

EXTERNAL (for general distribution)

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Death Penalty

15 June 1993

KUWAIT:

'Imad al-Din Mahmud Nimr, aged 29
Muhammad 'Ali Ahmad Daifallah, aged 20
Basil 'Ali Ahmad Daifallah, aged 22
Akram Shaker Ahmad, aged 26
Al-Mu'taz Billah Muhammad Saleh, aged 23
Muntasir Muhammad Saleh, aged 20
Hussain Rashed Hussain, aged 22
Mu'ayyed Yassin Hussain, aged 23
Iyad Muhammad 'Issa, aged 19
Bassem Hassan Muhammad, aged 23

On 12 June, Kuwait's State Security Court sentenced to death ten defendants charged with "collaboration" with Iraqi forces during the occupation of Kuwait. The sentences may be carried out if they are upheld by the Court of Cassation and subsequently ratified by the Amir of Kuwait.

The ten men, all Jordanians of Palestinian origin, were charged with "membership of the military wing of the hostile Arab Liberation Front (Jabhat al-Tahrir al-'Arabiyya); assisting militarily Iraq's Popular Army in Kuwait; illegal possession and use of weapons and ammunition; and receiving a monthly salary from Iraq during the occupation". Another Jordanian national charged with the same offences and tried with the other ten was sentenced to four years' imprisonment; the court reportedly took into account the fact that he was a minor at the time of the alleged offences.

BACKGROUND INFORMATION

Since April 1992, when the trials of defendants accused of "collaborating" with Iraqi forces during the occupation of Kuwait opened before the State Security Court, 23 death sentences have been passed (two of them *in absentia*). Of these, one was reduced to life imprisonment by the Court of Cassation, while another sentence was upheld, ratified by the Amir and carried out on 5 May 1993 (see UA 165/93, MDE 17/01/93 of 19 May 1993). On 8 June, Kuwait's Minister of Foreign Affairs publicly affirmed that all death sentences ratified by the Amir will be carried out.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman or degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

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

- urging that the death sentences passed on the ten prisoners named above be commuted in the event that they are upheld by the Court of Cassation, and that no future death sentences are carried out;
- reiterating Amnesty International's unconditional opposition to the death penalty;
- appealing for the commutation of any death sentences which may be imposed by the State

Security Court in these cases.

APPEALS TO

1) His Highness Shaikh Sa'ad al-'Abdallah al-Sabah
Crown Prince and Prime Minister
Al-Diwan al-Amiri
Al-Safat
Kuwait City, Kuwait

Telegrams: His Highness Shaikh Sa'ad al-'Abdallah al-Sabah, Kuwait City,
Kuwait

Faxes: + 965 539 6434

Salutation: Your Highness

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2) His Excellency Mshari al-'Anjari
Minister of Justice and Administrative Affairs
Ministry of Justice and Administrative Affairs
P O Box 6
Al-Safat
Kuwait City, Kuwait

Telegrams: His Excellency Mshari al'Anjari, Kuwait City, Kuwait

Faxes: +965 246 6957

Salutation: Your Excellency

3) Mr Muhammad 'Abd al-Hay al-Bannay
Public Prosecutor
Ministry of Justice and Legal Affairs
P O Box 6
Al-Safat
Kuwait City, Kuwait

Telegrams: Mr Muhammad 'Abd al-Hay al-Bannay, Ministry of Justice, Kuwait
City, Kuwait

Faxes: + 965 246 6957

Salutation: Dear Sir

4) Lieutenant Colonel Muhammad al-Fahed
International Organizations Liaison Office
Ministry of Interior
Al-Safat
Kuwait City, Kuwait

Telegrams: Lieutenant Colonel Muhammad al-Fahed, Ministry of Interior,
Kuwait City, Kuwait

Faxes: + 965 257 0880

Salutation: Dear Lieutenant Colonel

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 5332233

(b) Committee for the Defence of Human Rights
The National Assembly (Parliament)
Kuwait City, Kuwait

Faxes: +965 2416538

2) Newspaper:

Al-Qabas

P O Box 21800

Kuwait City 13078, Kuwait

Faxes: +965 4834355

and to diplomatic representative of Kuwait accredited to your country. The World Conference on Human Rights is being held in Austria this month and you can enhance the power of your appeals by also sending copies to the diplomatic representative of Kuwait in Austria during June at the following address:

Embassy of Kuwait:

The Ambassador

Botschaft des Staates Kuwait

Universitätsstr. 5, 1010 Wien

Austria

Faxes: + 43 1 408 72 63

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 July 1993.