

EXTERNAL (for general distribution)

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Further information on UA 192/93 (MDE 17/05/93, 15 June 1993) Death Penalty

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 20 December, the cases of the 10 defendants named above will be reviewed by the Court of Cassation. If their sentences are upheld, their last hope for clemency would reside with the Amir of Kuwait who has to ratify all death sentences before they are carried out.

The 10 were sentenced to death on 12 June 1993 by Kuwait's State Security Court.

They were convicted of "collaboration" with Iraqi forces during the occupation of Kuwait. They are all Jordanians of Palestinian origin who had been 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;
- reiterating Amnesty International's unconditional opposition to the death penalty and urging that no future death sentences be carried out.

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: His Highness Shaikh Jaber al-Ahmad al-Sabah, 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: His Highness Shaikh Sa'ad al-'Abdallah al-Sabah, 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
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

4) 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

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.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 January 1994.