

**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**

**Brussels, 24 October 2014**

**Re: Concerns regarding the imprisonment of Mr Sulaiman al-Jassem, a lawyer and human rights activist**

Your Highness,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE has been informed that on 20 October 2014, Mr Sulaiman al-Jassem, a lawyer and member of the National Committee for Monitoring Violations (NCMV), was arrested after being sentenced to one month's imprisonment on charges of "participating in an illegal gathering" and "failing to obey police orders to disperse". According to the information that we have received, on 17 April 2013, Mr al-Jassem was monitoring a solidarity rally for Musallam al-Barrak, a former member of the Kuwaiti parliament, who was sentenced to five years in prison for "undermining the status of the Amir" on 15 April 2013. In his capacity as a NCMV member, Mr al-Jassem was in front of Mr Musallam al-Barrak's residence in the al-Andalus district of Kuwait City. In the early hours of 18 April, Mr al-Jassem was arrested as he returned to his car after the rally.

According to our information, during his arrest the police shot him with rubber bullets in the chest, arm and shoulder, and punched him in the face and head. Mr al-Jassem was then held for three days at the al-Andalus Police Station before he was released on bail on 21 April. The trial for this case began on 18 May 2014 and, during the procedure, the request for an investigation into the allegations of torture by the police during his arrest in 2013 was dismissed on the basis that there was not enough evidence to identify the policemen, who were hooded during the incident. In addition, Mr al-Jassem's lawyer was not allowed by the court to question the prosecution witness. Mr al-Jassem is now being held in Kuwait's Central Prison.

In this context, the CCBE wishes to draw to your attention the following Principles of the United Nations Basic Principles on the Role of Lawyers (1990):

Principle 16 states that:

*Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

Furthermore, Principle 23 says that:

*Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.*

In view of the above, the CCBE respectfully urges you to release Mr al-Jassem and to take all necessary measures to guarantee his security and physical and psychological integrity. In addition, the CCBE asks you to take all necessary measures to guarantee that all lawyers in Kuwait are able to perform their professional duties without fear of reprisal, hindrance, intimidation or harassment.

I look forward to hearing from your Highness urgently.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aldo Bulgarelli', with a long vertical line extending downwards from the end of the signature.

Aldo BULGARELLI  
President