



INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL & HUMAN RIGHTS

Registration No. 2795/2012

OFFICIAL LETTER HEAD OF THE ORGANIZATION

Saturday 1 October-October 2022

Kuwait Parliamentary Election Report 2022

The International Council Supporting Fair Trial and Human Rights followed Kuwait's 2022 parliamentary elections. Seven observers observed the elections, of which, all ballot boxes were closed as scheduled at 8 a.m. on 29 September 2022.

Our observers were unanimous that the electoral process was conducted smoothly in terms of preparation, arrangement, voting and counting of votes at all polling stations for which the necessary equipment was fully available.

1- Nomination

Parliament was dissolved on August 2, 2022. That was -- as we have observed -- due to unparalleled popular support. It was seen as a response to popular aspirations for the dissolution of Parliament and early elections owing to Parliament's inability to lead Kuwait's sensitive phase after a political blockage. It was also in response to numerous peaceful vigils calling for the departure of the Speaker of Parliament, Mr. Marzouk al-Ghanim, and His Highness Prime Minister Sheikh Sabah al-Khalid. The Kuwaiti government opened for election on August 29, 2022, with a total of 376 candidates in five electoral districts nationwide.

It should be noted that the Ministry of the Interior oversees electoral restrictions and the registration of candidates. At the Government's initiative, it registered all 21-year-olds, male and female, raising the number of voters to approximately 800,000. The Ministry of the Interior, which oversees the voters and candidates' register, has challenged the eligibility of a number of candidates to stand under a law called the "Deprivation of the Offender" Act. This law prohibits a candidate from standing in elections if he has the rule of divine and princely self-touching. The defendants had challenged the Ministry of the Interior's decision, but the various courts had upheld the decision of the Ministry of the Interior.

They were therefore excluded from the list of candidates based on a law enacted by the former Council of the Nation, approved by the Government and ratified by the country's emir. It is the law that must



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be repealed in the coming days and urgently, in addition to other laws restricting freedoms that we have demanded to be amended or repealed.

2- Opening of voting committees

The voting committees of the five constituencies were opened on schedule at 8 a.m. and lasted until 8 p.m. No Committee's work had been extended, but the Committee had been closed and voting continued for those within the Committee until they had completed the voting.

3- Candidates' delegates

The Monitoring and Documentation Team monitored the presence of candidates' delegates in all men's and women's committees administered by a judge of the Tribunal on an official mandate and as Chairman of the Committee, and no irregularities were observed in this organization.

4- vote-buying

The Ministry of the Interior seized a number of candidates and their delegates in the process of buying voters' votes in exchange for voting for the candidate. The undercover security officers continued to monitor a number of candidates and refer them to the competent authorities for investigation. They were then released with financial guarantees, some of which amounted to KWD 5,000 "equivalent to approximately US \$ 15 thousand". This is a fact of fact from the Kuwaiti Government, which in turn was commended for regulating the integrity of the electoral process and without disturbing the system, which considers the purchase of votes to be a punishable bribe.



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5- By-elections

In the past years, there have been many by-elections conducted by tribal groups criminalized by the law. However, there is a serious legal loophole used by law-abusers, according to which if these by-elections are held before the opening of the candidacy, they are not legally criminalized. However, several by-elections had been held and their organizers had been called to investigate, although there was little result, but the Government had initiated that initiative and had significantly curtailed the offence. This is to be calculated for the Kuwaiti Government, which has demanded the voters' choice and the integrity of the legislative elections.

6- Suspected abuses from abroad

Some informal reports indicated that so-called dual nationals had been present by quite a few outside the State to vote in elections, and were often reported by those concerned that the situation was monitored in each legislative election. We have not been able to confirm these reports from official sources.

7- Suspension of candidates' transactions and the electoral fund

For the first time, the Government of Kuwait acknowledges an official speech delivered by His Highness Crown Prince Sheikh Mishal Al-Ahmad on behalf of His Highness the Emir on June 22, 2022, that the Government has allocated a fund to finance candidates loyal to it. She also acknowledged the same speech that she would stop candidates' transactions, which would make them eligible for their constituents, and help them reach Parliament. This, of course, was reflected in the outcome of the elections, which were unsuccessful for any of the candidates accounted for by the previous Government, as well as for the Government of His Highness Sheikh Ahmed Al-Nawaf, Prime Minister, under his new leadership, which changed its strategy for dealing with parliamentary elections. This has been reflected in the State's general satisfaction and has been commended by many for this unconventional move, which has enhanced opportunities for democratic development.



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8- Two prisoners' candidates win elections

Only in Kuwait, the Constitution prevails over the law by guaranteeing individuals the exercise of their rights. For the first time in international democratic history, we are witnessing an important paradox. Two deputies win elections while in prison without direct contact with their constituents, the first for a sentence to be decided by the Court of Cassation. The second pending investigation for his participation in the by-elections was Marzouq al-Khalifa and Hamid al-Bazali. Both remain in prison until the present report.

9- Modifying the course of democracy

Since the adoption of the 1962 Constitution, Kuwait's democracy has progressed upwards and downwards in overreach and reform. They were governed by objective circumstances depending on the circumstantial context. However, democracy still needs time for all three parties to be convinced of the "ruling family, business class and the beneficiary class of this march", who tend according to their interests and are ready to ally themselves with the devil for their own interests, earning from whoever is willing to pay them money. Despite all the resistance shown by the authority, businessmen and the class of interest, it is clear that the popular will had the last decision in this march, with a turnout of 60%. Participation in Kuwait's parliamentary elections is one of the highest compared to any legislative elections, and this demonstrates the people's determination to exercise their legitimate right to choose their representative in the legislature.

Kuwait 1 October 2022

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