



United Nations Human Rights Council: Session 15
Item 6: UPR Kuwait
Cairo Institute for Human Rights Studies (CIHRS)
23 September, 2010
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Thank you Mr. President,

CIHRS regrets that Kuwait rejected recommendations by Norway, Spain and others to ratify the optional protocols of the ICCPR, CEDAW, and CAT. Kuwait also continues to have reservations to these treaties that impede progress in the protection of human rights.

Despite the fact that article 70 of the Kuwaiti constitution grants signed international treaties the power of law, Kuwait's national legislation continues to be in great contradiction with the international treaties and conventions that Kuwait has ratified. The Press and Publication Law is one example. Article 7 of the law places restrictions on the printing of foreign publications, Article 11 makes it necessary for newspapers to obtain approval from the ministry of Information before receiving a license to operate, Article 20 prohibits criticizing the Prince and Article 22 grants relevant authorities the right to deny the publication of any advertisement.

Kuwaiti law also greatly undermines the independence of the judiciary. The Prince appoints judges and some at the same time become undersecretaries in relevant ministries, causing a conflict of interest. In a lawsuit against blogger Mohamed Al-Jasem, which was brought against him by the Prime Minister, the judge deciding the case was also holding the rank of Assistant Undersecretary of the Minister and was thus acting under the mandate of the Prime Minister.

CIHRS continues to be concerned that Kuwait has no legislative provision enabling or regulating the establishment and operation of political parties. No political parties officially exist in the State to date.

CIHRS calls on the government of Kuwait to refrain from violating freedom of expression through detention, trial, and deportation of individuals who practice these rights, to modify the Press and Publication Law to conform to international obligations, and to strengthen guarantees for judicial independence.

Thank you Mr. President.