



Kuwait: Mass Convictions for 2011 Protest

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The mass conviction on November 27, 2017, of more than 60 people involved in demonstrations at [Kuwait's](#) parliament in 2011 included convictions for assembly and speech, Human Rights Watch said today. Kuwait's judiciary should vacate the convictions that punished peaceful speech or assembly and repeal laws criminalizing peaceful speech and protest.

Human Rights Watch reviewed the 182-page Court of Appeals [decision](#), which found 67 people guilty of a range of charges, sentencing them to between one and nine years in prison with labor, including opposition leader Musallam al-Barrack who was sentenced to nine years. The vast majority received sentences for using force against police, but the court also found 65 people guilty of participating in an unlicensed public assembly or gathering, and 16 of crimes that appear to violate free speech, including insulting the emir and offending police. The court sentenced one defendant to an additional two years on charges of insulting the Emir and offending police alone.

"These heavy-handed sentences smack of intimidation and retaliation for criticism of authorities," said [Lama Fakih](#), deputy Middle East director at Human Rights Watch. "Regulating protests is one thing, but sentencing people to prison for offending the authorities only serves to intimidate others from speaking out."

Kuwait frequently prosecutes people for speech offenses, such as for offending the authorities. Human Rights Watch maintains an interactive [website featuring some of the high-profile cases](#).

In November 2011, during the so-called Arab Spring, the protesters reportedly [entered Kuwait's parliament](#) building as hundreds of people demonstrated outside, calling on Prime Minister Sheikh Nasser al-Mohammad al-Sabah to step down over corruption claims. In response, Kuwait's emir, Sheikh Sabah al-Ahmed al-Sabah, said the protest had been a [threat to the country's security and stability](#) and called for stricter security measures. In December 2013, a Kuwaiti [court had cleared the protesters](#), who included members of parliament, of all charges. But prosecutors appealed to the Court of Appeals, leading to the mass convictions.

One of the defense lawyers told Human Rights Watch that the people convicted on November 27 had appealed the sentence to the Court of Cassation. He said that more than 30 defendants had already turned themselves in and that police had arrested two others.

Kuwaiti authorities have long-restricted freedom of assembly and expression, and should repeal laws that criminalize peaceful assembly and expression, Human Rights Watch said.

Kuwaiti authorities have invoked several provisions in the constitution, penal code, Printing and Publication Law, Misuse of Telephone Communications and Bugging Devices Law, Public Gatherings Law, and National Unity Law to prosecute journalists, politicians, and activists for criticizing the emir, the government, religion, and rulers of neighboring countries in blogs or on Twitter, Facebook, or other social media.

In 2016, Kuwait amended the election law to bar all those convicted for "insulting" God, the prophets, or the emir from running for office or voting in elections. The law is likely to bar some opposition members of parliament from running for office or voting in future elections.

The Cybercrime Law, which went into effect in 2016, includes far-reaching restrictions on internet-based speech, such as prison sentences, and fines for insulting religion, religious figures, and the emir.

"These convictions come amid a clampdown on freedom of expression and assembly across the Middle East," Whitson said. "Kuwait should be setting itself apart in the region as a tolerant and open country that respects freedom of expression and protest and dissenting views."

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