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Human Rights Violations
Since 2 August

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19 December 1990

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3 October 1990

NOTE ON SOURCES AND METHODOLOGY

This document has been compiled principally on the basis of interviews conducted by Amnesty International with scores of people who fled Kuwait between August and November 1990. Most of these interviews were carried out in Saudi Arabia, Bahrain and the United Kingdom, with a smaller number of people in the United Arab Emirates, Egypt and Iran also being interviewed. Most of the interviewees are Kuwaiti nationals, but they also include Bahrainis, Saudis, Lebanese, Egyptians, Palestinians, Indians, Filipinos, Britons and Americans. Among them are former detainees, the families of victims of extrajudicial executions and of those who have "disappeared", eyewitnesses and medical personnel. Amnesty International has also relied on information emanating from persons who have remained in Kuwait, and who include both Kuwaiti and foreign nationals. In respect of some of the torture allegations made, the organization has sought the medical opinion of forensic pathologists and doctors in the United Kingdom with experience in the examination of torture victims.

All Kuwaiti nationals interviewed requested that their identities not be revealed for fear of reprisals by Iraqi forces against members of their families still in Kuwait. Some Western and Arab nationals have made the same request, also fearing for the safety of their relatives or friends in hiding in Kuwait or in detention in Iraq. Hence their names have either been omitted altogether or, in some cases, changed in order to prevent identification. The exceptions to this are: 1) several former detainees whose names are mentioned in Section 3 of this document, and 2) the ten victims of extrajudicial executions (and in some cases torture) whose names are cited in Section 6. These cases have either already been submitted to the United Nations, or authorization to reveal their names has been obtained by Amnesty International. The names of over 1,027 other detainees and "disappeared" persons received by Amnesty International are not being made public at this stage.

1. INTRODUCTION

Widespread abuses of human rights have been perpetrated by Iraqi forces following the invasion of Kuwait on 2 August. These include the arbitrary arrest and detention without trial of thousands of civilians and military personnel; the widespread torture of such persons in custody; the imposition of the death penalty and the extrajudicial execution of hundreds of unarmed civilians, including children. In addition, hundreds of people in Kuwait remain unaccounted for, having effectively "disappeared" in detention, and many of them are feared dead. To date, an estimated 300,000 Kuwaitis have fled their country, as well as several hundred thousand foreign nationals working in Kuwait. Their accounts of the abuses they have either witnessed or experienced have received worldwide media coverage. This document details some of these abuses, confining itself to those violations which fall within Amnesty International's mandate.

Amnesty International takes no position on the conflict in the Gulf, and does not condone killings and other acts of violence perpetrated by the parties to the conflict. What concerns the organization are human rights violations taking place in that context. Those violations which have been reported since 2 August are entirely consistent with abuses known to have been committed in Iraq over many years, and which have been documented by Amnesty International in its numerous reports. Iraq's policy of the brutal suppression of all forms of internal dissent continues to be implemented, and the people of Iraq remain its victims. Amnesty International has repeatedly placed such information on the public record, and regrets that until the invasion of Kuwait, the international community did not see fit to apply serious pressure in an attempt to put an end to these abuses.

2. DEVELOPMENTS SINCE 2 AUGUST

Iraqi forces invaded Kuwait on 2 August. In his 17 July speech, sixteen days before the invasion, President Saddam Hussain attacked Kuwait's royal family for damaging the Iraqi economy through forcing down the price of oil by exceeding its OPEC production quota. He also accused Kuwait of taking Iraqi crude worth U.S.\$2.4bn from the Rumaila oil field and demanded the writing-off of U.S.\$12bn in war loans owed to Kuwait.

Immediately after the invasion, Iraq announced that a nine-man 'Provisional Free Kuwait Government' had been set up. It was headed by Colonel 'Ala' Hussain 'Ali, said to be a Kuwaiti national. However, less than a week later, on 8 August, the transitional government was dismissed and Iraq announced the annexation of Kuwait. By 28 August, Kuwait was

declared to be Iraq's 19th province, while the border area with Iraq was incorporated as an extension of the province of Basra. 'Ali Hassan al-Majid, Iraq's Minister of Local Government and a cousin of President Saddam Hussain, was appointed as its governor. In 1987 - 1988, he had held responsibility for law and order in the northern Kurdish provinces of Iraq.

On 2 August, the United Nations (UN) Security Council adopted Resolution 660, which condemned the invasion of Kuwait and called for Iraq's immediate and unconditional withdrawal. On 6 August, economic sanctions were imposed on Iraq in accordance with Security Council Resolution 661. Between 9 August and 29 November, nine other resolutions were passed, the most recent of which, Resolution 678 passed on 29 November, authorizes the use of force to secure Iraq's withdrawal from Kuwait and sets 15 January 1991 as the date by which this should occur. Resolution 670 of 25 September condemned "...the treatment by Iraqi forces of Kuwaiti nationals, including measures to force them to leave their own country and mistreatment of persons and property in Kuwait in violation of international law." Resolution 674 of 29 October urged Iraq to refrain from violating the Charter of the United Nations and the provisions of the Fourth Geneva Convention, and to "immediately cease and desist from taking Third-State nationals hostage [and] mistreating and oppressing Kuwaiti and Third-State nationals..."

To date, Iraq has not implemented any of the Security Council resolutions, although it announced on 6 December that all detained Western nationals would be released. Aside from the perpetration of those human rights violations documented in this report, widespread destruction and looting of public and private property was carried out. Most critical of these has been the looting of medicines, medical equipment and food supplies. The massive scale of destruction and looting which has been reported suggests that such incidents were neither arbitrary nor isolated, but rather reflected a policy adopted by the government of Iraq. According to information received, this policy caused embarrassment on the part of some Iraqi soldiers who were called upon to implement it. A number of people who had fled Kuwait told Amnesty International that Iraqi soldiers had apologized to them for the destruction of their country, stating that they were led to believe that they had been deployed in order to thwart an external attack on Kuwait. A Kuwaiti doctor specialising in occupational medicine described to Amnesty International the looting and destruction of al-Shu'aib Industrial Centre where he had worked. On the fourth day after the invasion, members of Iraq's Republican Guards had apparently destroyed medical equipment, thrown files on the floor and torn down photographs of the Amir of Kuwait. The doctor said: "I went into the dental clinic, which was also completely destroyed. I noticed that on one of the walls of the clinic the following words were written in large letters: "Dear Kuwaiti doctors - we are sorry but we are under orders."

Since occupying Kuwait, Iraqi forces are reported to have meted out collective punishments against the local population in retaliation for armed attacks against them. Several incidents were reported involving the burning or blowing up of homes in districts where Iraqi soldiers had been killed. A night curfew was imposed in Kuwait City at the start of the invasion and remained in force until 23 November. Filming and photography are prohibited, and the offices of all newspapers and magazines have been closed down. The Iraqi authorities took over the printing presses of *al-Qabas*, one of Kuwait's daily newspapers, to issue their own newspaper, *al-Nida'*. At least three *al-Qabas* employees, two Lebanese nationals and one Egyptian, were arrested on 25 August reportedly for refusing to cooperate with the Iraqi authorities. In September and October the Iraqi Government issued a series of regulations aimed at completing the 'Iraqization' of Kuwait. These regulations required Kuwaitis to take up Iraqi identity papers in lieu of existing Kuwaiti documents; to replace Kuwaiti car number plates with Iraqi ones; to change the clock to correspond to Iraqi time (previously there was an hour's difference between the two countries); and to use Iraqi rather than Kuwaiti currency (initially parity of the Iraqi dinar with the Kuwaiti dinar was enforced, the harder Kuwaiti currency being worth 20 Iraqi dinars before the invasion. Subsequently, Iraq declared that only its own currency was legal tender). A number of districts, streets and public buildings were renamed, particularly those which carried the names of members of Kuwait's Al-Sabah family.

Since 2 August, Iraq has denied the media access to Kuwait. More importantly, it has denied access to the International Committee of the Red Cross (ICRC). In the first week of September, ICRC President Cornelio Sommaruga visited Baghdad and held three meetings with Iraqi Foreign Minister Tariq 'Aziz. The terms of a possible agreement defining the ICRC's operating procedures were discussed. In keeping with the ICRC's mandate to act in the event of international armed conflict on the basis of the 1949 Geneva Conventions, one of the organization's main objectives was to provide protection and assistance, in both Iraq and Kuwait, to the various categories of civilians affected by the events. The ICRC did not succeed in obtaining the Iraqi Government's authorization to launch an operation in Iraq and Kuwait for the victims of the crisis. The government has given no reason for its refusal to grant ICRC access.

Similarly, Iraq has failed to respond to appeals on behalf of victims of human rights violations in both Iraq and Kuwait launched by various non-governmental organizations, including Amnesty International. On 3 August, the organization appealed publicly to the Iraqi Government on behalf of Iraqi exiles living in Kuwait who were reported to have been arrested immediately following the invasion. There are grave fears for their lives as they risk torture and execution in Iraq. On 23 August, Amnesty International expressed its concerns to the Iraqi Government about a wide range of human rights

violations, including continuing arbitrary arrests, rape, summary executions and extrajudicial killings. The organization stressed that the arrest and continued detention of Western nationals was contrary to fundamental internationally recognized standards of human rights, and urged the immediate and unconditional release of all such detainees. It requested that their names and whereabouts be made known, and that they be granted immediate and regular access to consular officials. Amnesty International called upon the Iraqi Government to take immediate steps to prevent incidents of rape by Iraqi forces, to investigate such incidents and to bring those responsible to justice. The organization also expressed its concern about the extension of the scope of the death penalty to include looting and the hoarding of food. In response to the execution in the third week of August of several people said to have been found guilty of looting, Amnesty International urged the government to refrain from carrying out any further executions. It also asked under what laws the executions had been carried out and for details of any legal proceedings followed in their cases. Finally, the organization expressed grave concern about the extrajudicial killings of unarmed civilians, including children, by Iraqi forces. It urged the Iraqi Government to take urgent steps to prevent further such killings, to investigate those incidents which had occurred and to bring those responsible to justice.

On 29 August, Amnesty International sent urgent appeals to the government on behalf of six Kuwaiti men, all Shi'a Muslims aged between 18 and 26. They had been arrested on 3 August after taking part in a demonstration in the al-Sulaibikhat district of Kuwait City. Reports received by Amnesty International indicated that the six detainees had been transferred to Baghdad for detention. On 3 October, Amnesty International once more expressed its concerns in a public statement about the widespread abuses being perpetrated by Iraqi forces in Kuwait, including mass arrests, torture under interrogation, summary executions and mass extrajudicial killings.

The Iraqi Government failed to respond to any of Amnesty International's appeals. However, on 3 October Iraq's embassy in London issued a public statement commenting on Amnesty International's own statement issued the same day. The embassy did not deny that human rights abuses had taken place, but dismissed Amnesty International's statement as "an embarrassment to the practice of reporting" [see Appendix E for text of the Iraqi Embassy statement]. Further comment on the human rights situation in Kuwait since 2 August came from President Saddam Hussain during an interview broadcast on British television on 12 November. The following is an extract from that interview [other extracts from which are quoted in sections 3 and 5]:

Interviewer: How can you justify the atrocities committed by Iraqi troops in your name ?

**President
Hussain:**

Have you seen these atrocities yourself ?

Interviewer:

I have not seen them, but let me quote you some reports, Mr. President. One report speaks of scores of people being tortured and hanged at Kuwait University for opposing the annexation of their country. Another report speaks of 15-year-old boys being shot. An American woman married to a Kuwaiti talks about a pregnant woman being disembowelled. These reports have been coming out of Kuwait for some time. Do you know about these reports ? Do they worry you ? Have you heard about them ?

**President
Hussain:**

What is certain is that I have not heard of any such acts. It is possible that, in the same way that the Western media is trying to fill the minds of people everywhere, every day, with lies about the situation ... it is also possible that some false reports may come out of Kuwait, claiming the sorts of things you have described. But let me say something to you. There is now, in the province of Kuwait, an instruction which is valid: whoever opens fire at our soldiers, they will open fire in return. They will shoot to kill ...

Interviewer:

Mr. President, these reports of atrocities, you see, are encouraged by the fact that you have sealed off Kuwait from the rest of the world. Why don't you let us go in and see for ourselves whether these reports are true ?

**President
Hussain:**

You are partly right in what you have said. But you must undoubtedly remember that now the province of Kuwait is a military target for the American forces there and the forces allied to them So [the province of Kuwait] and its approaches in the province of Basra are now being prepared as a fully-fledged battlefield for the confrontation of a possible invasion. And you know that, under such circumstances, countries usually take measures preventing journalists from approaching military zones. And the British public, for example, knows these facts because it has lived through that during the Second World War."

In this document, Amnesty International once again calls upon the Iraqi Government to implement the following recommendations as a matter of urgency:

1. Grant immediate access to the International Committee of the Red Cross to enable it to provide protection and assistance to civilians in Kuwait and Iraq under the terms of the 1949 Geneva Conventions.
2. Release immediately and unconditionally all detainees held solely on account of the non-violent expression of their conscientiously held beliefs or on account of their nationality.
3. Ensure that all detainees are granted their internationally-recognized rights to challenge the legality of their detention before a court, and to receive a trial which meets the requirements of fairness set forth in international human rights and humanitarian law.
4. Make known the whereabouts of all detainees and grant them immediate access to their families, legal counsel, medical doctors and consular officials.
5. Initiate prompt and impartial investigations into reports of torture and extrajudicial killings (including the ten cases referred to in this document), the results of which should be made public. Military and security personnel and other public officials found responsible should be brought to justice.
6. Conduct a prompt, thorough and impartial investigation into all reports of "disappearances" and bring to justice those responsible. Inform the families immediately of the arrest and keep them informed of the whereabouts of detainees at all times. Detainees should only be held in official known detention centres, a list of which should be widely publicised.
7. Refrain from extending the scope of the death penalty and taking immediate steps to ensure no further executions are carried out; provide information of the legal basis for those executions already carried out and details of any trial proceedings followed in those cases.

3. ARBITRARY ARRESTS, DETENTION WITHOUT TRIAL AND "DISAPPEARANCES"

Under the circumstances prevailing in Kuwait since 2 August, it has been virtually impossible to estimate the number of people arrested by Iraqi forces after the invasion. In the absence of any official figures from the Iraqi Government, and its denial of access to detainees by any international humanitarian organization, Amnesty International is not in a position to give any precise figures. The organization has attempted to build up a general picture of the situation through information provided by former detainees and eyewitnesses, as well as through statistics provided by governments whose nationals were transferred from Kuwait and held in Iraq. A number of Kuwaiti sources estimate the number of detainees to be over 10,000, a figure which cannot be substantiated in the absence of further information. By November 1990, Amnesty International had received the names of over 875 Kuwaiti nationals said to be in Iraqi custody, both civilians and military personnel. The majority are believed to be held in prisons and detention centres in Iraq - notably at Basra, Baghdad and Mosul, and a smaller number in Kuwait City. Among them are eleven Kuwaiti diplomats who were stationed at Kuwait's embassy in Baghdad and its consulate in Basra at the time of the invasion. Amnesty International has also received the names of 152 others, all Kuwaiti men between the ages of 19 and 50 whose fate and whereabouts are unknown. They include both civilians and military personnel who are presumed to be in detention, although there are fears that some may have been killed or executed by Iraqi forces. In addition there are hundreds of Western nationals apprehended in Kuwait and who, as at 6 December, remained in detention in Baghdad and in other undisclosed locations in Iraq and Kuwait.

In the first days of the invasion, Amnesty International received reports that hundreds of Kuwaiti military personnel were rounded up and held in makeshift detention centres in Kuwait City. The detainees included members of the armed forces, the navy, the police force and security forces. Those who were not seized immediately after the invasion continued to be sought by Iraqi troops, and in some instances were arrested from their homes. Numerous eyewitnesses stated to Amnesty International that Iraqi army vehicles patrolled residential areas, looking for the homes of military personnel. The relatives of military personnel being sought were sometimes themselves arrested and tortured during interrogation in order to reveal their whereabouts. The majority of detained military personnel are reported to have been subsequently transferred to Iraq. Official Kuwaiti sources estimate their number to be between 6,000 - 7,000.

Although the majority of those arrested were Kuwaitis, among the detainees were also stateless persons living in Kuwait known as the 'bidun' [literally 'without', ie. without

nationality. They include Arabs from neighbouring countries, some of whom have lived in Kuwait for over 25 years, but neither they nor their children born in Kuwait had the right of permanent residence and were denied basic political and civil rights]. Apart from Western nationals who were rounded up and taken to Iraq [see below], the detainees included Syrians, Lebanese, Egyptians, Bahrainis, Saudi Arabians, Indians and Pakistanis. Arab nationals who were detained were largely from those countries whose governments had adopted a position on the invasion of Kuwait considered 'hostile' by Iraq. However, Amnesty International is aware of several cases involving the detention of Jordanians (largely Palestinians) who had refused to cooperate with Iraqi forces in Kuwait or who had been suspected of opposition activities. In two cases brought to the organization's attention, the detainees were reported to have been subjected to torture [see Section 4 below].

Also reported to have been arrested in the first days after the invasion were scores of Iraqi exiles who had been living in Kuwait for a number of years. According to Amnesty International's information, many of those arrested are said to be Shi'a Muslims with suspected links to the opposition group *al-Da'wa al-Islamiyya* (Islamic Call), membership of which has been a capital offence in Iraq since 1980. The organization has received the names of several of them, who were said to have been arrested in the Bnaid al-Gar district of Kuwait City. Their fate and current whereabouts are unknown. They are believed to have been taken to Iraq where they face continued detention and risk torture and execution.

The widespread arrest of civilians began to be reported in the second and third weeks of August following, on the one hand, the emergence of an opposition movement in Kuwait and, on the other, the adoption by Iraq of the so-called 'human shield' policy involving the detention of Western nationals. According to reports emanating from people fleeing the country, groups of Kuwaitis and other nationals seized weapons and ammunition stored in police stations in several districts of the city, leading to sporadic armed clashes with Iraqi troops which lasted several weeks. Among those who participated in the armed resistance against Iraqi troops were said to be Egyptians, Palestinians and other Arab nationals, as well as a number of Kuwaiti Shi'a Muslims who had previously formed part of Kuwait's internal opposition. They are said to include former political prisoners who, prior to the invasion, had been serving terms of imprisonment in Kuwait Central Prison. The number of civilian and military casualties on both sides resulting from these clashes is unknown.

