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First UA: 7/24 Index: MDE 17/7664/2024 Kuwait of February 2, 2024

KUWAIT

KUWAITI BIDUN ACTIVIST SENTENCED ON APPEAL

On January 31, 2024, a Kuwaiti appeals court sentenced Mohammad al-Barghash, an advocate for the stateless Bidun community in Kuwait, to three years in jail for "spreading false news." This was after he gave an interview to an international broadcaster about the situation in Bidun. Initially, a lower court cleared him of these charges on October 25, 2023, but the prosecution challenged that decision. If he goes to prison, he will be considered a prisoner of conscience.

Write to the Kuwaiti Minister of Justice urging him to:

- Immediately drop all charges against Mohammad al-Barghash without conditions since they're only related to him expressing his views.
- Cancel his conviction and sentence.

Write to:

Minister of Justice
Faisal Saeed Al-Ghareeb
Council of Ministers General Secretariat
Al-Safat 13014
P.O. Box 1397
Kuwait
Email: info@moj.gov.kw
Twitter/X: @Kuwaitmoj
Salutation: Your Excellency:

And copy:

Her Excellency Reem M KH Z Alkhaled
Ambassador
Embassy of the State of Kuwait
333 Sussex Drive
Ottawa, ON K1N 1J9
Tel: (613) 780-9999 Fax: (613) 780-9905
Email: info@kuwaitembassy.ca

ADDITIONAL INFORMATION

Mohammad al-Barghash, a champion for the rights of the stateless Bidun community in Kuwait, actively shares their struggles on social media, leads online discussions, and joins peaceful protests to support their cause. In May 2022, he established the National Bloc of Kuwaiti Bidun, uniting activists to fight for the Bidun's rights collectively.

On August 26, 2022, during a peaceful Bidun protest that al-Barghash helped organize, authorities [arrested](#) him and 20 others. He got out on September 15, 2022, facing a fine and a suspended prison sentence. Later, on September 3, 2023, security forces detained him again for criticizing, on social media and in a TV interview, the unfair arrest of another Bidun activist, Abu Turki. Despite Abu Turki's release on bail, he still faces charges related to his online activism.

The Bidun have been stateless since Kuwait's independence in 1961, with their numbers now around 100,000. Kuwait's laws and policies have made it difficult for them and their children to gain nationality, leading to various challenges, especially for stateless children born without legal status. These children often lack essential documents, hindering their access to basic services like healthcare and education.

In April 2021, Kuwait amended its criminal procedure code to protect the right to express opinions, including on social media, stating *"in all cases, provisions of pretrial detention do not apply to anyone who exercises his right to express and publish his opinion verbally, in writing, drawing, or otherwise, including if the expression of opinion is via the media or social media"*.

This change aligns with international standards like Article 19 of the International Covenant on Civil and Political Rights, emphasizing the right to free expression and information sharing, which Kuwait has agreed to uphold.

Please take action until March 29, 2024! The UA will be duly updated should there be the need for further action.