

## LOCAL

# Municipal Council discusses anew ban on 'hubble-bubble' restaurants, closed areas

## Suspects in Egyptian assault arrested

By Abdul Nasser Al Aslami  
Al-Seyassah Staff and Agencies

**KUWAIT CITY, Dec 10:** The issue of "Shisha" (hubble-bubble) re-emerged on the tables of the Municipal Council with regard to a proposal suggesting separation of the licenses of restaurants from cafes and banning Shisha in cafes. The proposal was approved by nine votes against two.

Council member Ahmad Hadian who presented the proposal confirmed the use of "Shisha has become common in Kuwait though it's without commercial classification, and it's against the law."

In his role, Deputy Director of Capital and Jahra Municipal Affairs Engineer Faisal Sadeq explained that the municipality "will implement the decision in relation to banning the use of Shisha in closed areas, and there is coordination with the Ministry of Trade and Industry to change some classifications and titles after the ban on smoking Shisha in closed places takes effect."

Meanwhile, sources expect the proposed ban on Shisha in cafes would be the same as the proposal to "prevent Shisha for families", thus adequate response would come from the relevant minister."

Regarding another municipal affair, the council agreed to refer recommendations of the workshop of the legal committee and the environment committee to the legal committee to prepare a memorandum, which will be submitted to the council for ratification.



The dead body of the Asian is covered with plastic bag.

KFSD photo

## Pakistani drowns off Al-Sharq beach

The remains of a Pakistani national who drowned off a beach in Al-Sharq area have been referred to Forensics, reports Al-Rai daily.

When the Operations Room of the Ministry of Interior received a report on the incident police and paramedics rushed to the spot and recovered the corpse.

A security source said, "The concerned authorities have opened an investigation in to the incident to determine the circumstances of the death."

Among the recommendations is to provide the Kuwait municipality with a GPS tracking system for all garbage trucks, including those under government contracts or private contracts.

The council also agreed to refer the workshop's recommendation to monitor cleaning contracts that are concerned with cleaning investment and commercial areas, in addition to other bodies such as hospitals, so that the municipality will follow-up and monitor all cleaning contracts, whether they are affiliated with it or not.

**Suspects arrested:** Personnel from the Criminal Investigation Department and personnel from the Search and Investigation Department from the Hawalli Governorate have arrested the suspects who were wanted by law for assaulting an Egyptian following an argument over priority of movement behind the Salmiya traffic department, reports Al-Anba daily. The arrest came based on the

description provided to the police by the victim.

Meanwhile the Al-Rai daily said the Minister of Immigration and Egyptian Affairs Abroad, Ambassador Nabila Makram, has praised the efforts of the Kuwaiti authorities in following-up the incident following the attack on an Egyptian by two young men, due to a traffic dispute in Salmiya a few days ago, and confirmed her confidence in the ability of the Interior Ministry men to bring the suspects to justice.

## Court Cases

### Blogger gets 7 years jail

## Cassation ruling on legal experts is unconstitutional, says Al-Sanea

By Jaber Al-Hamoud  
Al-Seyassah Staff and Agencies

**KUWAIT CITY, Dec 10:** With regard to the case of corruption related to appointments of legal experts in the Justice Ministry, former Minister of Justice Yaqoub Al-Sanea considers the Cassation Court ruling, which cancelled those appointments, was unconstitutional and goes against Article 21 of the Human Rights Declaration, and Article No. 25/3 of the International Covenant on Civil and Political Rights (ICCPR).

In a statement, the former minister indicated that, the violations are related to the ruling which excluded applicants for the position of legal experts who were allowed to reapply for the same position or granting them opportunity to be nominated once again the same as others.

Al-Sanea explained that the ruling represents a dangerous tune of the law and a major flaw against the principle of equal opportunities and equality among citizens, indicating the Court of Cassation ruled on something the litigants did not ask for, and exceeded the scope of litigation in hand.

