

Friday, 28th December 2018

Dear MPs,

Re: The Condition of Kuwaiti Political Asylum Seekers

We are writing to brief you on the human rights situation of Kuwaitis and the social injustices that are taking place, which has caused discredit of Kuwait in international forums and could have an impact on the future of Kuwait.

The right of freedom in Kuwait is one of the most contentious issues among MPs and political parties in Kuwait, the political forces and their tendencies, and community members. The government and some MPs have adopted draft laws aimed at excluding freedom of expression practised through various platforms, as in the movements, forums, and social media.

The Kuwaiti Parliament has ignored the amendment, refinement and maintenance of laws contrary to Article 36 of the Constitution and the Universal Declaration of Human Rights. These laws punish the offender with imprisonment for three main things:

- First: Insulting God, the Prophets of God, Prophet Mohammad, his companions, wives and family members.
- Second: Insulting the prince (Amir).
- Third: Insulting neighbouring Arab states and their leaders.

1. Law No. 19 of 2012 regarding the protection of national unity.
2. Law No. 63 of 2015 concerning combating IT crimes.
3. Law No. 3 of 2006 regarding publications and publishing.
4. Article 69 of Law No. 35 of 2016, Penal Code and Criminal Trials No. 17 of 1960.
5. Penalties No. 31 of 1970 and provisions of Penal Code No. 16 of 1960.
6. The provisions of Law No. 1 of 2007 regarding the audio and visual media.

All of these are vague and flexible laws through which the judiciary can be given discretionary power to charge Kuwaitis of breaking the law. Truths can also be stretched to such a degree such that it is claimed that a Kuwaiti's criticism of a neighbouring country or its leaders may, in fact, lead to war between the two countries. Such exaggeration is a clear

miscarriage of justice and a denial of freedom of speech for individuals whose thoughts only represent themselves.

These laws have led to the imprisonment of many Kuwaitis, while others managed to find a way to apply political asylum to escape the unfair sentencing. Kuwait was once the refuge of most Arab intellectuals fleeing from suppression and prosecution of their country's authorities. It was also a model in terms of moderation and political reform. The Kuwaiti parliament is the most influential in the region for its ability to question ministers and its impact on legislation. However, this gradual change in Kuwait's policy and the crackdown on dissent has made it lose its international standing and raised concern amongst human rights organisations regarding Kuwait's internal political performance.

Today, according to our statistics, more than 43 political activists wanted abroad are voluntarily displaced and fleeing the pursuit of Kuwait because of their political activities.

I myself was considered the youngest political activist wanted in Kuwait (being 19 years old when I applied for asylum in 2016). I left Kuwait to complete my studies as a student supported by the government, to be surprised by the sentencing of 10 years in absentia because of my political activism.

Please kindly take what you deem appropriate about the above. Thank you for your time and I look forward to hearing your thoughts.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line and a small 'A'.

Mohammad AlMail