

EXTERNAL (for general distribution)

AI Index: MDE 17/01/95
Distr: UA/SC

UA 55/95

Health concern / Prisoners of conscience

2 March 1995

KUWAIT

At least 10 prisoners on hunger-strike (names withheld)

At least 10 prisoners of conscience in Kuwait Central Prison are reported to have been on hunger-strike since 14 February 1995. They are said to be protesting against their continued detention after manifestly unfair trials before the Martial Law Court in May and June 1991 and before the State Security Court in 1992.

They are among the 24 people who were charged with "collaboration" with Iraqi authorities in connection with the much publicised *al-Nida'* newspaper case.

Shortly after the Iraqi invasion of Kuwait in August 1990, the Kuwaiti newspaper *al-Qabas* was closed down by the Iraqi authorities and replaced by *al-Nida'*, which was the only newspaper allowed to be published during the occupation. Several journalists and others were allegedly forced to work for the Iraqi-run newspaper.

A hunger-strike is not in itself grounds for an Amnesty International intervention. However, in the case of prisoners of conscience hunger-striking in protest against their detention, Amnesty International's and the prisoners' demands coincide. The organization therefore urges the Kuwaiti authorities to provide all necessary medical care to the prisoners and to grant their immediate and unconditional release.

BACKGROUND INFORMATION

Following the withdrawal of Iraqi forces from Kuwait on 26 February 1991, hundreds of political prisoners were detained without charge or trial for several months. Many of them later "disappeared" in custody and scores of extrajudicial executions were reported. These included Iraqis, Palestinians, Jordanians and others with non-Kuwaiti nationality. The Kuwaiti authorities introduced Martial Law regulations and set up a special court to hear the cases of individuals charged with "collaboration" with Iraqi authorities. Amnesty International's delegate, who attended hearings and trials before the Martial Law Court between 20 May and 1 June 1991, concluded that the trial proceedings did not conform to international standards for fair trial. Furthermore, the organization believes that some defendants may have been tried solely on account of their nationality or conscientiously held beliefs and are, therefore, prisoners of conscience. Twenty-nine defendants were sentenced to death; these sentences were later commuted by the Crown Prince. Those who had not been tried when Martial Law was lifted at the end of June 1991, remained in detention until April 1992 when the trials resumed, this time before the State Security Court, whose procedures also fail to meet international standards for fair trial.

Over 160 political prisoners, including 13 women, are serving sentences of up to life imprisonment following their conviction on charges of "collaboration" with Iraqi forces during the occupation of Kuwait. At least 20 of them are prisoners of conscience, including the 10 on hunger-strike.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in English or in your own language:

- urging the authorities to provide all necessary medical care to those on hunger-strike;

- calling on the authorities to immediately and unconditionally release all those convicted in the *al-Nida'* trial and all other prisoners of conscience;
- expressing concern that procedures in the Martial Law Court and the State Security Court did not meet minimum standards for fair trial as set out in international instruments;
- urging the authorities to make immediate arrangements to set up a judicial review of the cases of all political prisoners sentenced by the Martial Law Court and the State Security Court.

APPEALS TO

1) His Highness Shaikh Jaber al-Ahmad al-Sabah
Amir of the State of Kuwait
Al-Diwan al-Amiri
Al-Safat
Kuwait City, Kuwait
Telegrams: Amir, Kuwait City, Kuwait
Faxes: +965 539 6434
Salutation: Your Highness

2) His Highness Shaikh Sa'ad al-'Abdallah al-Sabah
Crown Prince and Prime Minister
Al-Diwan al-Amiri
Al-Safat
Kuwait City, Kuwait
Telegrams: Prime Minister, Kuwait City, Kuwait
Faxes: +965 539 6434
Salutation: Your Highness

3) His Excellency Mshari al-'Anjari
Minister of Justice and Administrative Affairs
Ministry of Justice and Administrative Affairs
PO Box 6, Al-Safat, Kuwait City, Kuwait
Telegrams: Justice Minister, Kuwait City, Kuwait
Faxes: +965 246 6957
Salutation: Your Excellency

4) Mr Muhammad 'Abd al-Hay al-Bannay
Public Prosecutor
Ministry of Justice and Administrative Affairs
PO Box 6, Al-Safat, Kuwait City, Kuwait
Telegrams: Public Prosecutor, Kuwait City, Kuwait
Faxes: +965 246 6957
Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

- 1) Local human rights groups:
- (a) Kuwait Association for the Defence of War Victims
P O Box 2211, Al-Salmiyya 22023, Kuwait
Faxes: +965 533 2233
 - (b) Committee for the Defence of Human Rights
The National Assembly (Parliament)
Kuwait City, Kuwait
Faxes: +965 241 6538

2) Newspaper:

Al-Qabas

PO Box 21800, Kuwait City 13078, Kuwait

Faxes: +965 4834 355

and to diplomatic representatives of Kuwait accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 April 1995.