

EXTERNAL (for general distribution)

AI Index: MDE 17/07/93

Distr: UA/SC

UA 288/93

Death Penalty

24 August 1993

KUWAIT:

Muhammad 'Ali Qulaib

On 21 August 1993 Muhammad 'Ali Qulaib, a 28-year-old Kuwaiti national, was sentenced to death by the Criminal Court following his conviction of rape. He was said to have led the gang-rape of a 10 year old Egyptian girl. The sentence may be carried out if it is upheld by the High Court of Appeal and the Court of Cassation and subsequently ratified by the Amir of Kuwait. Three other defendants, all minors, were convicted of taking part in the rape, and were sentenced to 10 years' imprisonment each.

Muhammad 'Ali Qulaib was simultaneously sentenced to life imprisonment after being convicted of the attempted abduction of a Palestinian girl.

BACKGROUND INFORMATION

A total of 29 executions have been recorded by Amnesty International between 1961 and 1989, many of which followed convictions for premeditated murder. Following the withdrawal of Iraqi forces from Kuwait in February 1991, there were no judicial executions but scores of extrajudicial executions were carried out by the Kuwaiti armed forces, security personnel and the police. In May and June 1991, 29 people charged with "collaboration" with the Iraqi armed forces were sentenced to death after manifestly unfair trials before the Martial Law Court. The Amir commuted these sentences to life imprisonment on 26 June 1991. However, on 5 May 1993, an Iraqi national sentenced to death by the State Security Court following his conviction of "collaborating" with Iraqi forces during the occupation of Kuwait, was executed. According to information available to Amnesty International, this was the first recorded judicial execution to have been carried out by the Kuwaiti government since 1989.

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/telexes/faxes/express and airmail letters either in English or in your own language:

- urging that the death sentence passed on Muhammad 'Ali Qulaib be commuted in the event that it is upheld by the High Court of Appeal and the Court of Cassation, and that no future death sentences are carried out;

- reiterating Amnesty International's unconditional opposition to the death penalty.

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

2) 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: 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 Administrative Affairs
PO 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

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 representatives of Kuwait accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,

or your section office, if sending appeals after 5 October 1993.