However, opposition to the Iraqi invasion of Kuwait also took other forms. For example, in the second week after the invasion, leaflets calling for continued opposition to the occupation began to appear in the streets of Kuwait. These leaflets included *al-Sumud al-Sha'bi* (Popular Resistance) and

Sarkha (The Cry). Other forms of non-violent opposition to the Iraqi occupation included the raising of the Kuwaiti flag; putting up photographs of the Amir of Kuwait, Shaikh Jaber al-Ahmad al-Sabah and the Crown Prince, Shaikh Sa'ad al-'Abdallah; writing anti-Iraq slogans on the walls; shouting "Allahu Akbar" [God is Greater] from the rooftops; going out onto the streets after curfew and, where possible, non-compliance with the various orders issued by Iraqi forces. Among those arrested in August and September, apparently for non-cooperation with the Iraqi Government, were former members of Kuwait's National Assembly (parliament): Mubarak al-Duwaila; Khaled Sultan al-'Issa (also a member of the Islamic Heritage Society); Khaled al-Wasmi; and 'Abd al-Karim al-Juhaidli (also a member of the recently formed National Council). One of them, Khaled Sultan al-'Issa, was held for 29 days, principally in Basra. According to information received by Amnesty International, his beard was shaved off and he was subjected to beatings and electric shocks.

Opposition to the occupation developed into a form of 'civil disobedience' from mid-September, following the issuing of a series of regulations by the Iraqi Government aimed at completing the 'Iraqization' of Kuwait [see Section 2 above]. The refusal to comply with such orders led to the arrest of civilians who had not participated in any armed resistance against Iraqi forces. Civilians were also arrested for non-compliance with other types of regulations introduced in Kuwait, such as the ban on growing beards which came into effect in the first week of September. Several men interviewed by Amnesty International said they had been stopped at checkpoints solely because they had beards, though none of them could offer a logical explanation as to why that should constitute an offence. One 30-year-old Kuwaiti entrepreneur who left his country on 16 September said:

"... those who had beards were ordered to shave them off. Punishment for non-compliance consists of plucking the beard with pliers or some other unspecified punishment. Several arbitrary regulations of this kind have been introduced, but they did not take the form of official decrees. The problem for us was that we did not learn of these regulations until we encountered troops at the checkpoints. They would inform us what the latest regulation was, but by that time, it would be too late because we may have unwittingly committed the 'offence' in question. I know of cases of people who have had their beards plucked, including elderly religious men who traditionally wear a beard."

Amnesty International has received the details of several such cases, involving the public humiliation of both young and elderly men and their subsequent detention for refusing to

shave. The Iraqi authorities in Kuwait have themselves failed to explain why the growing of beards has been made illegal.

The following is a description of the general pattern of arrests as described in a memorandum prepared by officials of the Kuwaiti Red Crescent, dated 23 October:

"The daily arrests and the attacks on citizens became [widespread]. People could not move about freely, even to carry out essential tasks, for fear of being arrested or killed (or of disappearing). Raids on homes became a daily occurrence, which people could expect at any time. The arrest and torture of people was something which threatened every individual. Young men were shot near their homes and in front of their families, and this method was used by the occupiers to terrorize the people and to eliminate the young men on the pretext that they worked in the resistance... there were no fair trials for these people. On the contrary, the arrests, interrogation, torture, punishments and killings were carried out in an arbitrary and whimsical manner, decided upon by intelligence agents and others in the occupying forces..."

According to reports received, in the first two weeks of the invasion most arrests were carried out in the streets. In the third week, Iraqi forces began entering peoples' homes more frequently. In some cases the intention was not to carry out an arrest but to force individuals to return to work. A lecturer in political science at Kuwait University, in her mid-50s, told Amnesty International that Iraqi soldiers came to her home in the Sabah al-Salem district on 25 August and insisted that she return to work. She argued, pointing out that there were no students to teach. Here she continues her story:

" A few days later, on 28 or 29 August, they came back. This time they searched the entire house. There were eight of them, carrying weapons, and they arrived at eight in the morning. The children were still having breakfast. They asked, "Do you have weapons? Do you have foreigners here?" We said no. Before leaving, they threatened that if a single shot was fired from our house they would blow it up. They were registering the names of all foreigners in peoples' homes, including Indians and other Asians. They said that if any of these foreigners escaped, they would arrest us and take us to Baghdad."

Kuwaiti nationals arrested from their homes were invariably taken to the police station in the district where they lived. Some remained there throughout their period of detention, while others were moved to different places of detention in Kuwait City. Those detainees who were neither released nor executed at that stage were subsequently transferred to Iraq. The vast majority of police stations in Kuwait City have been used to hold detainees, as have the Juveniles Prison (*Sijn al-Ahdath*) in the district of al-Firdos and the Deportations Centre (*Markaz al-Ib'ad*) in the district of al-Shuwaikh. No information has been received which indicates that Kuwait Central Prison (*al-Sijn al-Markazi*) in the district of al-Sulaibiyya has been used since the invasion to hold detainees. The prison is believed to have remained empty since 3 August, when an estimated 1,500 common law prisoners and some 50 sentenced political prisoners fled. One of these former political prisoners who subsequently fled to Iran told Amnesty International that much of the prison had been destroyed through fire in the first two weeks of August.

Public buildings as well as private homes have also been used to hold detainees. They include the *Muhafazat al-'Asima* [City Governorate] building on al-Hilali Street; the faculties of Law and Literature of Kuwait University; government ministry buildings; Dasman Palace and Nayef palace; sports clubs (such as the Olympic Club in al-Nugra and al-Kadhima Sports Club in al-'Udailiyya; the building housing the Economic Development Fund (*Sandug al-Tanmiya al-Iqtisadi*) in the district of al-Mirgab; and schools (such as 'Abdallah al-Salem Secondary School). The Iraqi Embassy building on al-Istiqlal Street has also been used as a place of detention. Private homes used for the same purpose have included those previously owned by members of the ruling al-Sabah family. Military buildings used to hold detainees include the Police Academy, al-Liwa' al-Sades military base on the al-Jahra' road and the 'Ali al-Salem base near the border with Saudi Arabia. Most former detainees interviewed by Amnesty International who were transferred to Iraq reported that they were taken to Basra. Although in many cases they were not in a position to specify the prison or detention centre, some said they were held in the Deportations Prison (*Sijn al-Tasfirat*) and the State Security Prison (*Sijn al-Amn al-Siyyasi*). Others said they were also held briefly in police stations in other nearby towns, including al-Zubair and Safwan. Several thousand detainees are currently reported to be held in prisons in Baghdad and Mosul, but Amnesty International has been unable to verify their numbers or obtain information on their places of detention. Most are said to be military personnel.

A 27-year-old Kuwaiti office employee who fled his country in mid-September told Amnesty International of a former detainee whom he spoke to following his release:

"As you know there is a shortage of food in peoples' homes. The resistance would

sometimes take food to the mosques, where people could go to eat. A young man was arrested by the Iraqis in al-Shamiyyeh district. He was carrying a leaflet distributed by the resistance, which said that 'supplies' were to be taken to the mosques and gave details of the plan. The Iraqis probably thought that this meant military supplies rather than food. They arrested the man and tortured him by breaking his ribs. He was 26 years old and was arrested on Tuesday 11 September".

A Kuwaiti journalist who fled his country on 20 August told Amnesty International of an incident which took place in mid-August:

"I know of the case of Khaled... [surname withheld by Amnesty International], who worked as a telephone operator in the Kuwaiti army. He lived in al-Sulaibiyya. He was arrested by the Iraqis with two others. He was a 'bidun' and the other two were Kuwaitis. They were taken to Bayan police station. They were arrested because they had raised the Kuwaiti flag on their car. When we asked about them at the police station, the Iraqis told us that Khaled was going to be transferred to Baghdad. But I saw him the following day when he was released. He had marks all over his body from having been beaten. He could not walk normally as he had been subjected to *falaga* for a prolonged period...."

A former detainee, a 31-year-old Kuwaiti, said that he was stopped at a checkpoint on 23 September and accused of stealing his own car. He was held for five days, initially in a school in the district of Salwa and later at al-Shuwaikh Security Directorate (*Mudiriyyat Amn al-Shuwaikh*). According to his testimony, he was slapped, punched and beaten with a hosepipe for one hour, and threatened with the rape of his mother. He said he was interrogated eleven times about opposition activities. Upon being released his car was returned to him, stripped of everything inside it. Another former detainee, a 23-year-old labourer, told Amnesty International that he was arrested on 8 October:

"The day before there had been an attack on Iraqi soldiers. The Iraqis were stopping all cars and taking people away. I was told to board a bus near the checkpoint, together with 12 or 13 others. The bus took us to Bayan police station. I was held there for three days and interrogated about the resistance. Then they took me to a school,

where I was interrogated by two officers and two soldiers. They applied electricity to my chest, head and arms. I felt paralysed for nearly three days. They also poured an acid-like liquid on my back and used a pincer-like device which they placed around my fingers and tightened. I was released one week later after my friends paid a bribe."

Among the children interviewed by Amnesty International was a 16-year-old Kuwaiti boy, a student at al-Farwaniyya Secondary School. He was arrested on 1 October after violating the night curfew:

"I was taken to al-Rabia police station and put in a cell with four others. I was held for five days, and interrogated daily, usually at about 3pm. I was asked about my father, brothers and friends. During interrogation, a second person would come in and punch me or beat me with a belt. Each session usually lasted about half an hour. After five days my left arm was marked with the letter H using a hot skewer. I was told that if I got into any more trouble it would mean certain death. Then I was released and told to go home."

Incidents such as these, as well as the prevailing climate of fear, also took their toll on the younger children. Here, a Kuwaiti housewife in her late thirties who left the country at the end of August described to Amnesty International one aspect of this:

"As a result of these tactics, the children were in a permanent state of fright. Many of them developed a stutter and could not talk normally. Others began suffering from uncontrolled urination. We tried to cure their stutter by taking them up on the rooftops with us where we shouted Allahu Akbar in protest at the Iraqi invasion. At first the children had difficulty in getting the words out, but we urged them to shout at the top of their voices. After several attempts, some of them regained normal speech."

The vast majority of former detainees interviewed by Amnesty International stated that they were not brought before any judicial authority throughout their detention period, and had remained in the sole custody of arresting and interrogating officials. Almost all were held incommunicado and were routinely denied visits from family, friends, lawyers or doctors. Although some detainees were accused of specific

offences, no 'official' charges as such were brought against them, even though in some cases the interrogating officials informed them of the punishment 'by law' for the offences they had committed. For example, several of those interviewed had been accused of 'illegal entry' into Kuwait (this pertained largely to Kuwaitis who entered the country after the invasion, either to assist their families in fleeing or to participate in the opposition against Iraqi forces). In some of those cases, the detainees were informed that the punishment for 'illegal entry' was five to eight years' imprisonment. As far as Amnesty International is aware, however, such punishments have not been codified in law. At the same time, detainees accused of offences said to be punishable by long term imprisonment have often been released within days or weeks. The decision to release appears to be as arbitrary as the decision to arrest. Amnesty International received details of the following incident from a group of Kuwaitis reporting directly from Kuwait on 10 November:

"In the district of al-Faiha' an [Iraqi] officer asked to enter the cooperative society without standing in the queue. The young men from the society told him to wait for his turn. In the evening the same officer returned, accompanied by a number of soldiers. They took five of the young men who worked at the cooperative society to the police station and charged them with stealing cars belonging to the municipality. An order was issued to detain them for 15 days in order to bring them to trial in Basra. But after an offer of 'presents' (a video and television) and the issuing of a letter from the municipality confirming that the cars had been given to the cooperative society, the young men were released."

Of the scores of people interviewed, only four former detainees stated that they had been brought before a judge, three of them in Iraq and the fourth in Kuwait. A 23-year-old Kuwaiti student [name withheld by Amnesty International] arrested in the third week of September in al-Salmiyya, stated that he was held for eighteen days, first in Kuwait City and then in Iraq. He had not been in Kuwait when the invasion took place, but had returned to help his family leave. He stated that he was tortured throughout his detention period, including with electric shocks. After two days' detention in Kuwait City, he was taken to Basra and held for one week in a place he described as the 'offices of Iraqi intelligence'. Here he continues his story :

"After that I was transferred by bus to an ordinary prison. The drive was about 15 minutes. I was told I had to pay for the bus fare, which I did with the little money I had on me. In the prison I was held in a

large hall, where there were hundreds of detainees. I remained in the prison for eight days, and then 32 of the detainees were summoned for trial. I was one of them. We were taken to another building which had a sign on the outside saying 'Basra Court'. We sat in a waiting room, and then each of us was brought before a judge individually. I didn't know whether he was really a judge, but the sign on the door of his office said 'The Judge'. He wore civilian clothes. There was also an officer in the room, taking notes. I was before the judge for three minutes altogether. He asked me for my name and why I had returned to Kuwait. The charge against me was entering the country illegally (when I was first arrested I was accused of espionage). Then the judge asked me to sign a statement, the contents of which I was given no opportunity to read. He warned me that if I was caught again I would be executed. I was taken back to the waiting room while the other detainees went through the same process. When it was over, we were taken back to the prison where they gave us back our identity documents and released us. A few of us took a taxi as far as Safwan, and from there entered Kuwait."

Another 23-year-old Kuwaiti [name withheld by Amnesty International], formerly in the armed forces, was arrested at a checkpoint in al-'Ardiyya on 12 August. He stated that one of his neighbours had informed Iraqi soldiers at al-Firdos police station that he had hidden weapons in the basement of his home. He was held in Kuwait City for ten days until his interrogators, a captain and a first lieutenant, "said they would release me in exchange for a television, a video machine and video cassettes. Another Iraqi soldier at the station also told me to bring perfumes, a suitcase and a car tyre." Following his release he left Kuwait for Saudi Arabia and then returned on around 4 September when he was arrested again with five other Kuwaitis who had entered Kuwait with him. They were all held for six days in al-Jahra' police station and then transferred to Basra, where they were taken to the Deportations Prison (*Sijn al-Tasfirat*). The following is his account of what happened later:

"We were put in a cell measuring 4 x 3 metres where there were already other detainees: nine Iraqis, two Syrians and four Jordanians. The Iraqi detainees were wearing army uniforms. They had been accused of looting. The two Syrians had been accused of carrying false car documents. We stayed there for three days without being interrogated, but occasionally

the guards would show us other detainees who had been tortured, just to frighten us. On the third day they took the six of us, together with the Syrian and Jordanian detainees, to police headquarters in Safwan. We travelled by car, and they asked us to pay the fare for the journey. We were told we were going to be executed. [In Safwan] we were put in a cell where about sixty people of various nationalities were held. A while later an Iraqi man appeared. He said he was a lawyer and identified himself as ... [name withheld by Amnesty International]. He said to us he could secure our release in return for 4,000 Iraqi dinars per person. None of us had asked for a lawyer. He had come of his own accord, looking for cases. We said we had Saudi riyals, which the lawyer said he would accept. He then advised us that when we were brought before the judge, we should say that we had returned to Kuwait in order to look for our sheep. At 6pm that evening an Iraqi officer, known as Ra'ed, interrogated the six of us. He asked us what we had to say to explain our situation. The lawyer was present during the session. We repeated what he had instructed us to say. At 7am the following morning we were taken on foot to the court in Safwan. The judge did not speak to us, but wrote something down and then informed us that we were being released. The whole process barely lasted one minute. I don't know what happened to the Jordanian and Syrian detainees. They were still being held when we left."

As mentioned earlier, it was not possible to determine in many cases the reasons behind the release of detainees. However, three essential preconditions appear to apply in most cases. Firstly, detainees are required to sign statements declaring their allegiance to President Saddam Hussain and the Iraqi Government, and their agreement to cooperate with the Iraqi authorities (principally by acting as informers). Secondly, release was invariably accompanied by the payment of bribes. Many former detainees and relatives of detainees told Amnesty International that they had to pay sums of money and provide certain goods requested by the interrogating officials. In this regard, the goods most in demand have been television sets and video machines, although, as the case mentioned above demonstrates, other requests may be made. One 17-year-old former detainee said that his interrogators offered him his release in exchange for an Indian or Filipino woman [see Appendix A2]. Thirdly, detainees are required to provide detailed information on themselves and their

relatives, such as that described below by a Red Crescent doctor released from detention on 11 October:

"Upon release, the Iraqis asked us to provide detailed information about our families. They wanted the names, addresses and professions of my own immediate family, my brothers and sisters, my brothers-in-law and my paternal uncles and their families. When all this information was written down, we were made to sign an undertaking that if we talked about what happened to us, members of our families would be harmed, and that the penalty was death. They also asked us for information about any past political activity and any period spent in detention. They even took down information on our educational qualifications. The statement we were made to sign also said that all the information we had provided was correct, and that if any of it proved false, the penalty was death. We also had to undertake to inform the Iraqis of any political crimes we heard about."

A number of people interviewed by Amnesty International also stated that detainees who had been badly mutilated as a result of torture were either kept in detention, prevented from leaving Kuwait or executed. This appears to be a more recent development, prompted in all likelihood by widespread media coverage of human rights abuses being perpetrated by Iraqi forces in Kuwait. The 17-year-old former detainee mentioned above, who was released in early October, stated that just prior to release:

"... they transferred us to Muhafazat al-'Asima where we were examined. I hid the traces of torture on my body in order to avoid being executed, because anyone who has clear traces of torture on his body or is suffering from permanent damage is executed."

