

29 July 2019

### NGO Concern at Kuwait's Mistreatment of Marsha Lazareva

On 18 July 2019, two NGOs, No Peace Without Justice (“**NPWJ**”) and the International Association of Democratic Lawyers (“**IADL**”) made submissions to the UN Human Rights Council as part of Kuwait's Universal Periodic Review (‘**UPR**’), expressing concern at the ongoing prosecution and due process violations in respect of Ms Lazareva.

The submissions mark the first international NGO engagement on Ms Lazareva's case at the United Nations and demonstrate the growing international concern regarding the treatment of Ms Lazareva. Ms Lazareva's case has been marred with systemic violations of her fundamental due process rights, raising serious concern about the rule of law and the climate for foreign investment in Kuwait.

[NPWJ highlighted](#) Marsha Lazareva's mistreatment and arbitrary detention, showing how Kuwait has failed to uphold its international human rights obligations. NPWJ drew attention to Kuwait's systemic failures to ensure procedural protections for Ms Lazareva in breach of international law and made a series of recommendations. These recommendations included recognising that Ms Lazareva was arbitrarily detained in violation of Kuwait's international legal obligations, issuing an apology and providing adequate compensation for harms suffered in accordance with Kuwait's international obligations.

[IADL expressed](#) due process concerns and concerns regarding fair trial protections in criminal proceedings in Kuwait. IADL made particular reference to the mistreatment and arbitrary detention of Ms Lazareva and drew attention to Kuwait's failure to ensure the independence and impartiality of judges and prosecutors. IADL made a series of recommendations to Kuwait, including public commitments to ensure the independence of judges and prosecutors in Kuwait, becoming a party to Optional Protocol 1 of the International Covenant on Civil and Political Rights (“**ICCPR**”) to allow individual human rights complaints and undertaking a full review of Kuwait's judicial system to ensure best practices.

Cherie Blair CBE, QC, who is leading Marsha Lazareva's European legal team, commented:

*“We are pleased and encouraged to see NGOs engage in Ms Lazareva's case, which is a sign of growing international concern about her plight. The UPR process represents an important opportunity for stakeholders to engage with Kuwait in a constructive way to help improve the human rights situation in Kuwait. We hope Kuwait will respond positively to NPWJ's and IADL's submissions.”*

Ends.

## Notes to Editors:

1. **Marsha Lazareva's** most recent mistreatment in Kuwait began in 2017 when she was arbitrarily arrested and detained on charges of embezzlement, based on evidence since proved to have been forged. After being detained for more than 470 days on false allegations of embezzlement, Ms Lazareva's conviction was nullified by the Kuwait Court of Appeal on 5 May 2019. Although the Court ordered her release on bail that same day, she remained in the infamous Sulaibiya jail until 12 June 2019, even though monies amounting to the bail had already been paid into court. Ms Lazareva is undergoing continued prosecution in Kuwait for these alleged crimes. <https://marshalazareva.com>
2. **International Association of Democratic Lawyers** is an NGO with consultative status to the UN Economic and Social Council ("ECOSOC") and that was founded to defend and promote human and peoples' rights. Specifically, IADL aims to restore, defend and develop democratic rights and liberties in law and in practice, and strives to achieve strict adherence to the rule of law and the independence of the judiciary and legal profession. <https://iadllaw.org>
3. **No Peace Without Justice** is an NGO founded by Emma Bonino and born of a 1993 campaign of the Transnational Radical Party that works for the protection and promotion of human rights, democracy, the rule of law and international justice, and undertakes its work within three main thematic programs: (i) international criminal justice; (ii) gender and human rights; (iii) Middle East and North Africa Democracy. <http://www.npwj.org>
4. **The UPR process** was set up in 2005 and scrutinises each State's human rights record every 4.5 years. The UN Human Rights Council will hear States' recommendations regarding Kuwait's human rights record in early 2020, and will adopt a report shortly after. The NPWJ and IADL submissions will contribute to documents considered by a group of States known as the Troika, which is responsible for reviewing Kuwait's compliance with its human rights obligations in the UPR process. <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>