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**UN Human Rights Council
Twenty-ninth session, 15 June – 3 July 2015**

**Item 6:
Consideration of UPR reports**

KUWAIT

Mr. President,

Since 2011, and in contravention to international standards, Kuwait has used legal and practical restrictions to harass government critics, stripped individuals of their nationality, and temporarily suspended media outlets. Tens of Twitter users have been unfairly tried and convicted of insulting the Amir or heads of Arab States.

We urge the government to amend laws and practices relating to the exercise of the right to freedom of expression, in line with international commitments, such as Article 19 of the International Covenant on Civil and Political Rights, to which Kuwait is a state party, echoing recommendations made during the review.¹ In particular, we call for repeal of Articles 15, 25 and 29 of Law 31 of 1971, and Article 111 of the Penal Code which provide for imprisonment for peaceful expression.

Mr President,

Pertinent recommendations call on Kuwait to guarantee freedom of assembly.² However, national law restricts peaceful assembly by imposing licensing requirements and discriminates against non-Kuwaitis by banning them from participating in “gatherings”.

We call on the government to amend the 1979 law on Public Gatherings and Meetings, as well as practices linked with the implementation of this law, to bring it in line with

¹ Human Rights Council: Report of the Working Group on the Universal Periodic Review, Kuwait, A/HRC/29/17

² Ibid, recommendations 157.173 (Australia), 157.182 (France), 157.183 (Uruguay)

international standards, which provide that the exercise of the right to freedom of peaceful assembly should not be subject to the permission of government authorities.

We are concerned that on several occasions the security forces have used excessive force to disperse largely peaceful gatherings and have beaten demonstrators. We urge the government to order an impartial and independent investigation into the incidents and bring those responsible to justice. The government should also ensure that security forces policing demonstrations or performing other law enforcement duties are aware of and comply fully with the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Official.

A large number of states raised concerns about the rights of stateless individuals.³ More than 100.000 Biduns remain stateless in Kuwait, despite government promises. In March 2013, the parliament passed a bill to grant citizenship to up to 4,000 “foreigners” by the end of 2013; however, to date, none of the Bidun population have yet been naturalized. We call on Kuwait to create a fair adjudication process to address nationality cases, with an effective appeal mechanism.

Thank you, Mr. President.

³ A/HRC/29/17, recommendations 157.240-157.254