Families were given no official notification of the arrest, place of detention and subsequent movement of detainees, and had to obtain such information through their own efforts. During the first two weeks of the invasion, relatives of detainees routinely enquired about them with Iraqi military personnel who had taken charge of the local police stations. In some instances, the families were told that the detainees had been transferred to Iraq, and that all further enquiries should be made to the authorities there. However, in the vast majority of cases, Iraqi forces denied having the detainees in their custody. Those arrested had therefore effectively "disappeared" in detention, and their families remained ignorant of their fate and whereabouts until

they had either been released or executed. In the latter case, the bodies of the victims would either be found in the streets of Kuwait City, or else dumped outside their homes [see section 6].

As incidents of arrests and killings multiplied from mid-August, the families of those who had "disappeared" became increasingly reluctant to make enquiries about them for fear of being arrested themselves. A 31-year-old Kuwaiti doctor told Amnesty International of one such case:

"The young man [a Kuwaiti, name withheld by Amnesty International] went to enquire about his cousin who was held in al-Rigga police station. When he kept insisting he was taken inside the police station. He was stripped of his clothes and told to pray. When he kneeled down they started kicking and beating him. He was suspended from a fan for several hours and was told to sit on a bottle. He was released several days later with a message to everyone, that this is the punishment for those who ask about any detainees. He was in a very bad psychological state. This happened in the first week of September."

Instead, the families of detainees turned for help to the Red Crescent, to whom many of the bodies found in the streets were being referred. A member of the Red Crescent's administrative council described the situation to Amnesty International:

"In the early days of the invasion, we tried to raise with the Iraqis the cases of detainees as well as those who had disappeared. There were many such cases in Kuwait. When a young man steps out of his house, there is a likelihood that he will not return. The families of the disappeared tried to enquire about them with the Iraqis in all possible places, but to no avail. So they used to come to the Red Crescent in the hope that we had some information. Prior to the invasion, the Kuwaiti Red Crescent had professional links with the Iraqi Red Crescent, and we tried to use those connections in order to obtain information about the detainees. We were not successful in this. All we could do was to ask the families to write down for us the names and details of those missing, in case we should come across them in the future....."

On 16 September, six Red Crescent workers were arrested by Iraqi soldiers. They were taken away from their premises on the pretext that they were to attend a meeting with the Iraqi Minister of Health who was visiting Kuwait. Instead, they were taken to Nayef Palace, which is being used as a detention centre. They were held there for 26 days. Following their release, the Red Crescent headquarters were closed down, and Iraq subsequently announced that the Iraqi and Kuwaiti Red Crescent societies had been merged.

The following is a father's account of his attempts to find one of his sons, Hassan, a 24-year-old teacher. He was arrested from his home on 16 September, together with his younger brother, 'Abdallah, a student aged 18. 'Abdallah was brought back nine days later and shot dead in front of his parent's home [see Section 6 below], while Hassan remained in detention. The father, a Kuwaiti aged 53, told Amnesty International how he tried to find him [the names of both sons have been changed to prevent identification]:

"When I returned to my house after the burial [of 'Abdallah], a Palestinian whom I did not know came up to me and asked if I was the father of ... (mentioning the names of my other sons who were in the armed forces). When I replied yes, he warned me: "Your sons were in the armed forces. You had better escape or they will come after you." So I spent the next week in hiding, moving from house to house and sleeping in different places. Then I felt I must look for my son, Hassan. I enquired about him everywhere. I went to the police stations in al-Rigga, al-Ahmadi, al-Sabahiyya, Khaitan, but I did not find him. At one of these police stations the Iraqis asked me if I was a Kuwaiti. I said yes, and they mocked me: "Your sons are the sons of Jaber and Sa'ad" [referring to the Amir of Kuwait and the Crown Prince]. Finally, I was told he was at Markaz al-Ib'ad [the Deportation Centre]. When I went there, the soldiers told me that they would release Hassan in exchange for a television, a video and 500 dinars. So I went home and returned with these items. I was kept waiting for several hours. At 3.15 in the afternoon Hassan was brought out. He could not walk, the soldiers were carrying him. I put him in the car and took him to the home of my brother-in-law in al-Rumaithiyya. Hassan had been badly tortured and his face was swollen from having been beaten. I did not dare to take him to any of the hospitals. So we waited, and at the first opportunity we left Kuwait..."

A 24-year-old Kuwaiti, formerly a lieutenant in the National Guard, describes below how he learned of the fate of his father who, according to a former detainee held with him at al-Firdos police station, had been transferred to a hospital. The father had been arrested in the district of al-Sabahiyya in late August on suspicion of taking part in opposition activities:

"When [the former detainee] told me that my father was in hospital, I went looking for him in the hospitals but I couldn't find him. I looked in the cemeteries but I couldn't find him. Then I was advised to go to al-Amiri Hospital where ... photographs of the dead [had been taken]. There, I saw a photograph of my father. There were traces of beatings on his head, an open wound in his stomach and the skin on his face was flayed. I left the hospital with my cousin, and we came across a checkpoint near al-Hamra Cinema. [The soldier] told us to produce identification and asked me why I was crying. My cousin replied that my father had died. The soldier said that it was no problem that my father had died. My cousin told him that my father was more honourable than any Iraqi..."

Both the former lieutenant and his cousin were arrested at this point and held for five days.

THE DETENTION OF WESTERN AND OTHER FOREIGN NATIONALS

The information in this section relates to the period up to 6 December, when President Saddam Hussain announced that all detained Western and other nationals were to be released and allowed to leave Iraq. Developments after 6 December are not referred to in this document.

On 19 August, seventeen days after the invasion, the Iraqi authorities ordered all Western foreign nationals in Kuwait to assemble in three hotels in Kuwait City - the Regency Palace, the Meridien and the International Hotel. They announced that these nationals may be transferred for detention at key military and industrial sites in order to deter military attacks against Iraq. Although none were actually detained on that day, the announcement marked the beginning of what is now commonly referred to as Iraq's 'human shield' policy. On 20 August, British and French government sources confirmed that 82 Britons and six French nationals were moved from hotels in Kuwait and taken to unknown destinations. In addition, some 200 British and American nationals who had also been transferred from Kuwait to Iraq were detained in several

hotels in Baghdad. On 21 August, the Iraqi authorities confirmed that some foreign nationals had been transferred to military sites in Iraq.

Subsequently, hundreds of foreign nationals were rounded up in Kuwait City and taken to Iraq. They included French, British, American, Australian, German, Dutch, Belgian, Scandinavian and Italian nationals, as well as Japanese nationals. Hundreds of others of these and other Western nationalities who were either working in or visiting Iraq at the time were also detained in hotels in Baghdad or transferred to undisclosed locations. In the third week of August, the Iraqi authorities announced that some 13,000 Western, Soviet and Japanese nationals would not be permitted to leave Iraq or Kuwait until United States troops withdrew from Saudi Arabia and the sanctions against Iraq were lifted. Nevertheless, up until 6 December, several hundred of these foreign nationals were allowed to leave Iraq; largely following visits by former heads of state and political leaders from countries including Britain, France, the United States, Austria, Germany, Japan and the Soviet Union. The majority remained in Iraq, however, and were dubbed 'guests' by the host country. The precise numbers of those among them who, at the time of writing, were detained in strategic military and industrial installations, were not known. According to one estimate, some 600 British, Japanese and American nationals were being held at an estimated thirty sites in both Iraq and Kuwait, while up to 2,000 Western nationals remained in hiding in Kuwait [figures compiled by the Associated Press news agency].

The Iraqi authorities have said nothing to suggest that these foreign nationals are being held on grounds other than their nationality. President Saddam Hussain recently reaffirmed that they have not been charged with any offence. In an interview broadcast on British television on 12 November, he said the following:

"If you ask these guests, whom you call hostages, who have returned to Britain: did Iraq ask anything of you in return for lifting the restrictions on travel... they will reply that nothing [was asked]. Therefore... they are not hostages. And if you ask them: did Iraq charge you with anything or interrogate you, they will reply no. Therefore they are not imprisoned, and the description of detention and imprisonment does not apply to them..."

Semantics aside, however, it is beyond doubt that these detentions are arbitrary and violate international human rights norms. Furthermore, all foreign nationals detained since 2 August have been denied consular access. Foreign diplomats in Kuwait were themselves stripped of diplomatic

immunity when the Iraqi authorities announced that all embassies in the country should cease to operate by 24 August.

Scores of Western nationals took refuge in their embassies in Kuwait City in the third week of August when the 'human shield' policy began to be implemented, but most remained in hiding elsewhere. A group of British and American nationals who, at the time of writing, were in hiding in Kuwait described their situation thus in a report they had compiled dated 6 November:

"We have been in hiding at various locations for over three months. We never go outside and the only daylight we see is by peeping round a curtain. As for escape, that is totally impossible. We would have to get through as many as six checkpoints manned by armed Iraqi soldiers to reach the desert. Even if we got that far, which is very unlikely, we face the prospect of being shot without warning by soldiers in and around Kuwait."

One British national was in fact shot dead on 11 August as he tried to cross the Kuwaiti - Saudi Arabian border [see Section 6 below]. The situation became more precarious with the introduction of the death penalty for harbouring Western nationals on 25 August. Several Kuwaiti former detainees interviewed by Amnesty International stated that during interrogation, they were questioned on the whereabouts of foreigners. Many others reported that Iraqi soldiers conducted house-to-house searches looking for foreigners, and that in some cases violence was used to detain them. On 5 September an American national, Miles Hoffman, was reported to have been shot in the arm while trying to evade capture from his home. Also in early September, a British man and his Filipino wife were allegedly beaten prior to their arrest. An account of that incident, as well as a general description of the situation, is provided by a British woman who had been living in Kuwait and whose husband remained in hiding there. She told Amnesty International in October:

"Our home was in al-Fahahil ... we heard lots of stories. I knew a British guy with a Filipino wife, he's about 35 or 40 years old. The Iraqis broke into their flat while they were in hiding in the back room. It was between 1 and 3 September. They kicked the wife in the chest and her husband was badly beaten around the head. I think she's here now [in the United Kingdom], but he's a hostage ... My husband and I were in hiding almost from the beginning. We went out only if it was absolutely necessary. Eight days after the invasion we moved from our flat because it became unbearable. We were

afraid the Iraqis would come, so we moved southwards. Someone told us they were picking up Brits in house-to-house searches ... Now the situation is much worse. I got a letter from my husband on Friday, it was dated 25 September and was smuggled out of Kuwait. He says there's an atmosphere of despair. He seems to think the soldiers are getting ready to move in, and it's a lot more tense than when I was there. He says they're picking up more Brits, and mentioned that at least twenty more were picked up last week. He's back to hiding in the attic now ... The Palestinians were helping with food, but they can't help any more because they don't have money ..."

The 6 November report quoted earlier, which had been sent to Amnesty International (among others), gives further details about the situation of some of the Western nationals:

"We have to report that the American Embassy is now totally out of touch with the situation in Kuwait and the conditions under which its people and ourselves are surviving. They are virtually powerless to help us in any way. For us in hiding, it means that for our daily needs we have to rely totally on the goodwill and capabilities of the Kuwaiti people, whose patience is wearing very thin ... An additional problem in respect of our security is now getting close. All Kuwaitis will become non-persons in their own country on November 25 ... unless they register themselves for Iraqi citizenship. Those not complying will become fugitives from Iraqi justice in their own country and, like us, will have to go into hiding. Many others will take the opportunity to leave the country if possible before November 25th ... This will leave many of us in hiding without protection. It will assuredly force large numbers of us to give ourselves up, as there will be nobody to supply us with food."

The 25 November deadline for the taking up of Iraqi identity documents has since been extended by one month. An earlier report sent in mid-October by the same group of British and American nationals gave details of the case below, which highlighted the predicament of Western nationals in hiding who required medical attention:

"A Scotsman in hiding in Kuwait City was rushed to a hospital with a perforated ulcer. He had been reluctant to expose

himself for fear of capture, despite his condition. Unfortunately the man died in the hospital. His body has still not been released by the Iraqis for burial."

4. TORTURE AND ILL-TREATMENT OF DETAINEES

In the period August to November, Amnesty International interviewed scores of detainees who stated that they had been tortured while in the custody of Iraqi forces. The majority of the victims were Kuwaiti males between the ages of 16 and 35, some of whom still bore marks of torture on their bodies when interviewed. Amnesty International has also received numerous other testimonies from the families of torture victims, the doctors who examined them and, in the cases of those who died, the people who buried them. Some have also given accounts of the torture and ill-treatment of women generally, who are said to have been subjected to beatings and rape. The methods of torture and ill-treatment said to have been used by the Iraqi forces since 2 August are listed in detail at the end of this section.

Iraqi forces at all levels appear to have been involved in the infliction of torture on detainees. They include ordinary soldiers from Iraq's regular army, senior military personnel, and agents of Iraqi intelligence and the security forces. Based on the information it has received and the interviews it has conducted, Amnesty International believes that torture is being systematically used during interrogation, both in order to extract information and as punishment. It is during this period that torture is described at its most brutal, when the interrogation methods used by Iraqi forces have frequently resulted in permanent physical or mental damage. The condition of detainees under such circumstances is compounded by their deprivation of medical treatment while in custody and, following their release, by the almost total absence of medical facilities.

Two categories of detainees appear to have been targeted for particularly severe torture: actual or suspected members of the Kuwaiti armed forces, National Guard, police and security forces, and individuals suspected of having participated in armed resistance against Iraqi forces. However, others have been tortured for involvement in non-violent activities such as peaceful demonstrations (in the early days of the invasion), writing anti-Iraq slogans on walls, possessing opposition leaflets and raising the Kuwaiti flag. In large measure, torture in these cases was aimed at punishing such acts of defiance. It was also aimed at extracting information about the identity of persons involved in opposition activities, the locations of such activities, and the whereabouts of individuals or families being sought by

the Iraqi authorities. In other cases, the objective was to force detainees to cooperate with the Iraqis after release by acting as informers. Coupled with that was forcing them to make statements against the Kuwaiti ruling family and government and making declarations of allegiance to Iraq's President Saddam Hussain. Finally, the sheer brutality of the torture inflicted on detainees was designed to terrorize the population at large and to discourage others from expressing in whatever form their opposition to the Iraqi presence in Kuwait.

Appendix A of this document contains the testimonies of eight Kuwaiti men and youths who stated to Amnesty International that they had been tortured at the hands of Iraqi forces [their names have been withheld at their own request]:

- A1. A former interrogator in his early 30s, arrested on 22 September after being found in possession of a leaflet giving information on chemical weapons. He was detained for one week, principally at al-Farwaniyya police station, and subjected to beatings, kicking, burning of the skin and sexual torture.
- A2. A 17-year-old student arrested in early September after being found in possession of a gun and leaflets containing information on weaponry. He was detained for 36 days in several detention centres in Kuwait City and later in Basra and subjected to beatings, mock execution, *falaga* [beatings on the soles of the feet], electric shocks and threatened with sexual torture.
- A3. A 32-year-old office clerk arrested on 3 August as he returned home after buying foodstuffs from the local cooperative society. He was detained for five days at al-Sulaibiyya police station and subjected to beatings and electric shocks, and was shot in the leg at point blank range.
- A4. A 22-year-old student arrested on 24 August following house-to-house searches in the district of al-Rawda. He was detained for eight days in al-Rawda and al-Farwaniyya police stations, and subjected to beatings, kicking, and *falaga*. Cigarettes were extinguished on his body and his leg was slashed with a knife.
- A5. A 38-year-old man arrested on 5 September after another detainee allegedly revealed that he was active in the armed opposition. He was detained for one week at the Kuwait General Staff headquarters in the district of al-Shuwaikh and later in Basra. He was subjected to beatings, mock execution, exposure to hot and cold temperatures, electric shocks and suspension from a rotating fan.
- A6. A man in his 30s arrested twice, in the third week of August and later on 20 September and accused of being a

member of the Kuwaiti armed forces and of having participated in opposition activities. He was held for four days in a school and at al-Jahra' police station and subjected to beatings, kicking, electric shocks and the placing of heavy weights on his body.

- A7. A 23-year-old student arrested around 22 September after returning to Kuwait to assist his family in fleeing the country. He was detained for eighteen days in several detention centres in Kuwait City and later in Basra. He was subjected to beatings, whipping, exposure to cold air and to the sun for prolonged periods, as well as electric shocks.
- A8. A 31-year-old man arrested on 14 September at his home during a diwaniyya [a traditional male gathering where social and political issues are discussed]. He was detained for three weeks at al-Farwaniyya and al-Jahra' police stations as well as a private home in Kuwait City, and later in Basra. He was subjected to beatings, electric shocks, mock execution, was forced to watch his relatives being tortured and was himself tortured in front of them.

Numerous other testimonies have reached Amnesty International, from which only a selected few are published in this document. The following is an extract from the testimony of a Kuwaiti former detainee held in al-Kadhima Sports Club. Here he describes the condition of other detainees held with him, including that of a 13-year-old boy:

" .. One of the soldiers led us into the squash court, and we saw many Kuwaitis of different ages, ranging between 13 and 45. Some of them had fainted from torture. I sat next to a 13-year-old boy whose body looked blue. I asked him, "What have you confessed to?" He said: "My crime was to shout Allahu Akbar at every oppressor, and I was tortured with electricity for four days. The skin on my back was peeling and I can only sleep while sitting." There was another young man who was unable to stand or hold anything because the skin on his hands and feet had split and peeled from being tortured with flames. Worse than that, I saw one of the young men from the resistance whose finger and toenails had been extracted, and whose body was blue from [the application of] electricity. He had become blind because they had used a kind of caustic substance to torture him. He was barely alive, unaware of what was happening around him. [Then he told me who he was and said], "Take care of my parents because I am their only son and they have no one in the

world except me". I asked him, "Why have you done this?" So he said, "There is nothing more precious to me than my father and mother, except my country ...If Kuwait is thirsty I will water it with my blood". He started singing, "I am a Kuwaiti", and I started crying, not from fear but because of the situation we were in..."

