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**KUWAIT: FIVE YEARS OF IMPUNITY SINCE THE WITHDRAWAL OF IRAQI FORCES**

Hundreds of human rights violations that took place in the wake of the 1991 Iraqi occupation of Kuwait have still not been resolved, leading Amnesty International to call the post invasion period "five years of impunity".

"We have welcomed positive steps such as the abolition of the State Security Court and moves towards ratifications of international human rights treaties," Amnesty International said as it released a report today. "However, the Kuwaiti authorities should investigate and redress all outstanding cases of human rights violations and should ensure that the human rights of everyone in Kuwait, including foreign nationals and stateless people, are fully protected."

The Martial Law period saw extrajudicial executions and at least 70 "disappearances" of alleged "collaborators" with the Iraqis. More than 160 people arrested during this period were imprisoned after unfair trials which took place between 1991 and 1995. Most of those affected were non-Kuwaitis primarily Iraqis, Palestinians, Jordanians and members of the *bidun* community (stateless Arabs).

"The failure of the authorities to report publicly about the investigations into the events of that period and into more recent allegations of human rights violations increases fears that they may be permitting human rights violations to be committed with impunity," Amnesty International said.

"The fact that Kuwait was invaded has diverted the attention of the international community from looking into the actions of the Kuwaiti State, particularly during the four months of Martial Law that followed the withdrawal of Iraqi forces."

The consequences of the Martial Law period have been long lasting. The more than 160 people, including prisoners of conscience, are believed to be serving sentences after conviction in unfair trials carried out by the Martial Law Court and the State Security Court. Amnesty International is still receiving reports of "disappearances" that took place in 1991, in addition to 62 cases documented in 1992.

In 1995, the human rights organization received details of eight people who "disappeared" in 1991. Among those is 'Isam Muhammad Saleh al-'Udwani, a Palestinian with Syrian nationality who was arrested on 8 May 1991 by the Kuwaiti security forces. His family has not seen him since or been able to obtain any official information about him.

Another example is the case of Mazen Sharif al-'Azawi. He was reportedly arrested on 7 March 1991 from his home in al-Salmiyya by a group of men in civilian clothes, one of whom identified himself as an officer in the security forces. Days later he was reportedly seen with blood on his face in Biyan police station. His family, who have now left Kuwait, have never received any official information about his fate.

Despite the repeated assurances of the Kuwaiti authorities that extrajudicial executions and “disappearances” of that period were being investigated, Amnesty International knows of only one case where an alleged perpetrator of an extrajudicial execution was brought to justice.

Reports of torture were also common and some victims appear to have died in custody as a result. Allegations of torture and ill-treatment remain, almost without exception, uninvestigated.

The human rights organization urges the Kuwaiti authorities to retry all those convicted by the Martial Law Court and the State Security Court since 1991, since trials before both courts were manifestly unfair, and to release all prisoners of conscience. Amnesty International also strongly recommends that immediate, thorough and impartial investigations into all cases of extrajudicial executions, “disappearances”, and reports of torture and ill-treatment should be carried out as a matter of urgency.

Other concerns documented in the report include the expulsion of people without due process, the resumption of executions and the widened scope of the death penalty with respect to drug-related crimes.

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For further information please refer to document:

*KUWAIT; Five years of impunity: human rights concerns since the withdrawal of Iraqi forces*,  
Amnesty International, February 1996.  
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