

URGENT ACTION

KUWAITI JOURNALIST IN DETENTION

Kuwaiti journalist and blogger Muhammad ‘Abd al-Qader al-Jasem appeared before the Criminal Court in Kuwait on 21 June. The court refused to release him on bail from Kuwait Central Prison while a medical committee recommended that he should be detained in hospital. The case and his continued detention is due to be re-examined in court on 28 June. He is a prisoner of conscience, held solely for his legitimate exercise of his right to freedom of expression.

Muhammad ‘Abd al-Qader al-Jasem, was arrested on 11 May 2010. He has been charged with harming national interests and undermining the status of the Amir of Kuwait, Kuwait's head of state. by way of vague statements he is alleged to have made in blog (<http://www.aljasem.org>). He is currently held at Kuwait's Central Prison.

Muhammad ‘Abd al-Qader al-Jasem appeared before the Criminal Court for his second hearing on 7 June. The trial was postponed until 21 June, when his third hearing took place. A medical committee was asked to assess Muhammad ‘Abd al-Qader al-Jasem's condition and recommended that he should be detained in hospital. His case will be re-examined on 28 June.

Muhammad ‘Abd al-Qader al-Jasem is considered to be a high-risk patient as he has previously undergone open heart surgery. Between 1992 and 2009 he has also had about 10 cardiac catheterization surgeries in which tubes, or catheters, were placed in arteries around his heart to ensure it functioned regularly. His health condition is currently stable, but Amnesty International remains concerned about the impact of the ongoing detention on his health, irrespective of where the detention is enforced.

Muhammad ‘Abd al-Qader al-Jasem was previously the subject of UA 316/09 (MDE 17/002/2009) and updates.

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

- Calling on the Kuwaiti authorities to immediately release Muhammad ‘Abd al-Qader al-Jasem 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;
- Noting that the detention of Muhammad ‘Abd al-Qader al-Jasem 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;
- Urging the authorities to ensure that Muhammad ‘Abd al-Qader al-Jasem is protected from ill-treatment and that he be afforded access to his own doctor and all appropriate medical assistance while he remains in custody.

PLEASE SEND APPEALS BEFORE 06 AUGUST 2010 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 2539 2163, or +965 22430559
Email: amirsoffice@da.gov.kw
Salutation: Your Highness

Minister of Justice

His Excellency Rashed al-Hammad
Minister of Justice
Ministry of Justice
PO Box 6, al-Safat 1300, Kuwait
Fax: +965 2243 5220
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: human-rights@majlesalommah.net

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

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URGENT ACTION

KUWAITI JOURNALIST REMAINS IN DETENTION

ADDITIONAL INFORMATION

Muhammad 'Abd al-Qader al-Jasem is the founder of the online journal, Mizan and was formerly a journalist with the newspaper *Alam al-Yawm*.

The case for which Muhammad 'Abd al-Qader al-Jasem is currently under investigation relates to statements he reportedly made in connection to the Amir of Kuwait. His lawyer has told Amnesty International that in addition to this case, the Prime Minister is pursuing five cases against his client, each relating to critical views that Muhammad 'Abd al-Qader al-Jasem expressed against the Prime Minister. In total, al-Jasem is facing over 20 cases against him from the Prime Minister and people close to him.

Muhammad 'Abd al-Qader al-Jasem was previously arrested on 22 November 2009 and detained for 12 days. He was sentenced to six months' imprisonment on 1 April 2010 after being convicted on criminal defamation charges. He remained free on bail after being sentenced on 1 April. On 11 May, he handed himself in to State Security officials after he was informed by an official from the State Prosecutor's Office that an arrest warrant was being issued against him and he was then placed under a 21-day administrative detention order. He was interrogated without the presence of his lawyer and not allowed access to his family for more than two weeks. He was then taken before a criminal court in Kuwait City on 24 May, blindfolded and with his hands cuffed tightly behind his back, and was not allowed to confer with his lawyer. He was further charged with harming national interests and undermining the status of the Amir of Kuwait.

In May the Kuwaiti Ministry of Information instructed the media in Kuwait not to report or comment on Muhammad 'Abd al-Qader al-Jasem's case. This move appears to breach Kuwait's obligations as a state party to the International Covenant on Civil and Political Rights (ICCPR) to uphold the right to freedom of expression. However, in June some media have ignored this ban and face sanctions from the authorities.

On 4 June 2010, Amnesty International wrote to the Amir of Kuwait, expressing concern over concern the continuing detention of Muhammad 'Abd al-Qader al-Jasem.

An independent journalists' union was formed in July 2008, four years after its establishment had been rejected by a court. However, several journalists were prosecuted on defamation and other charges although these no longer incur prison sentences.

For further information please see: UA: 316/09 Index: MDE 17/002/2009, 25 November 2009
<http://www.amnesty.org/en/library/info/MDE17/002/2009/en>, update: MDE 17/002/2010, 10 February 2010,
<http://www.amnesty.org/en/library/info/MDE17/002/2010/en>, *Kuwait urged to release blogger who criticised Prime Minister*, 14 May 2010, <http://www.amnesty.org/en/news-and-updates/kuwait-urged-release-blogger-who-criticised-prime-minister-2010-05-14>
and *Kuwait: Release journalist Muhammad 'Abd al-Qader al-Jasem*, Index: MDE 17/004/2010, 4 June 2010,
<http://www.amnesty.org/en/library/info/MDE17/004/2010/en>

UA: 145/10 Index: MDE 17/005/2010 Issue Date: 25 June 2010

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