A 33-year-old Kuwaiti housewife told Amnesty International of the case of her neighbour's son, an 18-year-old Kuwaiti boy accused of distributing leaflets:

My neighbour's son ... [name withheld by Amnesty International] was arrested at the end of August in the district of al-Surra, where he lived. It was Friday night, after the evening prayers. He was detained for about ten days. His mother went to al-Surra police station to look for him, but the Iraqis told her he was not there. Ten days later he was released. He had been held at al-Farwaniyya police station. I went to my neighbour's house to see them. Her son could not speak or walk normally. He had been sexually assaulted and electricity had been applied to his penis. They also applied electricity to his ears and lips, and suspended him from his feet."

One of six Red Crescent workers held in Nayef Palace for 26 days in September and October described to Amnesty International what he had witnessed:

"During our stay there, we used to see other detainees when we left our cell to go to the toilet. I saw about 30 or 40 people every day. Most of them appeared to have been beaten or otherwise tortured. The soldiers routinely kicked the detainees in the stomach, causing maximum damage with their heavy army boots. On one occasion I saw a man who was urinating blood, presumably due to a haemorrhage of the kidney. His facial hair had been plucked out and his fingernails pulled out. I saw an old man aged about 60, and a young boy aged about nine. Another detainee I saw was being forced to walk after having been subjected to *falaga*. He was limping and screaming from the pain. His face and clothes were covered with blood....."

[None of the Red Crescent workers were subjected to physical torture while in detention, having been told by their guards that they were being held in a "five-star-jail"].

A 24-year-old former detainee [name withheld by Amnesty International] who suffers from a physical handicap told of how he and others with similar disabilities had also been tortured:

"I was with the resistance working in one of the districts of Kuwait. A detainee had given my name to the Iraqis. The soldiers arrested me from my home in al-Da'iyya at about midnight [in August]. They dragged me from my bedroom and took me to the local police station. The first day they beat me severely with a cane. I was held for ten days altogether, first at al-Da'iyya police station and then at Sijn al-Ahdath (the Juveniles Prison) in al-Firdos. The only food I was given was hard bread. Some of the detainees at the police station were minors, aged about 14 or 15. I heard the screams of detainees being tortured. I was not subjected to electricity, only beatings. But my body was blue all over with bruises. An officer told me that I had been sentenced to death. I was beaten so hard that the aluminium rod which holds my calliper together broke (I suffer from paralysis of the right leg and have to wear a calliper constantly). In my cell there were two detainees, one aged 16 and the other 25. The younger one was handicapped - he was lame and used a crutch. He had been beaten on his face, which was blue with bruises."

A Kuwaiti businesswoman in her late 20s who ran a marketing firm prior to the invasion told Amnesty International what had happened to one of her employees, a 25-year-old Palestinian who holds a Jordanian passport [name withheld by Amnesty International]:

"He went to Basra to sell electronic equipment in order to buy vegetables and fruit to bring back to Kuwait. He was arrested on 9 September after refusing to give the Iraqis some of the food he had brought back. His younger brother [name withheld] was arrested as well. They took them to al-Surra police station and held them for 4 - 5 hours. I saw [my employee] upon his release. He was in a terrible state, unable to walk. The soles of his feet were swollen. I saw marks of beating on his body and his hands were covered with

scratches. He told me they had taken off his clothes, blindfolded him, and then beaten him for about an hour with canes and then with electric batons. Then he was kicked by four soldiers who wore heavy army boots. Before releasing him, they subjected him to Russian roulette [mock execution]. His brother received the same treatment."

Several former detainees told Amnesty International that Iraqis had been held with them in the same detention centre. A Kuwaiti student held at al-Farwaniyya police station in September [see Appendix A2] said:

"They took me back to the al-Farwaniyya and threw me back in the same room where I stayed four days ... Then they took us out of the room and brought in four Iraqi soldiers whose hair, eyebrows and moustaches had been shaved. The guards were beating them, saying that they were traitors and had brought shame upon their families ...".

Another Kuwaiti student held at an Iraqi Intelligence centre in Basra in the third week of September [see Appendix A7] told Amnesty International:

"[I was] put in a cell measuring 3 x 4 metres, together with about 25 other detainees. These detainees, from what I could gather, were all Iraqi civilians. One of them, aged 18, had been tortured with electricity. Another one had had his skin pierced with pins."

Amnesty International has also interviewed several doctors who, following the invasion of Kuwait, worked as volunteers in various hospitals. All of them stated that the bodies of victims of extrajudicial killings brought to the hospitals bore obvious signs of torture, some of them having been badly mutilated. Scores of these bodies have been photographed, and the photographs provide irrefutable evidence of the abuses committed by Iraqi forces [See Appendix D]. The following are two accounts provided by medical doctors to Amnesty International.

- * Account provided by a 31-year-old Kuwaiti doctor [name withheld by Amnesty International] whose specialisation is occupational medicine. He volunteered his services at al-Ahmadi and al-'Addan hospitals in August and September, and stated in respect of the former hospital:

"On average, five or six new bodies were brought to the hospital each day. All were males and most were in their 20s. Many bore marks of torture. Judging by the bodies

that I personally saw, the methods of torture being used included the extinguishing of cigarettes on the body; burning of the skin with heated metal rods; application of electricity; cutting off of the tongue and ear; gouging out of the eyes and the breaking of limbs. In most of these cases, the immediate cause of death appeared to be a single shot in the back of the head or, in a few cases, a shot in the ear or mouth. I also saw the body of a middle-aged man who appeared to have been strangled with a rope. Most of the victims were Kuwaitis, but among those whom I came across were five Egyptians and one Iranian. Some of the victims had also had their fingernails extracted, and others had swollen feet with pockets of pus as a result of being subjected to *falaga* for prolonged periods. Some had marks round their ankles, consistent with having been suspended upside down. One had been shot in the thigh. Those burned with heated implements had white marks on the affected areas, with black spots on them. One of the Egyptians I saw had been shot at point blank range in his hand, which looked as if it had been torn to pieces. Some had had their beards plucked out

- * Account provided by a Kuwaiti medical doctor in his early 40s [name withheld by Amnesty International] who examined the bodies of victims at the Red Crescent headquarters between August and October:

"I personally examined about 60 bodies. In addition to the shot through the back of the head, some of them also bore marks of torture, such as burns on various parts of the body. Some had broken limbs, others bore signs consistent with having been beaten with heavy implements. One victim had clearly had his beard plucked out, and others had had their finger and toenails pulled out. I came across three people who had been tortured with electricity on their genitals and back, and three others who had had cigarettes extinguished on their eyeballs. In some cases the immediate cause of death was not a bullet, but torture. One such body which I examined had no bullet wounds. The victim had been kicked and beaten extensively. His name was ... [name withheld by Amnesty International], aged 20, from al-Sulaibikhat. He had been arrested

in early September while distributing food from the cooperative society to peoples' homes. His body was found lying in the streets ten days later..."

Several doctors also informed Amnesty International that Iraqi officials forced them to issue death certificates in respect of some victims, giving an incorrect cause of death. For example, the doctors would be forced to state that the victims had died of internal bleeding instead of torture or bullet wounds. According to one Red Crescent worker, this happened at al-Farwaniyya, al-Amiri, al-'Addan and Mubarak hospitals.

All the torture victims referred to thus far in this document have been males. Although a number of former detainees interviewed by Amnesty International stated that they had either seen women held with them in the same detention centre or had heard their screams, none was able to provide detailed information on their treatment while in custody. Female detainees were, in most cases, held apart from the men, either in separate cells or in different sections of the detention centre or prison. One passing reference to a female detainee was provided by one of the Red Crescent workers detained in Nayef Palace in the period mid-September to mid-October:

"All the detainees I saw in Nayef Palace were males. However, late one evening I saw a woman being brought in. She was pregnant and was carrying a suitcase. I don't know her nationality, but she was Western. She was taken into the officers' room. Later I heard screams, and I think they were those of a woman. I don't know what happened to that woman, I didn't see her again."

On the basis of the information received by Amnesty International, it was not possible to determine the extent to which the torture methods described above were used on women. Apart from psychological torture, such as having to watch their sons being shot [see Section 6], the prevalent form of torture used on women has been rape. By its very nature, this form of torture makes the victims, as well as their relatives, reluctant to talk about it. A number of men interviewed said they knew of cases of rape, but refused to reveal the names of the victims even in confidence.

In this context, it has proved difficult to verify or substantiate the numerous reports of rape emanating from Kuwait since 2 August. In the first week of August, a British Airways stewardess was reported to have been raped by an Iraqi soldier on board a bus outside the Regency Palace Hotel in Kuwait City. One of the hotel's employees informed Amnesty International that the stewardess, a British national, was

raped as she was about to accompany passengers to another hotel. Most incidents of rape reported in the first three weeks of the invasion, however, suggested that Asian women were the prime targets, particularly Indian and Filipino domestic servants. Eyewitnesses stated that they had seen some of these women being dragged out of their employers' homes by Iraqi soldiers, presumably for the purpose of raping them. One such account is that of an Indian male cook who, together with an Indian maid identified as Mary, was employed by a Kuwaiti family at the time of the invasion. He told Amnesty International:

"On 2 August, early in the morning, my boss received a telephone call. Immediately afterwards the family started packing their belongings. Then they called Mary and me and told us that they were leaving for London. My boss gave us the keys to the house and a few gold coins, told us to take care of ourselves and left. For one week we stayed alone in the house. Then about ten or fifteen Iraqi soldiers in two military vehicles arrived. They decided to take everything in the house, and ordered Mary and me to load the vehicles. This took two hours. When we finished, two of the soldiers told Mary to go with them. Mary said to them, "Please, I am not coming with you, please help me". She was crying too much when she said this. The soldiers pushed her into one of the vehicles beside the driver while pointing a gun at her. Then one of them turned round to me and hit me in the chest with the butt of his machine gun. I didn't see Mary again."

Such reports were rife in Kuwait, and although the actual extent of such incidents is impossible to assess, they gave rise to a climate of very real fear among the Asian women. A 37-year-old Filipino staff nurse who was visiting Kuwait at the time of the invasion told Amnesty International:

"[In August] there were about 20,000 Filipinos sheltering at our embassy in Kuwait. Some were inside the building, and the others were in three unfinished buildings nearby. Among them were housemaids who were alone and scared, their employers had been away on holiday. They were all scared, having heard stories of rape. I don't think they were safe even at the embassy - there were only seven officials working there."

Since early September, Amnesty International has received reports that increasingly, Kuwaiti and other Arab women have

been raped by Iraqi military personnel, although some cases were reported earlier. According to Egyptian diplomatic sources, three Egyptian air stewardesses were raped at the Meridien Hotel on 3 August. An Egyptian female nurse working at Mubarak Hospital until early September told Amnesty International that she knew of several Arab women admitted to the hospital after being raped. She stated that she had personally participated in carrying out gynaecological tests on one of them, a Palestinian woman in her early 20s, and that the tests were positive. The nurse said that when she arrived at the hospital (in mid-August) the woman was hysterical, having apparently been taken to the district of Hawalli, raped by five soldiers and then thrown out onto the street. She also said that the previous day, a Kuwaiti woman was admitted to Mubarak Hospital, having been raped by Iraqi soldiers at her home in al-Salmiyya. A Kuwaiti doctor who had been working for the Red Crescent told Amnesty International that he knew of fifteen incidents of rape in al-Jahra', fifteen in al-Rigga and three others at the Maternity Hospital. The victims were of various nationalities, including Arab women. In another case, an Egyptian doctor working at al-Sabah Hospital told Amnesty International of a case he knew of:

"I know of one Kuwaiti lady in al-Jabiriyya who has a 19-year-old daughter... I'm sorry I can't tell you the names, they're from a very prominent family. It was at the end of August... the daughter went out to get some food. Three Iraqi soldiers and one officer followed her and wanted to rape her. They followed her inside her villa. When the mother saw them she pleaded with them not to rape her as she was only a virgin. She asked them to rape her instead of her daughter, so they did."

A Kuwaiti woman [name withheld by Amnesty International] who left her country on 29 November stated that Iraqi soldiers had threatened to rape her and her sister in front of their brother, a journalist who had been arrested on suspicion of involvement in opposition activities. The woman gave this as her reason for fleeing Kuwait, and she gave details of cases of rape she knew of. These included the rape of four Kuwaiti girls in front of their father in al-Rumaithiyya in mid-November. She also reported seeing a young Kuwaiti woman being held while completely naked at Sabah al-Salem police station during the two weeks prior to 29 November. She had apparently been repeatedly raped by Iraqi soldiers there.

A Kuwaiti gynaecologist and obstetrician working at the Maternity Hospital who left Kuwait in mid-November reported on two rape victims she had personally examined:

"A Jordanian girl aged about 20 was raped by five Iraqi soldiers. She told me that they had abducted her when she left her building

to go to the grocers. They abducted her, raped her and then threw her onto the street. She was later found by some Kuwaiti boys who brought her to the hospital. When I examined her I found her vagina swollen from extensive penetration. She was also scratched and bruised on her face, back and hands. She was hysterical."

"[On 11 November] when I was in the casualties ward, the Iraqi police brought me two girls. The first was a 22-year-old *bidun* and unmarried. She told me that while they were sleeping in their home at 6am, Iraqi soldiers came and gathered them in the upper floor. They took her down to the ground floor, where an Iraqi soldier raped her anally several times. When I examined her, I found an injury 4cm. long from the anal opening to the vagina. She needed five stitches. I also noticed bruises and injuries on her body due to resistance. Then she told me that the Iraqis also brought her older sister and assaulted her. So I examined her sister, who was 26 years old and married. I found that she had been raped vaginally and anally. She told me that they had raped her and then stole her family's money and gold. I have heard of many cases of this kind, but they did not come to the hospital because of the shame."

METHODS OF TORTURE AND ILL-TREATMENT

The following are details of allegations of torture and ill-treatment which have been made to Amnesty International since 2 August, some of which are supported by medical evidence and photographic material [see Appendices C and D]. These reports are entirely consistent with methods of torture and ill-treatment known to have been used in Iraq over many years, and some of which are also supported by medical evidence [see in particular Amnesty International's report entitled "Torture in Iraq 1982-1984", published in April 1985, and the organization's annual reports].

It should be noted that not all of the methods listed below are said to have been widely used since 2 August. Those methods which have been alleged only in a few cases brought to Amnesty International's attention are marked with an asterisk (*).

1. Beatings on all parts of the body, involving punching, slapping, delivering Karate-style blows and kicking

with heavy army boots. Implements used for beating include canes, metal rods, whips, steel cables, hosepipes, rubber truncheons and rifle butts.

2. **Falaga:** prolonged beating on the soles of the feet. Sometimes the detainee is then forced to walk or run.
3. Suspending the detainee by the feet, or by the arms which are tied behind the back.
4. Beating the detainee while suspended from a rotating fan in the ceiling.
5. Breaking of the arms, legs or ribs; dislocating elbow and shoulder joints.
6. Lifting the detainee high up in the air and then dropping him, sometimes resulting in the fracturing of bones.
7. Applying pressure to the fingers with a clamp-like instrument.
8. Slashing the face, arms or legs with knives.
9. Extracting finger and toenails.
- *10. Boring a hole in the leg, apparently with a type of drilling tool.
11. Cutting off of the tongue and ear.
12. Gouging out of the eyes.
- *13. Castration.
- *14. Hammering nails into the hands.
15. Piercing the skin with pins or staplers.
16. Shooting the detainee in the arm or leg at point blank range, followed by deprivation of the necessary medical treatment.
17. Rape of women (including virgins) and young men.
18. Inserting bottle necks, sometimes when broken, into the rectum.
- *19. Tying a string around the penis and pulling it tightly.
- *20. Pumping air using a pipe through the anus, particularly of young boys.

21. Applying electricity to sensitive parts of the body, including the ears, lips, tongue, fingers, toes and genitals. Sometimes the detainee is doused with water prior to the administration of electricity. The electrical instruments used include electric batons as well as wires fitted with clips (like those used to recharge car batteries but smaller in size).
22. Burning various parts of the body, including the genitals, with domestic appliances such as electric irons, with heated metal rods, or with a naked flame.
23. Extinguishing cigarettes on the eyeballs or on various parts of the body, including the genitals, nipples, chest and hands.
24. Pouring hot and cold water alternately over the detainee.
25. Placing the detainee in a cold, air-conditioned room for several hours, and then immediately into a heated room.
- *26. Pouring an acid-like substance onto the skin.
27. Pouring caustic substances onto the eyes, causing blindness.
28. Plucking facial hair, particularly the beard, with pincers or pliers.
29. Placing heavy weights on the detainee's body.
30. Spitting into the detainee's mouth.
31. Exposing the detainee to the sun for several hours at a stretch without water.
32. Subjecting the detainee to mock execution. This includes holding the head below water to the point of near suffocation; going through the motions of execution by firing squad; and holding a gun to the to the head or in the mouth and pulling the trigger.
33. Forcing the detainee to watch others being tortured, or to hear their screams.
34. Raping or torturing the detainee's relatives in his or her presence; threatening the detainee with such acts.
35. Threatening the detainee with torture methods such as the electric chair [al-Kursi al-Rajjaj], or with death by immersion in an acid bath.
36. Deprivation of medical treatment.

37. Deprivation of sleep, food, water, fresh air and toilet or washing facilities.
38. Degrading the detainee by using obscene language or insults.

5. THE DEATH PENALTY

Within a month of the invasion of Kuwait, Iraq's Revolutionary Command Council (RCC) had passed resolutions introducing the death penalty for three offences: on 11 August for the hoarding of food for commercial purposes; on 14 August for looting; and on 25 August for the harbouring of Western nationals. On 20 November, the RCC reaffirmed in a new resolution that the hoarding of food was punishable by death, apparently in response to the growing effects of the internationally-imposed economic sanctions on Iraq.