He indicated the verdict issued by the Court of Cassation prompts an appeal, given that the Court of Cassation – in this case – can only rule on issues submitted by litigants through the Court of Appeal as per Article No.144 of pleadings law, which did not happen in this case. The decision issued by the Justice Ministry Undersecretary Al-Sanea during his tenure in 2012/2016 was not regarded as a matter of appellate or cassation.

He affirmed that the judgment violated the principles of pleadings law (on the impact of appeal), law of evidence (on the authority and strength of order and its precedence over considerations of public order), and precedents of the Court of Cassation regarding the scope of proceedings and its applications therein.

"The judgment was subject to Decision No. 2012/2016 issued in my tenure, which was withdrawn by the minister who succeeded me, without considering legal impact of the decision of withdrawal and the consequences of taking such a step, and its repercussion", he noted.

Al-Sanea called on the Judicial Council to refer unresolved appeals to another cassation chamber, and if another court reverses the position taken by the concerned court, it will have the

right to refer the case to other chambers for adjudication, in line with article no. 4 of law that organizes the Judiciary as per Decree No. 23/1990 amended by Law No. 2/2003.

**Verdict lauded:** Chairman of Jurists Association Hamad Al-Wardan affirmed in a press release that the verdict issued by the Court of Cassation concerning the experts of Ministry of Justice is historic and a clear enforcement of the Constitution and relevant laws.

He stated that the decision took into consideration the principles of equal opportunities and justice, stressing that any objection to the enforcement of this decision is in violation of the Constitutional principle concerning the separation among various authorities.

Al-Wardan indicated that the decision does not need any additional explanation, as some people want to delay the execution of the decision under the pretext that it needs explanation from the Constitutional Court.

He suggested that the experts affected by the decision can be shifted to other positions within the ministry as a solution to their problem as well as to preserve the public interest at the same time.

**Blogger jailed:** The Misdemeanor Court sentenced a blogger to seven-year imprisonment in a State Security case filed against him for allegedly insulting personality of the Amir and offending the leadership authority on his Twitter handle.

The Public Prosecution charged the defendant with the offense, especially that he clearly violated rights of the Amir and his authority in his uncouth posts. He was also charged with attacking the judicial authority and misusing smartphone.

**Dow decision:** The Criminal Court chaired by Judge Muhammad Al-Mutairi affirmed the decision of Public Prosecution to withhold investigations on the Dow Chemical case in which some officials and employees of Kuwait Petroleum Corporation are accused of causing losses estimated at \$2.2 billion to the country.

Representative of the Fatwa and Legislation Department (petitioner) Lawyer Faisal Al-Qattan insisted the case must be reopened to ensure continuity of investigations.

He presented massive documents, papers and contracts to prove that those officials erred in the Dow deal, which cost Kuwait \$2.2 billion, and they should be punished under the law.

## 'Corruption reports on rise'

## Verdicts being enforced: Nazaha

**KUWAIT CITY, Dec 10:** In what is seen as the first time in the history of Kuwait, spokesman for the Public Authority for Anti-Corruption 'Nazaha', deputy secretary-general speaking on the issue of corruption and investigation Dr Mohammad Bu Zubair, said the final ruling on corruption reports have been submitted and the verdict is being implemented and the process of the money being refunded is in process, reports Al-Rai daily quoting reliable sources.

In his press statement to the daily, Bu Zubair said that the corruption reports have risen by 50 percent after the Prime Minister stressed that all corruption reports must be submitted to Nazaha for investigation.

He went to say 250 reports on corruption have been received by the Authority since

its establishment in 2016. He noted 33 of them have been referred to the Public Prosecution and six to the relevant court.

He pointed out the Ministers Court is reviewing a report that was submitted to it by Nazaha saying there has been a remarkable progress in this area to change the concept of anti-corruption in terms of the reports and financial disclosures as well as the national strategy that allows the government entities to take part in combating corruption.

He asserted the content of the reports must include concrete information saying the dignity of the people and their rights are the 'red line'.

He said he hopes the New Year will relatively improve the anti-corruption index in Kuwait.



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