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KUWAIT - "DISAPPEARED" APPEAL CASE -

George Victor Salsa: The need for closure

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Introduction

The invasion of Kuwait by Iraqi forces in 1991 resulted in widespread human rights violations. These included the forced removal to Iraq by the invading forces of 407 Kuwaitis and individuals from other countries. Political changes in Iraq in the course of 2003 and 2004 enabled officials to discover 199 bodies of those taken to Iraq. Their identification brought closure to the suffering of their, mainly Kuwaiti, families. For those who suffered human rights violations in Kuwait in the same period, such closure is long overdue.

Background

Amidst the confusion following the withdrawal of Iraqi forces from Kuwait on 26 February 1991, Kuwaiti government forces and armed civilians carried out a campaign of arbitrary arrests, torture and extrajudicial killings of individuals suspected of collaborating with Iraqi forces. At least 60 of those detained subsequently "disappeared" and their fate and whereabouts remain unknown. George Victor Salsa was amongst them. Fourteen years later, the Salsa family needs to find out about the fate of their son.

Arrest and "disappearance"

George Victor Salsa – now aged 41 - "disappeared" following his arrest at 1.30 in the morning on 9 May 1991 from his home in Salmiyya, Kuwait. He was arrested by two members of the Kuwaiti security forces who woke him up, beat him and took him away. The arrest was witnessed by George Victor Salsa's father, Victor Salsa, his mother, Janet, and his younger brother, John. The following day the family contacted Salmiyya Police Station and reported his arrest (Case no. 72/91). They continued to try to trace their son through the Ministry of Interior, the Public Prosecutor and the International Organizations Liaison Office (an office under the auspices of Ministry of the Interior). The family was told that there were no records of George Victor Salsa but that the case was being investigated by the Public Prosecutor. The International Committee of the Red Cross (ICRC) informed the Salsa family that George

Victor Salsa was being detained by Kuwaiti Security forces, but the family reports that the organization lost track of him in August 1991.

Reports of torture and ill-treatment

Sightings of George Salsa were reported by a group of Jordanians who were released from the State Security Prison in November 1991. Their relatives contacted the Salsa family to let them know of the sighting. In January 1992, there were reports that George Salsa was in incommunicado detention in Kuwait Central Prison. In August 1992 a medical doctor told George's parents that he had seen their son in the Military Hospital. According to the doctor, he had been tortured; his arms had been broken and his finger-nails pulled out. This information was confirmed by another source. In October 1992 the family contacted the ICRC once more, having heard news that George may have been released, however, the ICRC said they had not had any news of his case, and that they were still waiting to hear from the Kuwaiti authorities.

Relentless efforts for over a decade

Despite continuing appeals from the family to the Crown Prince of Kuwait, and attempts by Amnesty International to clarify the fate and whereabouts of George Victor Salsa, no reliable information has been received. Since 1991 Amnesty International has been campaigning on his behalf.

Amnesty International's October 1992 report, entitled *Kuwait: Cases of "disappearance, incommunicado detention, torture and extrajudicial execution under Martial Law"*⁽¹⁾ detailed 62 cases of "disappearance" including that of George Victor Salsa. His case was featured in Amnesty International's 1993 *Campaign against "Disappearances" and Political Killings*.

(1) Please see:

<http://web.amnesty.org/library/Index/ENGMDE170021992?open&of=ENG-KWT>

In January 1993, the Kuwaiti Minister of Information wrote to AI stating that “A thorough investigation was conducted, which unfortunately resulted in no information concerning the whereabouts of Mr Salsa. Should you desire, your organization is free to inspect these official documents and records”. At the time, AI had asked the Minister of Information to send a copy of the investigation’s records. No information was ever received.

From 1994 to 1999, Amnesty International continued to raise with the Kuwaiti authorities concerns regarding all of the “disappearance” cases, notably that of George Victor Salsa. In February 2000, in the course of face-to-face meetings held during a mission to the country, the organization asked officials to provide clarification of the fate of George Victor Salsa. None was given at the time, nor were there responses to the letters that followed the meetings, dated 3 July 2000, 30 April 2001 and 17 December 2001.

The international community

In 1996, Amnesty International welcomed Kuwait’s accession to the United Nations’ (UN) International Covenant on Civil and Political Rights (ICCPR)⁽²⁾. As part of its obligations under this covenant, Kuwait is required to report to an independent body of the UN, the Human Rights Committee (HRC), measures taken in respect to its implementation of the human rights standards contained in the covenant. Following its examination of Kuwait’s report, on 28 July 2000 the HRC stated, in paragraph 18 of its *Concluding Observations*, (UN reference CCPR/CO/69/KWT) that ⁽³⁾ “*The Committee expresses concern over the many reported cases of persons detained in 1991 who have subsequently disappeared, many of them Palestinians with Jordanian passports, Kurds, and other persons formerly residing in Kuwait. While the delegation acknowledges only one case, other sources suggest that the fate of at least 62 persons, whose names have been communicated to the State party, remains unknown. The Committee notes with appreciation the delegation’s undertaking to receive and investigate this and other lists of names, and in this connection refers to the State party’s cooperation with the United Nations Working Group on Enforced or Involuntary Disappearances.*”

Paragraph 19 of the Concluding Observations states that “*the State party [Kuwait] should adopt concrete*

(2) Please see:

<http://web.amnesty.org/library/Index/ENGMDE170031996?open&of=ENG-KWT>

(3) Please see:

[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/ab637770e26e7fa8c12569490042d1d2?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/ab637770e26e7fa8c12569490042d1d2?Opendocument)

measures to clarify each and every case of disappearance and inform the Committee in its next report.”

Despite repeated requests, Amnesty International has not been informed of any measures taken to implement this recommendation.

Recommended Action

Please send faxes, e-mail messages and letters in English or Arabic:

- asking the Kuwaiti government to establish the fate and whereabouts of George Victor Salsa;
- urging the authorities to bring to justice those responsible for “disappearances”;
- urging the authorities to ensure that adequate compensation is provided to the victim or his relatives;
- urging the authorities to send AI a copy of their inquiries and subsequent reports into the “disappearance” of George Victor Salsa;
- seeking information about the whereabouts and legal status of George Victor Salsa;
- reminding the Kuwaiti government of its obligations under international law.

Please send your appeals to:

The Amir of Kuwait:

His Highness Sheikh Jaber al-Ahmad al-Sabah al-Diwan al-Amiri, al-Safat, Kuwait
Fax: +965 539 6434

Salutation: Your Highness

The Prime Minister

His Excellency Sheikh Sabah al-Ahmad al-Jaber al-Sabah
Council of Ministers General Secretariat
P.O. Box 1397, al-Safat 13014, Kuwait
Fax: +965 481 8028/9

Salutation: Your Excellency

Deputy Prime Minister & Minister of the Interior

His Excellency Sheikh Nawaf al-Ahmad al-Jaber al-Sabah
Ministry of the Interior
P.O.Box 12500, Shamiya 71655, Kuwait
Email: comment@moi.gov.kw

Salutation: Your Excellency

Chairman of the Parliamentary Human Rights Committee

Dr. Walid al-Tabatabai
Chairperson, Parliamentary Human Rights Committee National Assembly
P.O. Box 716, al-Safat 13008, Kuwait
Fax: +965 242 1948; + 965 243 6331
E-mail: webadmin@alommah.gov.kw

Salutation: Dear Dr Tabtabai