In line with its usual practice, the Iraqi Government has refrained from making public the number of people executed for these capital offences, although some executions for looting have been officially confirmed [see below]. In this context, it is impossible to assess the extent of the application of the death penalty since the invasion. Furthermore, the information available to date does not enable Amnesty International to assess the extent to which such executions can be considered as 'judicial'. In other words, whether the alleged offender had been granted the opportunity to defend himself against the charges against him, including having access to a defence lawyer, and whether his conviction had been secured following trial procedures which met international standards for fair trial. In the context of the widespread abuses perpetrated by Iraqi forces in Kuwait, which reveal a total disregard for the most fundamental human rights principles, it is Amnesty International's view that the likelihood of any alleged offender receiving a fair trial under such circumstances is indeed remote. In arriving at this conclusion, Amnesty International also takes into account Iraq's past and current record vis-à-vis the conduct of trials in its own courts. The organization has over a number of years expressed its concerns to the Iraqi authorities about unfair trial procedures which failed to meet not only internationally recognized standards for fair trial, but also those standards set out in Iraq's own domestic legislation. Such deficiencies apply in death penalty cases as well, where defendants have been repeatedly denied access to a defence lawyer while in pre-trial detention, denied the opportunity to speak in their own defence in court or to call witnesses on their behalf, and denied the opportunity to appeal against a death sentence which, in many cases, had been secured on the basis of "confessions" extracted from the defendants under torture. The unfairness of these procedures is most apparent

in trials before Iraq's permanent and temporary (ad hoc) special courts, whose decisions by law are final and not subject to appeal [for further details, see Amnesty International's report entitled "The Death Penalty in Iraq: Legal Aspects", published in June 1987]. The RCC's Resolution No. 322, which introduced the death penalty for looting on 14 August, provided that such cases will be heard before a special court, whose decisions are also final and not subject to appeal.

To date, Amnesty International has not received any information suggesting that any death sentences have been passed or carried out on individuals accused of hoarding food. Reports that a Kuwaiti man was executed in early September for harbouring a Western national remain unconfirmed. The person in question was said to be among the thousands of Kuwaiti military personnel arrested by Iraqi forces, and may have been executed for other reasons. At least 18 executions for looting, however, have been officially confirmed by Iraq. The first known case was reported on 16 August, two days after the offence became punishable by death. The body of a man said to be an Iraqi soldier was found hanging from a crane in al-Hilali Street, opposite the Muhafazat al-'Asima building [see Appendix D for photograph]. Initial reports suggested he had been publicly hanged, but subsequent accounts from eyewitnesses who saw the body indicated that he had been shot first and then his body was later hung in public as an example to others. The following is one such account given to Amnesty International by a Kuwaiti housewife in her late 30s:

"I saw his body that morning [16 August], suspended from a crane near Muhafazat al-'Asima. There was a placard round his neck which read: "This is the punishment for those who steal the riches of the people". Another placard with the same message was placed on the ground beneath the suspended body, together with the goods he was supposed to have stolen. The man had been shot first, and then his body was hung. It remained there for two or three days. His photograph was published in al-Nida'."

Another person, a Kuwaiti man in his late 20s, told Amnesty International that he had been present when the body was taken down. He stated that there were several bullet wounds on the body, suggesting that the victim had first been executed by firing squad. The body was removed by the Red Crescent for burial. The name of the victim is not known, and neither is it known whether he had received any form of trial prior to execution. A former lecturer at Kuwait University in her mid-50s remarked to Amnesty International:

"They said he was guilty of looting, but that was probably a pretext. How can they execute him for looting when they are all

looting openly? I saw myself, on the way from Kuwait to Baghdad, fourteen lorries carrying televisions and other electrical equipment. Maybe that person was an honourable man who dared to say "no" to them, and was executed for it."

According to information received by Amnesty International, the photographs of ten other men said to have been executed for looting were shown on Iraqi television between 17 and 21 August. Among them were Iraqi, Kuwaiti, Egyptian and Syrian nationals. The university lecturer (mentioned above) told Amnesty International:

"In the days immediately after the [16 August] execution, Iraqi television announced that others had been executed for looting. They showed their photographs on television. I saw four or six of them. One of them was an Egyptian national employed by the Kuwait Oil Company. A maternal cousin of mine recognized him, but I don't recall his name. On 18 August they showed on television the photograph of another of those executed. He was a Kuwaiti from the al-Hajiri family, also accused of looting. I don't know his first name. On 20 August they showed on television the photographs of other looters."

Her account was consistent with those given by several other people interviewed by Amnesty International, including that of a Kuwaiti businesswoman in her late 20s. She also told Amnesty International that one of the Kuwaitis executed was from the al-Hajiri family, that he was 17 years old and was arrested after leaving a diwaniyya and later accused of looting. Further confirmation that executions for looting have been carried out since the invasion of Kuwait was provided by President Saddam Hussain in an interview broadcast on British television on 12 November. In response to a question on human rights violations posed by the interviewer, President Saddam Hussain stated that:

"...any Iraqi from Baghdad who steals or robs from a house in the province of Kuwait, and is caught red-handed, will be tried. Iraqi law provides for the death penalty in a case of this kind. A number of Iraqis from the province of Baghdad, or they may have been from the province of Basra or maybe from other provinces, were executed because they stole from the homes of the people in Kuwait. This has happened. Why does the British press not talk about this? Because it reflects the just aspect of our position."

On 30 November, seven men were publicly hanged in Kuwait after being accused of looting. Iraqi television announced that they had stolen large sums of money in Iraqi dinars, jewellery and electrical appliances from homes in Kuwait. One of Iraq's daily newspapers, *al-Jumhuriyya*, reported on 1 December that the seven were hanged in the presence of their victims, who were said to have identified them. The names and nationalities of those executed are not known, nor is it known whether they had been tried.

A number of Kuwaitis and other nationals interviewed by Amnesty International firmly believe that ostensibly criminal offences, such as looting, were used by the Iraqi authorities as a pretext to execute individuals suspected of 'political' offences. In other words, individuals who had taken part in opposition activity against Iraqi forces in Kuwait. In that context, scores of hangings were alleged to have been carried out on the grounds of Kuwait University in late August and early September, while other executions by firing squad were reportedly carried out, sometimes in public, in residential districts of Kuwait City [See Section 6]. Other categories of people feared to have been executed since 2 August are Iraqi soldiers who attempted to desert from the army after their deployment in Kuwait, and Iraqi exiles living in Kuwait and suspected of membership of the opposition group *al-Da'wa al-Islamiyya* (Islamic Call). Iraqi law provides for the death penalty for both these offences.

6. EXTRAJUDICIAL EXECUTIONS

"From the middle of August, an average of four or five bodies were brought daily to our centre, but on some days there would be as many as ten. All the victims were male and were of varying ages, the youngest being about 16. However, on 18 August the body of a 12-year-old girl was brought in. Many of the male victims whose bodies I examined had been shot in the back of the head at point blank range, and as such their jaws had been shattered. The usual pattern was that the Iraqis would bring the detainee back to his home and ask his family to identify him. Once he had been identified, the Iraqis would shoot him in the back of the head, right in front of his family."

This pattern of deliberate killings, described to Amnesty International by a doctor working for the Red Crescent, was repeated time and again in accounts provided not only by medical personnel working at several hospitals in Kuwait, but also by the relatives of victims and others who had witnessed

such killings. According to Amnesty International's assessment of the situation, hundreds of extrajudicial executions reported since 2 August were carried out in the manner described above. However, many other victims were said to have been executed by firing squad, sometimes in public, apparently without prior legal proceedings. Others, including infants, have been killed through the deliberate deprivation of essential medical treatment.

During the first few hours of the invasion, an unknown number of Kuwaiti military personnel were reported to have been killed in the context of armed clashes with Iraqi forces. In the ensuing month, many civilians who took up arms against Iraqi forces were killed in similar circumstances, and their numbers are also unknown. However, all the cases referred to below involve killings which, according to Amnesty International's information, clearly took place outside the context of armed conflict. The victims include both civilians and former military personnel who were unarmed at the time of their deaths, and who appear to have been deliberately targeted.

The majority of victims of extrajudicial executions brought to Amnesty International's attention have been Kuwaitis, but the organization has also received reports of the killing of other nationals, including Egyptians, Iranians, Pakistanis and one British national. Most of the Kuwaiti victims were males in their early 20s, although among them were minors below the age of 18. Some were as young as 15. With the exception of two cases mentioned later in this document, it does not appear that women have been killed in the same manner. Although Amnesty International has received reports of at least five women being lined up and shot in public, it has not been able to confirm this nor to obtain their names and details of the circumstances surrounding their deaths.

Again, as with those who have been arrested or who have "disappeared" in custody, it is impossible to ascertain with any real certainty or accuracy the number of people deliberately killed by Iraqi forces in Kuwait since 2 August. In the context of denials by the Iraqi Government of any knowledge of such atrocities, and having denied the International Committee of the Red Cross and journalists access to Kuwait, it is only possible to arrive at a general estimate. Based on the information it has received from a wide range of sources, including the scores of people it has interviewed, Amnesty International believes that the number of extra-judicial killings runs into hundreds, and may well be over 1,000. Incidents of such killings relate largely to the period mid-August to mid-October, although killings before and after that period have also been reported.

The range of 'offences' which have led to these mass deliberate killings is wide and varied. Apart from persons known or suspected of having participated in armed opposition,

others are reported to have been extrajudicially executed for reasons including: trying to flee Kuwait; possessing hunting rifles and other weapons of a 'non-military' type; giving medical treatment to suspected opposition activists; refusing to allow the removal of medical equipment from hospitals; 'neglecting' Iraqi patients requiring medical treatment; carrying large amounts of money; participating in peaceful demonstrations; carrying the Kuwaiti flag or photographs of the Amir of Kuwait; writing or distributing leaflets critical of the Iraqi presence in Kuwait; and refusing to publicly demonstrate allegiance to President Saddam Hussain. In a few cases, people have been deliberately killed as they were in the process of delivering food from the cooperative societies to peoples' homes.

There is no indication whatsoever, based on the information gathered by Amnesty International to date, that people arrested for these kinds of offences were actually formally 'charged' or received any form of trial prior to execution. On the contrary, some of them were apparently led to believe that they were to be released. The following is an extract from the testimony of a 19-year-old Kuwaiti student who survived an attempted execution by firing squad, and gave Amnesty International an account of what happened. He had been arrested on 11 September after failing to hand over to the Iraqi authorities arms he said he had possessed prior to the invasion. After a two-week detention period at a private house in al-Jahra', during which he was subjected to torture, he and other detainees were told that they were to be released:

"...on the last day [ie. 24 September] at 2.30 in the morning, a captain came and told us that the President had ordered the release of all the detainees. [He] said that they were going to release us in groups, and called out the names of twelve people. I was one of them."

According to his account, they were taken to Dasman Palace where they were told they were going to be driven to their homes. The 19-year-old student and two other detainees [whose names below have been changed by Amnesty International to prevent identification] were led into a car:

"We were all still blindfolded and handcuffed, but as we approached the district of al-Faiha' the soldiers removed Samir's blindfold so that he could direct them to his home. But when we arrived there, they told us all to get out of the car. Muhammad and I asked why, because we didn't live there. They made us get out of the car anyway, blindfolded Samir again and made us stand at the doorstep of a house. I realised at that moment that we were going

to be executed. I remember it was just after dawn prayers. The first shot was fired and I heard Samir fall to the ground. Two bullets grazed my head but neither of them penetrated my skull. I fell to the ground, and when Muhammad was shot he fell down on top of me. The soldiers then came up to us, took the blindfolds and handcuffs and went away. They must have believed we were all dead.

"My head was bleeding profusely. I crawled over to Samir and raised his head, trying to revive him. I thought he had been pretending, just like me. Then I saw the bullet hole in his head, and just at that moment he died. I couldn't believe what was happening. I went over to Muhammad and found him dead too. I managed to drag their bodies over to one side and recited a short prayer for them. Then I started walking. I didn't know where I was going, but I was afraid the soldiers would come back...."

He was able to get medical assistance, and fled Kuwait some three weeks later [his full testimony is reproduced in Appendix B].

As this student's testimony shows, and as described in Section 4 of this document, victims of extrajudicial killings were invariably also victims of torture. Many of the cases known to Amnesty International involved the suspects being arrested and detained for several days or weeks, during which time their families remained ignorant of their fate and whereabouts. The detainees were routinely tortured while in custody, and then publicly shot outside their homes after a member of their family had identified them. Two Kuwaiti brothers were arrested on 9 September after weapons and a pistol silencer were found at their home in the district of al-Nuzha. They were initially held at al-Kadhima Sports Club and then at the Iraqi Intelligence Centre in al-Jahra' municipality. The younger brother, an 18-year-old student, told Amnesty International that he was held for three days and tortured through constant beatings. Here he recounts what happened to his brother, who was aged 19 [the names of both brothers are withheld by Amnesty International]:

"My brother...had been held with me in al-Jahra', but they did not release him. He was held for 36 days and then, in mid-October, they brought him back to our house. When we saw him he was still alive. They threw him down on the doorstep and then shot him in the head with a gun fitted with a silencer. He was handcuffed at the time. We called an ambulance which took him to al-

Amiri Hospital, but he was already dead. He had also been severely tortured. His feet were covered with blue bruises, and his body lined with marks caused by extensive beating. There was a deep hole in his thigh which appeared to have been caused by some sort of drilling tool. Electricity had been applied to parts of his body. Late that afternoon we buried him in al-Rigga cemetery. The Iraqis had earlier made it known that public mourning for the dead would not be permitted. Nevertheless, people came to our house to offer their condolences."

In other cases, Iraqi soldiers apparently did not wait for the detainee to be identified before killing him. Such was the case of another 18-year-old Kuwaiti student whose father, aged 53, told Amnesty International of the circumstances of his death [the names below have been changed to prevent identification]:

"The Iraqis came four times to our house. They were searching for Kuwaitis who had been in the armed forces. I have seven sons, five of whom were in the army. My two younger sons are Hassan, a teacher aged 24, and 'Abdallah, a student aged 18. Since the invasion, Hassan had been working as a volunteer in the cooperative society in our district, and 'Abdallah' was helping to bury the dead in al-Rigga cemetery. Each time the soldiers came, they searched the whole house. On the fourth occasion, which was on 16 September, they arrested Hassan and 'Abdallah. Before taking them away, the soldiers hit Hassan with a metal rod in his stomach until the skin was cut and he started to bleed. They threw 'Abdallah on the ground and stepped on him with their army boots. For eight days we knew nothing of their fate and whereabouts. Then, on the ninth day, they brought 'Abdallah back. It was eight o'clock in the morning, and I had just finished the morning prayers. I heard the doorbell ring, followed by two gunshots. I ran down and opened the door. I saw 'Abdallah lying down on the ground. His eyes were bound with a black cloth. He had been shot in the head and had died instantly. We took him to the cemetery for burial."

As mentioned earlier in this document, some of the 'offences' for which people have been extrajudicially executed by Iraqi forces had no connection whatsoever with membership

of the Kuwaiti armed forces, or with suspected acts of armed or even non-violent resistance. Reports received by Amnesty International indicate that these killings were arbitrary in the extreme, and that decisions to shoot were often taken on the spot by soldiers or officers without prior clearance from their superiors. A lecturer in political science at Kuwait University told Amnesty International about the killing of a male relative of hers in such circumstances:

"During the first few days of the invasion, there was a lot of pressure on the bakeries to keep up supplies of bread to the people. On the fourth or fifth day my relative, who was 45, was queuing outside a bakery in al-'Umairiyya. An Iraqi soldier from the Republican Guards was also there. My relative could not control himself. He started shouting at the soldier, saying: "You have ruined our lives, why did you come?" The Iraqi soldier shot him dead there and then, in front of everyone."

In another incident, a Kuwaiti man was reported to have been killed in similar circumstances at a checkpoint, apparently for carrying Kuwaiti currency. The following is an eyewitness account of his execution given to Amnesty International by a Lebanese engineer working for the Kuwait Oil Company:

"On 17 October I was on duty in the al-Ahmadi area near the main office of the Kuwait Oil Company. I was in my car. There was a man in front of me in a blue Mazda. He came to a checkpoint. I remember it was about 4pm because I was supposed to be on duty and I was already running late. I was thinking 'please don't let this guy be a Kuwaiti', because they really give the Kuwaitis hell. The soldiers took him out of his car. I opened the window of my car so I could hear what was going on. 'What's your nationality?' they asked him. 'I'm a Kuwaiti', he answered. 'Where's your wallet?'. As he was reaching for his wallet one of the Iraqis pushed him and pulled it out. They found Kuwaiti currency, 150 dinars. 'You've got that dog Jaber's money [referring to the Amir of Kuwait]'. The Kuwaiti was going to explain [why he had the money] when the soldier pushed him hard, making him stumble, and then he sprayed him with bullets with his machine gun. Within a few seconds a pickup truck drove up - they must have been waiting there, as if they knew. The Kuwaiti had fallen to the ground on his back. Three soldiers grabbed him

like a rubbish bag and dumped him in the truck, and then disappeared. I asked one of the soldiers what had happened, and he said, 'the bastard had that dog Jaber's money'. He then asked me where I was from, so I told him I was Lebanese. He said, 'Don't worry, we'll free your country from the bloody Syrians, they're next...' I went to al-Ahmadi Hospital to look for the man whom they had killed, and then to al-'Addan Hospital where I asked if a body had been brought there. No one knew anything about it."

Information gathered by Amnesty International indicates that incidents of such killings, which began in earnest in mid-August, continued and increased in September and October. In addition to those detainees who were shot outside their homes after identification by relatives, others were reported to have been killed in police stations or other places of detention where they were held. One 32-year-old Kuwaiti office clerk told Amnesty International that a detainee held with him at al-Sulaibiyya police station in August was shot dead in front of him during a torture session [see Appendix A3]. In such cases, the bodies of the victims would invariably be thrown out onto the streets or dumped in rubbish bins. A former member of the Kuwaiti armed forces in his early 30s told Amnesty International that, prior to leaving Kuwait in mid-September, he had volunteered to collect bodies off the streets for burial. He stated that:

"On average, about 20 or 30 bodies were found daily in the period starting beginning of September. In each district I covered I would find five or six bodies, although there were days when none were found. These districts included Bayan, Sabah al-Salem, Qurtuba, al-'Umairiyya and al-Rawda."

