AD HOC COMMITTEE TO STOP THE KUWAITI EXECUTIONS
59 E. Van Buren • Suite 1400 • Chicago, IL 60605 • 312-427-2533

FACT SHEET

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

The men, who range in age from 19 to 29 years old, have been held in Kuwaiti custody since being arrested during the first months following the liberation of Kuwait in February of 1991. Their incarcerations were characterized by incommunicado detentions, beatings and repeated interrogation without benefit of legal counsel. Most of the defendants complained that severe beatings were inflicted on them to elicit confessions for alleged crimes of collaboration. [International investigators and fact-finding missions — Amnesty International, Human Rights Watch, Lawyers Committee for Human Rights, National Conference of Black Lawyers, National Lawyers Guild, Palestine Human Rights Information Center — who monitored Kuwaiti activities after the Gulf War, found torture of detainees commonplace.]

International human rights organizations and concerned individuals are expressing grave concern about the imposition of these death sentences, particularly in light of the fact that evidence indicates the defendants' rights have been compromised. The sentences were imposed without adherence to specific international standards.

The likelihood of coerced confessions, and the fact that almost all defendants appear to have been questioned by the prosecutor or police investigators *without* the opportunity to consult with lawyers, in violation of Kuwaiti law and international standards, calls into question the validity of the entire trial. It should be noted that Kuwaiti lawyers have shown reluctance to mount vigorous defenses on behalf of alleged collaborators with the Iraqi occupying force. In addition, those convicted by the State Security Council have the right to only *one* appeal, to the Court of Cassation, whereas those convicted by ordinary criminal courts have *two* degrees of appeal.

Membership in the Arab Liberation Front (a Palestinian affiliate of the Iraqi government which the ten men belonged to) was not considered a crime in Kuwait before the invasion. Their membership in the Front left these men especially vulnerable to Iraqi government pressure to support and participate in the occupation of Kuwait. The Kuwaiti State Security Court has not demonstrated adequate appreciation of the differing degrees of loyalty that might have been expected from those who are not, and are not allowed to be, Kuwaiti citizens. It does not appear that the court fully considered that the defendants may have been coerced into collaborating with the Iraqi occupiers because of their nationality. As stated by Middle East Watch: "..it is one thing to insist that a Kuwaiti citizen should have resisted threats of torture and murder of himself or members of his family while he awaited the possibility that the Kuwaiti government -in-exile might be restored; it is quite another thing to hold non-citizens to the same standard."

The lack of due process, the use of coerced confessions, the lack of adequate counsel during interrogation and the absence of judicial principles of fairness and equality for those sentenced to death in this case leads to the conclusion that these death sentences were issued under conditions which fall far short of the minimum international standards for the application of the death penalty and should, therefore, be commuted immediately by Kuwaiti Emir Jaber al-Ahmad al-Sabah.

Until the sentences are commuted a campaign to stop these executions will continue. For additional information, petitions, and mailgram forms please contact the *Ad-Hoc Committee to Stop the Kuwaiti Executions* at the address and phone number above.