

URGENT ACTION

FORMER MP FACING JAIL FOR TWITTER 'INSULT'

Former Kuwaiti opposition MP Saleh al-Mulla was arrested on 6 January for tweets deemed insulting to the Amir of Kuwait and the visiting President of Egypt. The next day the Public Prosecution ordered him to be detained for 10 days for investigation. He is a prisoner of conscience.

Saleh al-Mulla, aged about 42, was an opposition member of the Kuwaiti Parliament in 2008-2009. He was summoned to the Public Prosecution offices for interrogation on 6 January after he criticized the official visit to Kuwait of Egypt's President Abdel Fattah al-Sisi on his Twitter account on 31 December and 1 January. He also addressed the Amir of Kuwait, asking him not to grant the Egyptian government any more of the Kuwaiti people's money. Saleh al-Mulla was interrogated with his lawyers present. He is facing charges of "Insulting the Amir", "questioning the authority of the Amir" and "carrying out a hostile act against a brotherly state through insulting its president that could lead to the severing of the ties between the countries". The Public Prosecution decided to detain him for further interrogation until the next day, and on 7 January ordered Saleh al-Mulla's detention for 10 days, for further investigation. Amnesty International has reviewed his tweets and there is no evidence that they expressed anything other than his opinion. Amnesty International considers him a prisoner of conscience.

Saleh al-Mulla is now held in Kuwait's Central Prison.

Please write immediately in Arabic, English or your own language:

- Urging the authorities to release Saleh al-Mulla immediately and unconditionally, as he is a prisoner of conscience held solely for peacefully exercising his right to freedom of expression;
- Urging them to ensure that he is protected from torture and other ill-treatment;
- Urging them to repeal all legislation that criminalizes the right to freedom of expression and respect and protect this right.

PLEASE SEND APPEALS BEFORE 18 FEBRUARY 2015 TO:

Amir of the State of Kuwait

His Highness Sheikh Sabah al-Ahmad
al-Jaber Al Sabah
Al Diwan Al Amiri, P.O. Box: 1, al-Safat
13001, Kuwait
Fax: +965 22430559
Email: amirsoffice@da.gov.kw
Salutation: Your Highness

Minister of Justice

His Excellency Dr. Nayef Mohammed Al-
Ajmi Ministry of Justice
PO Box 6, al-Safat 1300, Kuwait
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 22436331
Email: ipu-grp@kna.kw (In subject line:
FAO Chairperson of the Parliamentary
Human Rights Committee)

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Article 25 of Kuwait's penal code sets prison sentences of up to five years for anyone who publicly challenges the rights and authority of the Amir.

Kuwait is a state party to key international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), and has binding obligations to uphold the rights that these treaties guarantee. These include the rights to "freedom of thought, conscience and religion", set out in Article 18 of the ICCPR; "freedom of expression," including "freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice," set out in ICCPR Article 19; freedom of assembly and freedom of association, set out respectively in Articles 21 and 22 of the ICCPR.

The UN Human Rights Committee, which oversees the implementation of the ICCPR, observed that the mere fact that statements are considered insulting to a public figure is not sufficient to justify imposition of penalties. Moreover, public figures, including heads of states, are legitimately subject to criticism and political opposition.

In a 2008 opinion, the UN Working Group on Arbitrary Detention stated 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 citizens". 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 that freedom of opinion and expression involves the right to freely criticize politicians and other public personalities.

Name: Saleh al-Mulla
Gender m/f: m

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