Passers-by who came across these bodies would also take them to one of the hospitals or to the cemetery. As the killings continued, however, people were said to have become too frightened to remove the bodies for fear that even this might be interpreted as an act of resistance. Instead, passers-by would contact the Red Crescent or call an ambulance. One of the Red Crescent's staff who left Kuwait in mid-October told Amnesty International:

"After a while there were so many bodies that there was no more room at the morgue of the nearby Mubarak Hospital. We began putting some of the bodies in the large hospital refrigerators normally used to store food. Families would come looking for missing relatives in the morgues and refrigerators. Most of the bodies were

buried in al-Rigga cemetery. We buried about 30 or 40 bodies in each grave."

A Kuwaiti doctor volunteering at al-'Addan and al-Ahmadi hospitals told Amnesty International:

"A number of unidentified bodies remained in the morgues of several hospitals for a long period without anyone claiming them, to the point that the morgues were packed with bodies. This coincided with the fleeing of the cemetery employees and the necessity for each family to dig the graves of those it had lost. But some of the young men volunteered and took charge of the cemetery (washing the bodies, digging the graves and praying for the dead). Some Afghan workers were also hired to dig graves. Al-Rigga cemetery was used instead of al-Sulaibikhat cemetery, which had been turned into a military zone early on in the invasion."

The Red Crescent worker quoted above described later developments:

"...towards the end of September/beginning of October, even the burial operations became risky. The Iraqis had stolen the equipment used for burial, even the shrouds used to wrap the bodies. Some of the volunteers who were in charge of digging the graves were arrested. Among them was.....[name withheld by Amnesty International]."

A former member of the Kuwaiti armed forces who left Kuwait on 12 October told Amnesty International that his brother had been one of the volunteer grave-diggers. Through him, he learned that on 7 or 8 October, Iraqi forces had taken control of al-Rigga cemetery. "After that", he said, "some families who took the bodies of their relatives for burial there were made to pay 100 Iraqi dinars for each body buried."

In addition to paying for the burial of these victims, reports were also received that some families had been made to pay for the bullets used to execute them. In one case, two Kuwaiti brothers aged 18 and 19 [names withheld by Amnesty International] were shot dead in front of their homes in al-Khaldiyya on 4 October after reportedly refusing to lower the Kuwaiti flag from their home. Their parents were asked to pay the price of the bullets used to kill them - in this case 15 Iraqi dinars each. In other cases reported, the sums of money being asked were 70 or 100 dinars per person. This practice of asking families to cover 'state expenses' for executions is common in Iraq and has been documented by Amnesty

International over a number of years. In some instances the sums of money requested have been as much as 500 Iraqi dinars, apparently to cover the costs of coffins and transportation of the bodies as well as ammunition. The practice of instructing the families of victims not to hold public mourning is also common in Iraq. According to reports received, Iraqi forces have tried to enforce such instructions in Kuwait since 2 August, apparently without much success.

CASE EXAMPLES

Below are the details of ten identified victims of extrajudicial executions who died in the period 8 August - first week of October. Accounts of the circumstances of these deliberate extrajudicial killings have been provided by eyewitnesses or people who subsequently saw their bodies, some of whom were interviewed by Amnesty International.

1. SANA' AL-NURI: a 25-year-old law student at Kuwait University. According to eyewitness reports, she was killed on 8 August when Iraqi troops fired at a group of some 35 women demonstrating peacefully in al-Jabiriyya against Iraq's annexation of Kuwait. Another woman in her mid-20s was also reported to have been killed in the same incident, as well as two boys aged 13 and 16 who died after being shot in the head and heart respectively.
2. DOUGLAS CROSKERY: a middle-aged British businessman who was shot dead by Iraqi soldiers on 11 August near the Kuwaiti border with Saudi Arabia as he was trying to flee the country. Two other British men travelling with him who did succeed in crossing the border stated that they had witnessed the killing. British Embassy officials in Kuwait lodged an official protest to the Iraqi Government over the incident, and made attempts to recover the body. The British Foreign Office has confirmed that Douglas Croskery's body has not been handed over to their officials to date.
3. MAHMOUD KHALIFA AL-JASSEM: a writer on Islamic affairs in his early 30s, living in the al-Salmiyya district of Kuwait City. According to information provided to Amnesty International by medical personnel of the Red Crescent, his body had been found in a rubbish bin and was brought to their headquarters at the end of August. Two doctors who examined his body stated that he had been tortured prior to execution: his beard had been plucked out, his toenails extracted and his body bore burn marks consistent with the use of a hot metal implement. The reasons for his arrest and execution are not known.
4. AHMAD QABAZARD: an employee of the Department for the Protection of Personalities (*Idarat Himayat al-Shakhsiyyat*)

of the Ministry of the Interior. He was a Shi'a Muslim in his late 30s, and held the rank of captain. According to reports received, he was arrested for the possession of opposition leaflets. In the first week of September (exact date unknown) he was brought back to his house in al-Jabiriyya. The house was reportedly set on fire by Iraqi soldiers, who then shot Ahmad Qabazard in the back of the head. Amnesty International interviewed two Kuwaiti men who stated that they had seen his body subsequently. According to their accounts, it had been badly mutilated: the left ear had been severed and the right eye gouged out; the finger and toenails had been extracted; his body was burned with cigarettes in several places; and nails had been hammered into his hands.

5. MUBARAK FALEH AL-NOOT: aged 44, Head of the al-'Ardiyya cooperative society and President of the Numismatics Society. According to several accounts, including those of eyewitnesses, he was publicly shot by firing squad outside al-'Ardiyya cooperative society on 7 September, apparently for refusing to take down a photograph of the Amir of Kuwait and to replace it with one of President Saddam Hussain.
6. SALEH HUSSAIN: age and profession unknown; he was arrested on 2 September at a diwaniyya in the al-Sabahiyya district of Kuwait City, together with seven other Kuwaiti men. According to reports received, he was brought back to his house on 8 September and publicly shot in the presence of his mother, brothers and neighbours. A medical doctor told Amnesty International that his body bore extensive burn marks consistent with the use of electricity and hot metal rods (on his back, stomach and hands). Cigarettes had also been extinguished on his body.
7. BADR RAJAB: age unknown, employed as an administrator with the al-Sabahiyya cooperative society. He was married and had eight children. His body was found in a rubbish bag in the al-Sabahiyya area on 8 September. According to reports received, his hands had been tied and his head wrapped in the flag of Kuwait. He had been shot twice in the head, just above the ear. The reasons for his execution are unknown; when arrested, he had just left his house, apparently to make arrangements for the setting up of a new bakery in the district.
8. ADEL DASHTI: age unknown, he was employed in the public relations department at al-'Addan Hospital. According to several accounts received by Amnesty International, on 9 September several wounded Iraqi military personnel were brought to the hospital for treatment, one of whom, an officer, died the same day. In retaliation, five of the hospital's administrative staff, including 'Adel Dashti, were reportedly lined up and shot on the hospital's premises. Iraqi military personnel had allegedly accused the hospital of neglect.

9. DR. ABD AL-HAMID AL-BALHAN: age unknown, he was the administrative director of the Hussain Makki Jum'a Centre for the Treatment of Cancer. His body was brought in off the streets to the Red Crescent headquarters in the third week of September. One Red Crescent doctor who saw his body told Amnesty International that it bore marks of torture as well as a bullet wound in the head. According to several doctors, he had been arrested and executed for refusing to cooperate with Iraqi forces in the removal of medical equipment from the centre where he worked. This is borne out by the account of a Kuwaiti family interviewed by Amnesty International, one of whose members had been receiving cancer treatment at the centre and was still there when Dr. al-Balhan was arrested. They reported that he had hidden some medical equipment in the centre's basement in order to prevent it being stolen by Iraqi troops.
10. DR. HISHAM AL-'UBAIDAN: an obstetrician in his late 30s working at the Maternity Hospital. His body was brought to the Red Crescent headquarters in the first week of October. According to accounts received, he had been arrested on 1 October after Iraqi forces learned that he had been treating people who had taken part in resistance activity. According to an Egyptian doctor interviewed by Amnesty International, Dr. al-'Ubaidan was shot outside his home several days later, and had been tortured while in detention, including with electricity.

In addition to killings by execution and torture described thus far in this document, a number of other deaths resulting from deprivation of medical treatment have been reported. These have occurred in the context of the widespread looting of medicines and medical equipment carried out by Iraqi forces in Kuwait since 2 August. According to information made public by Kuwait's government-in-exile, as well as by eyewitnesses, most of the principal general and specialist hospitals in Kuwait have been looted, with much of their equipment being transferred to Iraq. The majority of deaths reported in this context appear to have resulted from the non-availability of medical treatment, compounded by the exodus of medical personnel out of the country. Nevertheless, a number of other deaths have apparently resulted from the deliberate deprivation of medical treatment, including the disconnection of life-support machines from patients. On the basis of the information received, Amnesty International believes that such deaths are tantamount to extrajudicial killings. The victims are said to include both infants and adults.

The following is a general account of the situation in Kuwait's hospitals as described by a 33-year-old Kuwaiti banker who left the country on 16 September and was subsequently interviewed by Amnesty International:

"Conditions in the hospitals are very bad. Medicines are no longer available. The Iraqis looted the hospitals and took away even vital machines which were keeping some of the patients alive. At some hospitals they no longer admit Kuwaitis, only Iraqis. Many Kuwaitis are afraid to go to the hospitals anyway. They are mostly treated in their homes by Kuwaiti, Egyptian and other doctors working as volunteers. We heard of several cases where patients died after being deprived of medical treatment. One woman died after the dialysis machine she was connected to was switched off and looted. Another woman at al-Sabah Hospital died in similar circumstances. She had just had a lung operation and was in the process of recovering."

In some cases, Kuwaitis were apparently denied medical treatment altogether. A number of medical personnel reported that when Kuwaitis were brought to the hospitals, Iraqi soldiers stationed there would check whether they were suffering from natural diseases or complaints as opposed to wounds sustained during armed clashes. In the latter cases the would-be patients were either not admitted or were subsequently denied treatment. One such example was provided by a Kuwaiti doctor who left the country on 16 September:

"At al-Razi Hospital there was a young Kuwaiti man who was wounded and his condition was critical. His parents came to me and said that he was dying. So I ran to the wing [of the hospital to which he had been admitted], and I saw that his condition was indeed critical. I noticed that his oxygen supply had been cut off. So I switched it on again and he began to improve. I made a protest about his treatment, so one of the Iraqi doctors took me aside and [warned me against saying anything]. The following day the young man died because the oxygen supply had been switched off again."

Another Kuwaiti doctor provided information on the case of a detainee [name withheld by Amnesty International] who was ill at the time of his arrest and required constant treatment. As he was said to have been tortured while in custody, however, it remains unclear whether the immediate cause of death was torture or deprivation of medical treatment. The victim, a Kuwaiti aged 48, was an administrator at al-Fintas cooperative society.

"He was arrested on 24 August just as he was leaving his house. During his detention at Iraqi intelligence headquarters in al-Fintas his relatives tried to convince the Iraqis of the importance of his taking medicines. But the Iraqis refused to pass on the medicines to him, and threatened to arrest his relatives if they asked about him again. Their reply was: "If he is alive you will find him, and if he is dead you will find him." He died on 26 August and was buried on 27 August without his family knowing about it. His body had been taken to al-Amiri Hospital and, according to the medical report, there were marks of torture on his stomach and back, and bruises on his forehead. He was buried in al-Rigga cemetery, where the young men [grave-diggers] identified him. His son and cousin identified him from a photograph at al-Amiri Hospital on 11 September, a day after they were themselves released from detention."

In other cases, Kuwaitis and other nationals suffering from natural but chronic complaints reportedly died after doctors were forced to give priority to Iraqi patients. A doctor working for the Red Crescent told Amnesty International:

"In the early part of the invasion, the Iraqis prevented ambulances from taking wounded Kuwaitis to the hospitals. Eyewitnesses in hospitals reported that in some cases Iraqi soldiers ordered doctors to give priority treatment to fellow Iraqis at the expense of Kuwaiti and other patients. I know of two Kuwaiti men who died as a result of medical neglect in these circumstances... [names withheld by Amnesty International]. Both were under intensive care at al-Amiri Hospital. One of them suffered from a heart condition."

Several cases of this kind were reported to Amnesty International, the information in large part being provided by doctors working at the hospitals where the deaths occurred. Among the victims were three patients [names withheld by Amnesty International] who died after life-support machines had reportedly been disconnected and looted. Two of them suffered renal failure: a Jordanian woman and a Kuwaiti businessman at Hamad al-'Issa Centre for Kidney Transplants [part of al-Sabah Hospital]. The third case was that of a Kuwaiti woman under intensive care at the Cardiac Unit of al-Sabah Hospital and who died of cardiac arrest.

In addition, over 300 premature babies were reported to have died after Iraqi soldiers removed them from incubators, which were then looted. Such deaths were reported at al-Razi and al-'Addan hospitals, as well as the Maternity Hospital. According to a Red Crescent doctor:

"Premature babies at the Maternity Hospital died after Iraqi soldiers took them out of the incubators. This happened in August, in the early days of the invasion. A total of 312 babies died in this way. I personally took part in the burial of 72 of them in al-Rigga cemetery."

Another doctor working at al-'Addan Hospital, whose brother was a volunteer grave-digger, reported that 36 premature babies were buried in one day alone in August. An eyewitness account of such deaths at al-'Addan Hospital was provided by a 15-year-old Kuwaiti girl, who testified before the United State Congressional Human Rights Caucus on 10 October:

"The second week after the invasion, I volunteered at the al-'Addan Hospital... I was the youngest volunteer. While I was there, I saw the Iraqi soldiers come into the hospital with guns, and go into the room where 15 babies were in incubators. They took the babies out of the incubators, took the incubators and left the babies on the cold floor to die. It was horrifying."

A Kuwaiti doctor working at al-Razi Hospital (quoted earlier on in this section) told of other cases he knew of:

"There is a woman I know who for a long time did not bear children. This year she gave birth to quadruplets - three boys and a girl. The babies were put in incubators because they were born in the seventh month. Two hours after the birth, the woman was told to leave the hospital. The next day she received a telephone call from the hospital, telling her to come and take her babies. She said she could not take care of them as they needed special care and nutrition. So they said to her 'As you wish'. The woman rushed to the hospital and found her babies out of the incubators. She took them home, and the following day they died."

APPENDIX A: TESTIMONIES OF EIGHT TORTURE VICTIMS

TESTIMONY A1

A former interrogator in his early 30s, arrested on 22 September after being found in possession of a leaflet giving information on chemical weapons. He was detained for one week, principally at al-Farwaniyya police station in Kuwait City and subjected to beatings, kicking, burning of the skin and sexual torture.

"I was arrested on 22 September, just as my family and I had set off for Saudi Arabia. We live in Kifan. We were driving through al-'Umairiyya when we were stopped at a checkpoint. The Iraqis searched the car, and found a leaflet giving information about chemical weapons. They took me to al-'Umairiyya Primary School, where I was blindfolded and left for one day. Next day I was taken to al-Farwaniyya police station, where I used to work as an interrogator before the invasion. It was about 11.30am. I was blindfolded and handcuffed. Almost immediately they began hitting me, and I was subjected to beatings on the soles of my feet (*falaga*). They burned my skin with a hot metal rod. The interrogator kept asking me about the leaflet found in my car, and I denied knowing anything about it.

The following day I was beaten once again. This time they used a cane, an electric cable and another wooden implement with which they hit me on my rib cage until one of my ribs was fractured. The soldiers also kicked me on the pelvis with their army boots. By that time my body was blue with bruises, and my nose was bleeding. Then they tied a string around my penis and asked me to "confess" as they pulled the string tighter. They threatened me with execution, and with the rape of my sister. Then one of the officers said, "Bring the bottle". They spread my legs and began inserting the top of the bottle into my anus.

In the evening they locked me up in a filthy cell on my own. The dishdasha I was wearing was covered with blood. There was also blood in my urine. I was left in the cell for three days, and then they took me to al-Jahra' police station. I was beaten there once again, and this lasted for about one hour and a half. An officer there threatened me with the electric chair (*al-Kursi al-Rajjaj*). After the torture came to an end, they forced me to insult the [Kuwaiti] government and to declare allegiance to Saddam. They told me I must cooperate with them, and I had to sign a statement to that effect before I was finally released."

TESTIMONY A2

A 17-year-old student arrested in early September after being found in possession of a gun and leaflets containing information on weaponry. He was detained for 36 days in several detention centres in Kuwait City and later in Basra and subjected to beatings, mock execution, *falaga*, electric shocks and threatened with sexual torture.

[He was arrested by Iraqi special forces at a checkpoint at Khaitan Bridge, near Khaitan Sports Club, at 3pm in the afternoon. He was found in possession of a gun and 150 copies of a leaflet containing instructions on the use of rockets and explosives. The leaflet contained the official stamp of the Kuwaiti National Guard].

"They took hold of me quickly and began hitting me. They locked me up in the boot of my car for about half an hour, then they took me out and tied me up with a rope with my hands behind my back". [Several other military personnel then arrived.] "They put me back in the boot of my car and placed a tyre over my chest and took me to Khaitan police station. There, they took me out of the car and led me to an office where there were seven lieutenants. On the way to the office they kicked me and hit me with their hands. They threatened me with death and torture if I did not tell them where I had got the gun and leaflets and who my friends were. In the pockets of my trousers they found emblems used by the Iraqi Special Forces and the emblem used by the Iraqis on their hats. They asked me about who the members of the resistance were, and whom I had killed and where. I insisted on saying one thing, that I had got the emblems from some soldiers as a souvenir and that I came across the gun and leaflets by chance. I said I was passing by close to the National Guards building in al-Khaldiyya where I saw the gun and leaflets. They did not believe me. They had bound my eyes so that I could not see anything. The soldiers kicked me as they passed by me.

