

22 July 2019

### **Kuwait: Arbitrary detention and allegations of ill treatment of Bedoon minority rights defenders, including Abdulhakim Al Fadhli**

On 21 July 2019, the Kuwaiti Public Prosecutor ordered a number of Bedoon rights defenders, including **Abdulhakim Al-Fadhli**, to be held in detention at the State Security Bureau of Kuwait. According to fellow human rights defenders, they have been facing ill treatment in solitary confinement while awaiting completion of the investigation against them.

[Abdulhakim Al-Fadhli](#) is a human rights defender promoting and defending the rights of the Bedoon community in Kuwait, of which he is a member himself. The term Bedoon, meaning 'without' in Arabic, refers to the community of stateless persons, native to Kuwait, who are prohibited from obtaining any official state documents such as birth, death or marriage certificates. As a consequence, they face difficulties in finding employment, and accessing healthcare, education, and other social services provided to Kuwaiti citizens. Recently, Bedoon activists have been advocating for social justice, the right to work and access to the same rights as other Kuwaiti citizens.

On 12 July 2019, human rights defender Abdulhakim Al-Fadhli was arbitrarily detained in his house by Kuwaiti security agents. This comes amidst a crackdown on Bedoon minority rights defenders in the country, during which at least a dozen human rights defenders have been arrested including **Ahmed Al-Onan, Awad Al-Onan, Mutaib Al-Onan, Abdullah Al-Fadhli, Yousef Al-Osmi, Ahmed Al-Anzi, Yousif Al-Bashig, Nawaf Al-Bader, Jarallah Al-Fadhli** and **Hamid Jamil**. All detained human rights defenders are being kept in solitary confinement without access to their lawyers or families. They were only permitted to be in touch with their lawyers during the interrogations.

At around 6.30 pm on 12 July, Kuwaiti state security forces in plain clothes surrounded the house of Abdulhakim Al-Fadhli, who surrendered himself in order to prevent the security forces from entering his family home and terrorising his parents and siblings. State security forces nonetheless broke into the house, threatening and assaulting his sisters and mother who were not wearing their head scarves at that time.

The security forces restricted the movement of Abdulhakim Al-Fadhli's father who asked them to wait outside until his wife and daughters put on their headscarves and he further asked to see a search warrant. The security agents confiscated the phones of all family members and physically assaulted all the family members. They insulted his sisters and threatened them with arrest. The security agents left around 7.30pm and detained Abdulhakim Al-Fadhli's younger brother for six hours releasing him around 2am the following day outside the city limits of Kuwait.

On 18 July 2019, Abdulhakim Al-Fadhli's father submitted a complaint against the State Security Bureau with the Prosecutor General for the violent break-in to his house and the harassment of his family, despite the peaceful surrender of the human rights defender. The family had previously attempted to register a complaint with the police station in the Al Jaberya area in the capital of Kuwait, which was rejected by the head of the police station.

According to the human rights defender's family and fellow activists, the General Department of Criminal Investigation and the State Security Bureau coordinated the arrest of several Bedoon minority rights defenders following calls for protests for Bedoon rights on 12 July 2019. All the detained defenders are being held in State Security custody, including Abdulhakim Al-Fadhli, who was brought to the prosecutor's office on 15 July 2019, where he was informed that he is facing up

to 10 charges related to “conspiracy against the state”, “damaging the state’s reputation”, “misusing a phone”, and “calling for protests”. His overnight interrogation lasted from 9.30 pm on 16 July 2019 until the following morning.

The human rights defenders reported to their lawyers that they are being subjected to ill treatment, as they are unable to distinguish day and night in their cells, accompanied by a lengthy interrogation process. The request of the human rights defenders to be transferred to the Central Prison was rejected by the public prosecutor.

Front Line Defenders is deeply concerned about the continued targeting of Abdulhakim Al-Fadhli and other Bedoon rights defenders by the Kuwaiti authorities and condemns their arbitrary detention, as well as the violent attack on the family of Abdulhakim Al-Fadhli. It is believed that these acts of harassment are solely related to their peaceful and legitimate work promoting and protecting the rights of stateless people in Kuwait and their legitimate request to pursue social justice and equal rights.

### **Front Line Defenders urges the authorities in Kuwait to:**

1. Permit the detained Bedoon Minority Defenders immediate and unfettered access to their families and lawyers;
2. Immediately and unconditionally release all detained Bedoon minority rights defenders, including Abdulhakim Al-Fadhli, and drop all charges against them;
3. Ensure that their treatment in detention fully adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
4. Take all necessary measures to guarantee the physical and psychological integrity and security of **Bedoon minority rights defenders and their families**;
5. Carry out an immediate, thorough and impartial investigation into the assault **against Abdelhakim Al-Fadhli’s family and the allegations of ill treatment reported by the human rights defenders while in detention**, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
6. *Guarantee in all circumstances that all human rights defenders in Kuwait are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.*