on the user's profile page.

Nasser Abul, an online activist, had been tweeting in support of the protestors in Bahrain.

Pro-reform protests in Bahrain began in February 2011 leading to the arrests of at least 500 people and four people have died in custody in suspicious circumstances. Dozens of those detained have been brought to trial before military courts, which have convicted a number of defendants, handing down sentences ranging from short prison terms to, in two cases so far, the death penalty. A state of emergency imposed by the Bahraini authorities on 15 March – known as the State of National Safety – was lifted on 1 June.

On 12 June a member of the Bahraini ruling family, Sheikh Abdullah Mohammad bin Ahmad Al-Fatih Al-Khalifa, announced that he will be suing Nasser Abul, for slandering and defaming his family.

According to reports, a number of Twitter users in Kuwait have recently been interrogated by the State Security police in connection with their online activities and postings.

In 2000, the UN's Human Rights Committee stated it was "concerned about the limits imposed on freedom of expression and opinion in Kuwait, which are not permissible under article 19..." of the ICCPR. The Human Rights Committee called on Kuwait to "ensure that every person can enjoy his or her rights under article 19 of the Covenant without fear of being subjected to harassment." (see UN document CCPR/CO/69/KWT;A/55/40, paras.452-497, 27 July 2000). Nevertheless, libel and slander remain criminal offences in Kuwait law, as set in articles 209 and 210 of the Criminal Code, attracting a maximum prison sentence of two years.

The UN Working Group on Arbitrary Detention has stated in a 2008 opinion that "the use of criminal law is particularly inappropriate for alleged defamation against public officials on account of the fact that officials should be expected to tolerate more criticism than private citizen".

UN human rights experts say alleged defamation of public figures, such as politicians, should not be criminalized, as those in the public eye "should be expected to tolerate more criticism than private citizens". They have also said freedom of opinion and expression involves the right to freely criticize politicians and other public personalities.

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