After that they removed the blindfold. The officer had with him four soldiers carrying their weapons, which were Kalashnikov machine guns. The officer told me, "Pray for your soul because you are going to be executed", and he gave orders to the four soldiers to load the guns and fire. They loaded, but when they pulled the trigger it turned out that the ammunition was blank. The officer told me to smile and that it was my luck that the ammunition was defective. He was laughing. They took me to a room where there were about fifteen Iraqi soldiers. [The officer] said to them, "He is the one who carried out yesterday's operation and killed our comrades". So they started beating me up, they kicked me, punched me and slapped my face and beat me with canes. This lasted from five o'clock until nine o'clock in the evening. I saw the clock pointing to nine in Abu Khaled's office. He is in charge of the police station and his rank is that of major. He asked me "How are you? Answer me regarding the gun and the

leaflets". I gave him the same answer, so he ordered them to take off all my clothes except for my shorts. Then he started hitting me with a black rubber stick, and every time I stepped away from him the other officers hit me with an electric baton.

After that they blindfolded me and hit me in the same way. Then they subjected me to falaga on my feet until they turned blue. ... I was subjected to electric shocks for a brief period and I felt my body tremble and fell to the floor. I was able to see a little through my blindfold which was white and was raised a little over my eyes. [The officer] placed a wire on my nipple and stuck it on. Then he took hold of the other end and applied electricity four times. I lost consciousness, and when I came round I was being whipped. [The officer] then applied electricity to my toes while repeating "Confess and tell us what you know"... [Then one of them] came in and put a bottle of whisky on the table. They brought a bucket with a sponge in it... He gave orders to remove my shorts and to place the bottle in my anus. So I said I would confess and I repeated what I had said before. He asked me about the leaflets, and I said that I had seen the leaflets in my car but I did not know who was distributing them."

[He was then asked about named individuals and families, where they lived or where they could be found. He said he did not know. He was also asked about the locations of resistance activity. He gave the names of two districts where he knew there was no such activity].

"They told me that if I brought them an Indian or Filipino woman they would release me. They laughed among themselves and two of them carried me (for I was unable to stand up) back to the cell and gave me back my clothes which I put on... After three days they transferred me to a house [a private house belonging to a member of the al-Sabah family]... There were Indians and Kuwaitis with me. There was one guard standing over us. There were two women there, one was elderly and the other about 25 years old. At noon they took me to another place which I believe was the Iraqi Embassy in Kuwait... I was handcuffed and blindfolded. They asked me the same questions while beating me with a stick. I did not change my answers. They took me back to Khaitan police station and put me in the officers' room with them. They were laughing and making jokes. In the evening they transferred me to al-Farwaniyya police station... They told me it would only be for two days and then I would be released. The following evening after interrogation and beating they returned me to Khaitan police station... When we arrived at Khaitan they told me that I was to be released tomorrow and that they had my release papers, and in fact I saw these papers bearing my name. At midnight I was summoned by Abu Khaled, the head of the police station, who said to me that the statements I had made were not acceptable. He tore up the release papers...

They took me back to al-Farwaniyya and threw me back in the same room where I stayed four days... then they took us out of the room and brought in four Iraqi soldiers whose hair, eyebrows and moustaches had been shaved. The guards were beating them, saying that they were traitors and had brought shame upon their families. We were put in another room... for fifteen days and then they transferred four of us to the district of al-Jahra'... they beat us up for the whole day... they pierced our skin with pins... and forced us to dance... Then I was told, "You will be dead tomorrow. Write a letter to your family. What sort of execution do you want, electric, by shooting or by hanging?". A soldier said, "We have a new method which is the acid bath, or else we can knife them until they die..."

[Eventually] I was transferred with twenty others to Basra. They led us into a building and made us stand in the corridors... they subjected us to the worst forms of torture... there were four women there... I heard their screams and cries. After the interrogation and beating I was told that my name was not [registered with them]. So I stayed one day in Basra and then they transferred me back to the Municipality Building in al-Jahra' [in Kuwait]... and then they transferred me with 30 others to the Juveniles Prison [in the al-Firdos district of Kuwait]... In the Juveniles Prison there were 160 detainees, among them ... [names withheld by Amnesty International]. The charge against many of them was the distribution of food (meat and chicken) to the people. [After spending a further three days in the municipality building in al-Jahra'] they transferred us to Muhafazat al-'Asima where we were examined. I hid the traces of torture on my body in order to avoid being executed, because anybody who has clear traces of torture on his body or is suffering from permanent damage is executed. After the examination was over we had to give an undertaking to cooperate with the Iraqi authorities. Then I was released."

TESTIMONY A3

A 32-year-old office clerk arrested on 3 August as he returned home after buying foodstuffs from the local cooperative society. He was detained for five days at al-Sulaibiyya police station in Kuwait City and subjected to beatings and electric shocks, and was shot in the leg at point blank range.

"On 3 August, the second day of the invasion, I was supposed to take one of my children to the hospital in al-Farwaniyya for a check-up. When I arrived there I was prevented from entering. I tried to go to a pharmacy, but the roads were closed. In the afternoon I went to the cooperative society in our district to get some foodstuffs. On the way back to my home I was stopped by Iraqi soldiers. They took the milk and other food I had bought, blindfolded me and took me to al-Sulaibiyya police station.

When I entered the police station, I was taken into a room where about 70 Kuwaitis were held. There were young boys among them, below the age of 18. I recognized a friend of mine among them, and I understood that he had been arrested in circumstances similar to mine. Each detainee was interrogated individually. I was told to wait my turn.

There were three officers in the interrogation room when I went in. One asked the questions, another took notes and the third stood by the door, holding a gun. I was asked for my nationality card. Then the officer asked me, "Are you happy with the situation [ie, the situation in Kuwait] in which you find yourselves?" I replied: "Yes, we are fine". The officer then said, "We are here to help you in the uprising". When I replied that there had been no uprising, the officer standing by the door hit me on the head with his rifle. I was immediately taken to another room where I was subjected to torture for about one hour. They applied electricity to my fingers and genitals, and I was beaten with sticks. My friend whom I had seen earlier was brought into the room. One of the officers said "Execute them", but another officer replied, "No, only one of them". So they shot my friend there and then, in front of me. They shot me in my left leg. I received no treatment for the wound until my release five days later.

I was returned to a cell measuring 2 x 3 metres. Several Kuwaiti detainees were there, all of whom bore marks of torture. They gave us dry bread to eat. Five days later I was summoned again. I was told that if I tried to leave Kuwait I would be executed. I was asked to put my fingerprint on a piece of paper containing a prepared statement and then I was released. When I returned to my house I found that the Iraqis had stolen most of its contents. Apparently, in my absence, they had gone to the house and told my wife that I had decided to give away our possessions. When my wife objected, one of the Iraqis hit her. They took our furniture and even my wife's wedding ring. Eight days after my release, my family and I left for Saudi Arabia.

TESTIMONY A4

A 22-year-old student arrested on 24 August following house-to-house searches in the al-Rawda district of Kuwait City. He was detained for eight days in al-Rawda and al-Farwaniyya police stations, and subjected to beatings, kicking, falaqa; cigarettes were extinguished on his body and his leg was slashed with a knife.

"I was arrested on 24 August. Iraqi soldiers were searching all houses in the area where I lived (al-Rawda) and arresting a number of men. It was a Friday and I was at home. They knocked on the door and when I opened it they arrested me. I was put in the back of a lorry together with others who

had been rounded up. We were not allowed to talk to each other. We were taken to al-Rawda police station. I was put in a cell measuring 3 x 5 metres together with eight other detainees. We were all blindfolded and our hands and feet tied. For a while I also had a rope put around my neck, and which was tied to the ceiling. We remained in the cell for two days, during which we were beaten by guards. Groups of four or five guards would enter the cell and start hitting us with their hands, and sometimes they kicked us with their heavy army boots. They threatened us with electrical torture. I knew one of the detainees in my cell. His name is ... [name withheld by Amnesty International], a Kuwaiti aged about 24. His father was a lieutenant in the National Guard. He was beaten very badly and suffered broken legs as a result. They only gave us bread to eat.

On Sunday morning I was taken to another room. Two Iraqis, both with the rank of captain, interrogated me. One of them asked the questions and the other tortured me. I was asked to name people who were active in the resistance. When I said I did not know anyone in the resistance, they threatened that they would arrest my two younger brothers (aged 14 and 15). One of them began beating the soles of my feet with a cane, and then he forced me to walk around the room. He also extinguished cigarettes on my upper left arm and on the left side of my chest, traces of which are still apparent. He also cut my left thigh with a knife.

After that I did not return to the cell. I was put in a car (a Toyota Saloon) and driven to al-Farwaniyya police station. I was put in a room which contained torture equipment. It was mainly electrical equipment, wires and electrodes like those used to recharge car batteries but smaller in size. I was told to sit down, and I was left alone for about one hour. I did not know what was happening, but I could hear screams from nearby rooms. There was a lot of blood on the floor, particularly in the corners of the room. After one hour I was taken to the airport. A Palestinian in the Iraqi army, with the rank of lieutenant, came with us. When we arrived at the airport an Iraqi officer took me to a toilet and said to me, "This is where Kuwaitis belong". I was made to stay in the toilet for about a quarter of an hour. Everything was broken. While waiting I noticed some discarded uniforms previously worn by Kuwaiti Airways stewardesses. I could hear the sounds of people screaming even here at the airport.

I was then taken to an office, where the Palestinian lieutenant and the Iraqi officer were seated. I was asked again about whom I knew in the resistance. I refused to give any information. The Iraqi officer then put a gun to my head and said while laughing, "You are about to die". They then brought a video camera, and gave me a piece of paper which contained statements against the [Kuwaiti] government. For example, it said that the government was corrupt and that the Kuwaiti people had been oppressed until their liberation by

Iraq. They told me to memorise the statement in preparation for filming. After the filming was over, they asked me to cooperate with them as an informer. I told them I could not do that if they used the film because the resistance would not trust me. They agreed not to use it and allowed me to telephone my family. My mother and brother came to the airport to collect me. The Iraqi officer and the Palestinian lieutenant came with us, and we dropped them off at al-Salmiyya police station. The Palestinian lieutenant told me to return to al-Farwaniyya police station that evening and bring him babies' milk. When I went there with the milk, I was detained for another two days. I was kept in an office, not a cell, and I was not tortured again.

After my release, I returned home. The Iraqis kept contacting me to make sure that I had not fled, and to threaten me that if I failed to cooperate with them they would arrest my family. They said they would also arrest me and take me to Fao. I managed to leave Kuwait almost three weeks after my release. At the Kuwaiti-Saudi Arabian border I was told to turn back, as no males were being allowed to leave. I gave one of the soldiers 100 Iraqi dinars and some cigarettes and he let me through."

TESTIMONY A5

A 38-year-old man arrested on 5 September after another detainee allegedly revealed that he was active in the armed resistance. He was detained for one week at the Kuwait General Staff headquarters in the al-Shuwaikh district of the city and later in Basra. He was subjected to beatings, mock execution, exposure to hot and cold temperatures, electric shocks and suspension from a rotating fan.

"I was arrested on about 5 September. A treacherous person in al-Jabiriyya informed about me. I was in the armed resistance. On the day of my arrest I was armed and travelling in one of the cars used by the resistance. I was alone. I was stopped at a checkpoint. One of the Iraqi soldiers asked me: "Are you[he mentioned my name]?". I realised that they knew about me and I drove away at top speed. The soldiers began shooting. At the next checkpoint there were about 30 soldiers. I did not stop and they pursued me. They fired in the direction of my car, as a result of which one of the tyres was punctured. The soldiers caught up with me and dragged me out of the car. They tied my hands and feet and blindfolded me with a piece of green cloth.

I was taken to the Kuwait General Staff headquarters in al-Shuwaikh, where the blindfold was removed. I was brought before an Iraqi captain. Without asking me any questions he started hitting me Karate-style, then he said, "Execute him". This was about 8 o'clock in the evening. I was beaten for about a quarter of an hour, and then taken into a courtyard

where I saw a firing squad consisting of three soldiers. An officer read out the charges against me: he accused me of treason against my country and of having stolen arms and ammunition. The soldiers then pointed their rifles at me; I was still without a blindfold. One shot was fired, deliberately missing me. The officer said, "Stop, the interrogation is not over".

They locked me up in a room for about one hour. Then I was taken to another room which had four air conditioning units. I was practically naked, wearing nothing except a *sirwal* [inner clothing]. They turned on the air conditioning and left me there for several hours, until dawn. Then they took me to another room which was very hot.

After that I was interrogated. They asked me questions about the resistance, they wanted information about the cells within the resistance, the names of activists, etc.. They also tried to force me to make statements against the (Kuwaiti) ruling family. I remained silent. At 7.30am the following morning, I was blindfolded and pushed into a car. During the drive I was occasionally beaten. When the blindfold was later removed, I found myself in Basra in Iraq. I was taken to a detention centre where both men and women were held. Almost immediately I was subjected to lashing with a whip. Then two officials brought me some food, which consisted of bread and tea, and they gave me a cigarette. One of them spoke to me in a brusque and harsh manner, the other was polite. The official who spoke harshly told me that I must confess to being a member of the National Guard, to being in the resistance, etc. He said that if I confessed, I would be given Iraqi nationality and if I didn't confess I would be executed within half an hour. Then he left the room. The polite officer then advised me not to confess. I replied that I had nothing to confess to. While this was going on I could hear the sounds of women screaming under torture.

After a while three men entered the room. One of them carried a bucket of very hot water. First they beat me up by using Karate blows until I lost consciousness. Then all three men lifted me up in the air and dropped me on the ground. My head hit the ground and my jaw broke as a result. By that time I was bleeding profusely and vomiting blood. At this point they immersed my head in the hot water about six or seven times, all the while ordering me to confess. I repeated that I would not confess. Then they left me unconscious. After several hours another group of men entered the room. One of them attacked me with a sharp implement, cutting my face and arms. Then they beat me with hosepipes and electric cables. After that they gave me two pills to swallow, which they called 'confession tablets'. These pills were supposed to calm me down, but they did not seem to have any effect on me.

Then they put me in a cell on my own. The room measured about 2 x 3 metres and had a small window. The following day

they tortured me with electricity. First they poured water on my body and then applied the electricity. Then they placed electrodes on my toes and genitals. I was taken for interrogation once again. Finally one of them said that there was no use in interrogating me further and that I was to be prepared for execution. However, they took me to another room which had a fan in the ceiling. I was turned upside down and my ankles were tied to the fan, which was then switched on. I spun around two or three times and then I was taken down. I was taken back to the cell and left alone for two days.

After that I was put in a car and driven back to Kuwait. I was taken to the Mudiriyat al-'Amn al-'Amn (General Intelligence Directorate), close to Nayef Palace, which is now a detention centre. I was made to sign various papers and was then released. After my release I was warned by various people that I was under surveillance and that I would be re-arrested and executed. So I fled Kuwait and went to Saudi Arabia."

TESTIMONY A6

A man in his 30s arrested twice, in the third week of August and later on 20 September and accused of being a member of the Kuwaiti armed forces and of having participated in opposition activities. He was held for four days in a school and at al-Jahra' police station in Kuwait City, and subjected to beatings, kicking, electric shocks and the placing of heavy weights on his body.

"I was first arrested during the third week of August, in a residential area. It was in the middle of the day, about 12 o'clock. I was alone in my car, and I was stopped by soldiers. They ordered me out of the car and accused me of being in the resistance. They took me to a school which had been turned into a military barracks. I was taken into a large hall, where I saw about 100 Kuwaiti detainees. All were men and were hardly wearing any clothes. They were surrounded by guards.

The following day I was taken to the police station, where I was tortured. Three officers interrogated me. They asked for my personal details. I was kicked and beaten with a rifle butt. They accused me of being in the army and in the resistance. The interrogation session lasted for several hours. Then they took me to another room, where they applied electricity to my hands, feet and genitals. I fainted as a result of the electric shocks. I was then interrogated once again. They asked me the same questions. One of them punched me in the mouth with his elbow, and one of my teeth broke as a result.

They took me to a large cell, where I was held on my own. The beating continued intermittently throughout the day and

night. I was beaten particularly on my back. The soldiers stepped on me with their heavy army boots and they placed heavy weights on my body. The following morning one of the officers came to fetch me. He gave me a cigarette and then told me to start walking. I thought he was going to shoot me since he was carrying a machine gun. He told me to go to the bathroom, where I found a friend of mine. He had paid a sum of money in exchange for my release. I left the police station with him.

My second arrest was on 20 September. I was held for six hours. I was arrested in al-Jahra', again as I was driving a car. They interrogated me again, asking the same questions as before. I was beaten and insulted. I was released in exchange for a sum of money. Two others detained with me were released in the same way.

TESTIMONY A7

A 23-year-old student arrested around 22 September after returning to Kuwait to assist his family in fleeing the country. He was detained in several detention centres in Kuwait City and later in Basra. He was subjected to beatings, whipping, exposure to cold air and to the sun for prolonged periods, and electric shocks.

"I was not in Kuwait when the invasion occurred, but went there in order to get my family out. I was arrested in mid-September, in al-Salmeh district. First I was taken to 'Ali al-Salem [military] base, close to the border with Saudi Arabia, where I was left on my own for about three hours. No one talked to me. Then I was taken to al-Liwa' al-Sades [military base on the al-Jahra' road]. I was put in a room where the air-conditioning was switched on. They left me there overnight without a blanket, and I was shivering from the cold. I was not given any food. The following day I was interrogated. They asked me to tell them where the American forces were stationed, where the resistance in Kuwait was based, etc. I was being interrogated on my own, but after it was over they took me with two other detainees to the Iraqi Embassy in Kuwait City. We were taken in an open car, accompanied by two soldiers. At the embassy we were left for three hours in the sun, without food or water. Then an officer arrived and took us back to al-Liwa' al-Sades. From there we were taken to Basra in a lorry loaded with goods stolen from Kuwait. These were mainly refrigerators and office equipment.

In Basra we were taken to the offices of the Iraqi Istikhbarat [Intelligence]. As soon as we entered we were blindfolded. The Iraqis started whipping and beating the three of us. They took us down some stairs into a basement. Although I was blindfolded, I managed by looking downwards to see scores of detainees who were also blindfolded and

handcuffed. The three of us who arrived together were put in a cell measuring 3 x 4 metres, together with about 25 other detainees. These detainees, from what I could gather, were all Iraqi civilians. One of them, aged 18, had been tortured with electricity. Another one had had his skin pierced with pins. We could hear cries and screams all the time. The whole basement was stifling - there was no ventilation whatsoever. We were constantly beaten. The food we were given was foul, and the water was warm and salty. We were allowed to go to the toilet once a day only.

I remained in that cell for about one week. Then I was summoned for interrogation. I was taken upstairs, blindfolded and handcuffed. One person interrogated me, and another person whipped me. The questions were mainly related to the specific locations of American forces in Saudi Arabia and the centres of resistance in Kuwait. The interrogation lasted about five minutes. Then I was taken to another room, still blindfolded and handcuffed. I was subjected to electric shocks on my right ear and chest.

After that I was transferred by bus to an ordinary prison. The drive took about 15 minutes. I was told I had to pay the bus fare, which I did with the little money I had on me. I was held in a large hall, where there were hundreds of detainees. I remained in the prison for seven or eight days, and then 32 of the detainees were summoned for trial. I was one of them. We were taken to another building which had a sign on the outside saying 'Basra Court'. We sat in a waiting room, and then each of us was brought before a judge individually. I didn't know whether he was really a judge, but the sign on the door of his office said 'The Judge'. He wore civilian clothes. There was also an officer in the room, taking notes. I was before the judge for three minutes altogether. He asked me for my name and why I had returned to Kuwait. The charge against me was entering the country illegally (when I was first arrested I was accused of espionage). Then the judge asked me to sign a statement, the contents of which I was given no opportunity to read. He warned me that if I was caught again I would be executed. I was taken back to the waiting room while the other detainees went through the same process. When it was over, we were taken back to the prison, where they gave us back our identity documents and released us. A few of us took a taxi as far as Safwan, and from there entered Kuwait."

TESTIMONY A8

A 31-year-old man arrested on 14 September at his home during a diwaniyya. He was detained for three weeks at al-Farwaniyya and al-Jahra' police stations as well as a private home in Kuwait City, and later in Basra. He was subjected to beatings, electric shocks, mock execution, was forced to watch

his relatives being tortured and was himself tortured in front of them.

"At 2.30am 45 soldiers broke into my house. As well as my own family, my father and brothers and my in-laws were there. We were twelve in all: eight Kuwaitis, three Indians and one Yemeni [names withheld by Amnesty International]. The soldiers separated the men from the women and made the men lie on the floor face down with their hands above their head. The house was searched and a picture of the Amir was found, as well as the Kuwaiti flag. We were told this was a capital offence. They took the men in a bus and confiscated the cars. They also took our jewellery, watches and money.

They took us to al-Farwaniyya police station and put us into two cells. At 9pm the next evening the interrogation began. We were blindfolded and handcuffed behind the back before interrogation. We were accused of being in the resistance. There was usually one interrogator and two guards present. The interrogator said he was not convinced by our answer which was denial of involvement. After 15 minutes, the beatings began. They tied a wire to my two middle fingers and an electric current switched on for 4 to 5 seconds. The same questions were again repeated. My father was then called in. I was forced to watch him being kicked and beaten by a lieutenant called Hani. Then they called in my son. I was beaten in front of him in order to get him to confess. This went on from 9 o'clock until 1.30 in the morning.

I was returned to my cell. I was unable to lie on my back for two days. Interrogation continued twice daily at 11am and 2.30am. They used a nylon hose to beat us because it does not leave any permanent marks. I was prodded with an aluminium stick which had an electrified end. On the third day they threatened to bring in my wife and beat her in front of me. My brother-in-law was subjected to falaqa.

In all there were about fifty people in the two cells at al-Farwaniyya. We had very little food, and we were allowed to go to the toilet only twice a day. After seven days they subjected me to mock execution. The interrogator put a gun to my head and pulled the trigger. He then put it into my mouth and pulled the trigger again. I was then forced to sign papers based on my interrogation. On Monday at 4pm we were taken in three cars to al-Jahra' police station. We were put in one cell - eight of us plus four others (the three Indians and the Yemeni had been released). We were told not to speak to each other.

Interrogation began at 9pm. There were no beatings, just questions about previous statements. Next day I was called in at 11am, blindfolded. The blindfolds were removed - I could see cane sticks and electric wires. I was told to confess, and when I refused I was beaten with the sticks. After two days the rest of the family was released. Next day I signed various papers and was taken in a bus with seven others to a

house in al-Jahra' district. It was about 6pm. We were taken down to the basement. This house seemed to be a security centre. The guards wore civilian clothes, not military. There were about 15 prisoners - four of them Palestinians. The guards beat us they passed by. After five hours they moved us into cells. There were three cells on the ground floor holding 85 prisoners - 35 in one and 25 in each of the two others.

Food was rare. We were allowed to go to the toilets twice daily. Beatings were continuous. Sick people were seen by a doctor who came every two or three days to give tranquilisers. We were interrogated twice daily in a separate room. The guards had electrified sticks and used them to wake up the prisoners throughout the night, according to their mood. We were usually interrogated by seven people, each session lasting about half an hour, followed by a one hour torture session. They beat us with hoses and applied electric shocks with their sticks.

At the end of the week I was taken with eight other detainees [names withheld by Amnesty International] in a bus to Basra. First we were taken to Sijn al-Amn al-Siyassi (State Security Prison). There were many Iraqis held there, mostly members of al-Da'wa al-Islamiyya. On the first day I was held in solitary confinement. They tortured me by pulling out a toenail from my right foot, extinguishing cigarettes on my hand, and applying electricity to my body using wires as well as an electric prod. The next day I was put in a cell with 14 other detainees. One died of a heart attack, he was given no medical help. I was interrogated once daily. After eight days I was forced to sign various papers, the contents of which I had not seen, and taken back to al-Jahra' on my own. I stayed there for six hours, and then I was handed over to my father. I had lost over 20 kilos in weight."

[His wife told Amnesty International of how soldiers came to their house the day after his arrest and beat her up along with their two daughters, in order to force them to confess that he was involved in opposition activities. They put a gun to the head of one of her daughters and threatened to shoot her. Then they slapped her and threw her to the ground.]

APPENDIX B: TESTIMONY OF A SURVIVOR OF AN ATTEMPTED EXECUTION

TESTIMONY B

A 19-year-old student arrested on 11 September after failing to hand over weapons to the Iraqi authorities. He was detained for two weeks at a private house in al-Jahra' and subjected to torture. He survived an attempt to execute him by firing squad on 24 September [the names below have been changed to prevent identification]:

"I was arrested on 11 September. The Iraqis first came looking for me at my home in the district of al-Rawda, but I was not there. I was at a diwaniyya in a nearby house. So the soldiers came there and arrested me and another person. First they took me to al-Kadhima Sports Club, where I remained for about two hours. Then they took me to a private house in al-Jahra', where I was held for two weeks. I was put in a room with other detainees. We were 32 altogether in that room, but I estimate that there were about 120 detainees in the whole house. They were all males of varying ages. There were young boys aged 14 or 15, and men as old as 80.

For the first days I remained in that room. I was handcuffed and blindfolded the whole time, as were all the others. They gave us no food. There was even nothing to lean on to rest my body. I was not interrogated during those three days, but we were all subjected to constant beatings and kicking by the guards. They used to come into the room and threaten us: either you confess, or else we have 22 officers here in this house to deal with you. Then after three days I was called for interrogation. The Iraqis had found weapons in my home, which I had had before the invasion. They repeatedly asked me why I had failed to hand over the weapons to them. During the interrogation I was blindfolded and beaten repeatedly. Then I was handcuffed and suspended by the hands from the ceiling. After that they applied electricity to various parts of my body, including my chest. Apart from questioning me about the weapons, they also asked if I knew any foreigners and where they were hiding. Also, if I knew of the whereabouts of any diplomats, members of the armed forces and members of the al-Sabah family. They asked me about specific individuals whom they named. I didn't know any of them except for one, who was a major in the Kuwaiti army, but I did not reveal that to them.

I was interrogated several times over the next four days. It was always the same questions and the same torture. If I said anything which contradicted what I had said in an earlier interrogation session, the torture would become more severe. In the final week of my detention, there was no more interrogation, but the usual beating of all the detainees continued. Then, on the last day [ie. 24 September] at 2.30

in the morning, a captain came and told us that the President had ordered the release of all the detainees. Some of the detainees in the room with me, especially the old men, thanked him. The captain said that they were going to release us in groups, and called out the names of twelve people. I was one of them.

They blindfolded us and tied our hands behind our backs. We were taken onto a bus and then driven to another place, where two more people boarded. Then they took us to Dasman Palace. I knew we were because one of the other detainees was able to see a little from below his blindfold. At Dasman Palace we remained on the bus for about half an hour. Then an officer came and told us we were going to be taken to our homes. I was led into a car with two other detainees, Samir, a 23-year-old officer who lived in the district of al-Faiha', and Muhammad, aged 23 or 24, who lived close to me in al-Rawda (I don't know his profession).

We were all still blindfolded and handcuffed, but as we approached the district of al-Faiha' the soldiers removed Samir's blindfold so that he could direct them to his home. But when we arrived there, they told us to all get out of the car. Muhammad and I asked why, because we didn't live there. They made us get out of the car anyway, blindfolded Samir again and made us stand at the doorstep of a house. I realised at that moment that we were going to be executed. I remember it was just after the dawn prayers. The first shot was fired and I heard Samir fall to the ground. Two bullets grazed my head but neither of them penetrated my skull. I fell to the ground, and when Muhammad was shot he fell down on top of me. The soldiers then came up to us, took the blindfolds and handcuffs and went away. They must have believed we were all dead.

My head was bleeding profusely. I crawled over to Samir and raised his head, trying to revive him. I thought he had been pretending, just like me. Then I saw the bullet hole in his head, and just at that moment he died. I couldn't believe what was happening. I went over to Muhammad and found him dead too. I managed to drag their bodies over to one side, and recited a short prayer for them. Then I started walking. I didn't know where I was going, but I was afraid that the soldiers would come back. I was looking for someone to help me, but it was dawn and the streets were empty. I started feeling faint, so I went up to a house and knocked on the door. No one answered, but the door was not locked and I went in. As I was looking for a telephone an old man and three women came out of one of the rooms. The man asked me what I wanted, so I told him what had just happened. At first he didn't believe me. I told him where the two bodies were, and he went to look for himself. When he came back he said I could stay with them.

I stayed for three days. One of the old man's daughters was a nurse, and she treated me as best she could. Then I

called my family and my father came to collect me. I learned that, in my absence, he had been looking for me. After paying a sum of money to an Iraqi officer at a police station in the 'Abdallah al-Salem district, he was told that I had been executed. My father had then gone looking for my body in the hospitals. At Mubarak Hospital he found my name on a list of executed people. So my family naturally thought I was dead, and they were receiving mourners at our home. They couldn't believe I was still alive. I found them at home crying.

Of course I couldn't stay with them at home, in case the Iraqis found out that I was still alive and came after me again. So I went into hiding until, some three weeks later, I was able to leave Kuwait"

APPENDIX C: EXTRACTS FROM MEDICAL REPORTS

The information below relates to Photographs 1 to 9 in Appendix D. It consists of extracts from a) a medical report from a British doctor with experience in the examination of victims of torture and, b) the written medical opinion of a prominent British forensic pathologist.

PHOTOGRAPHS 1, 2 AND 3

These are photographs of the bodies of three unidentified persons. The bodies were found in the streets of Kuwait City and brought to the headquarters of the Red Crescent in the period late August/early September. Amnesty International interviewed the doctor who took these photographs. He stated that the victims had been tortured (beaten and burned) prior to their execution. There was no autopsy examination. The following is the medical opinion of the British forensic pathologist:

Photograph 1

There is clearly a lot of blood soaking the body which has most likely arisen from either a wound to the head, neck or chest. A striking feature of the photograph is the dark staining of the hands which may represent oil (or a similar substance) or alternatively burns.

Photograph 3

This is a view of the top of the head together with the forehead. There is an obvious gaping wound which extends from the left side of the forehead, just in front of the hairline, backwards towards the top of the head. The scalp is torn open in the front half of the wound and beneath it can be seen white skull. The back half of the wound shows loss of scalp and skull and there is brain tissue hanging out. Over the forehead at the front end of the wound it has an arc shape and from this the main wound which is linear passes backwards. I interpret this as most likely a tangential gunshot wound which has barely penetrated the skull. The arc shape at the front of the wound is likely to be the entry and, running backwards from this, the bullet has merely penetrated the scalp; then in the most posterior part of the wound it has also penetrated the skull and torn the brain. It is not possible to say what the range of fire was other than that it was either a contact wound or fired from a range of greater than 1m. There are clearly some marks to the face but it is impossible to say whether these are injuries or dried blood stains.

PHOTOGRAPHS 4 TO 7

These show the traces of torture still apparent on the bodies of three Kuwaiti men [identities withheld] who fled to Saudi Arabia in late September. No medical report has been

provided. The following is the medical opinion of the British forensic pathologist:

Photograph 4

The man in this photograph shows prominent bruising to the right side of the forehead and the right eye which might either represent a fall or a blow. The most significant injuries from the point of view of interpretation are those to the right upper arm and adjacent right chest. These comprise at least three and possibly four loop shaped injuries made up of two parallel lines (similar to curving railway lines in appearance). This is a forensic classic and is produced by blows from a rope or electrical flex or similar object which has been doubled up to form a loop. There is no doubt therefore that this man has been assaulted. It is significant that the three or four blows are very localised to the outside of the right shoulder since this implies that he was not moving in an attempt to escape the blows at the time they were struck. This might imply that he was unconscious or semi-conscious as a result of his head injury or alternatively that he was in some way physically restrained or that he was psychologically restrained by fear. The injuries appear fresh and are likely to be only a few days old.

Photograph 5

This appears to be the back of the same man as in photograph 4. There are irregular purple bruises over the left shoulderblade area. These are blunt force injuries produced either as a result of a fall or one or more blows.

Photograph 6

This man has extensive healing injuries to the face particularly involving the right side of the forehead and right cheek together with the right upper eyelid and the bridge of the nose. There appear to be some minor scabs over the left cheek. There are surgical sutures in the wounds and this together with the general appearance suggests that the injuries are less than two weeks old at the time of photography. Healing injuries are difficult to interpret but the appearances suggest a series of lacerations ie tears to the skin produced as a result of blunt force. In practice this means that of either a fall or blow. The pattern of injuries would be consistent with either a very heavy fall onto the nose and right side of the face or alternatively a series of blows with a blunt object, for example a baton or a riflebutt.

Photograph 7

This elderly man shows some small irregular scabbed injuries to the inside of his right elbow. One of these appears to have prominent puckering of the skin around the margin which is common in the healing of skin injuries where there has been a loss of surface tissue. The original injuries are likely to have been abrasions or lacerations, ie. scrapes or tears of the skin produced by blunt force trauma, ie. either through a fall or a blow. This would be an unusual location for an

injury produced in a fall although the possibility cannot be discounted.

PHOTOGRAPH 8

This shows traces of torture on the arm of a 22-year-old Kuwaiti student whose testimony appears in Appendix A4 of this document. The victim was examined by a British doctor on 9 November, and the following are extracts from his medical report:

ON EXAMINATION

There are nine 1cm circular scars, recently healed, arranged in a cluster on the outer aspect of the left upper arm. There is a single similar one on the adjacent area of the left chest.

There are two tiny, recently healed scars on the outer aspect of the left arm and a single one on the right arm.

There is a recent 2cm transverse linear scar on the front of the left thigh and a similar 1cm scar close by.

COMMENTS

He states that the nine circular scars on the left arm and the single one on the chest were caused deliberately by cigarettes.

He attributes the tiny recent scars on both arms to scratches inflicted during interrogation, the scabs of which have only recently finally separated.

He states that the recent linear scars on the left thigh were inflicted deliberately with a razor blade.

OPINION

The circular scars on the left arm and chest are characteristic of cigarette burns. Their appearance is of injuries which have healed only a few weeks ago. Their distribution in a symmetrical cluster-pattern could only have been deliberate. I have no hesitation in asserting that they were inflicted deliberately by cigarettes within the past three months.

The tiny scars on both arms are compatible with scratch-marks which have recently healed. Their appearance fits his story. The two linear scars on the left thigh are clearly recent and would fit in with his statement that they were caused by a razor blade.

PHOTOGRAPH 9

This shows the facial view of a 28-year-old Kuwaiti man [identity withheld], the victim of an attempted extrajudicial killing interviewed by Amnesty International. According to his testimony, Iraqi soldiers shot him on 24 August as he had just finished distributing food from the local cooperative society to peoples' homes. He stated that soldiers started firing at him as soon as they saw him, and he ran away. One of the bullets penetrated his neck, exiting at the mouth. He suffered serious damage to the jaw and was fortunate to survive. He was admitted to Mubarak Hospital for preliminary

treatment, and subsequently underwent surgery at a hospital in Saudi Arabia. The following are extracts from the written medical opinion of the British forensic pathologist, based on three photographs provided by Amnesty International:

"There is a circular scar on the back of the neck on the left side consistent with the description given as a bullet wound inflicted one and a half months previously. It is impossible to say with certainty that it is a bullet wound but if it is then it is likely an entry wound. A wound in this site would not necessarily strike the spinal column and, depending upon direction of the wound track, not necessarily be lethal... The obvious lesion is to the left lower face where there is a healing injury with loss of the left half of the lower lip and a large scarred area involving the left side of the chin. A part of this scarred area shows the absence of a beard. There is also a scar passing in an arc shape from the lateral margin of the left nostril around the left cheek to the point of the chin on the left side... [This] apparently shows small dots along its margin which likely represent surgical suture marks suggesting that whatever the underlying condition this man has had surgical treatment. It is not possible to state conclusively that this damage to the lower face was the result of trauma rather than natural disease. However taken together [with the other photographs examined, the injuries shown in this photograph] would be consistent with a gunshot entry to the back of the neck on the left side with an exit through the left side of the face and resultant disruption of the face probably including the jaw, which was then repaired surgically."

The organization subsequently received his medical records, which confirmed the nature of his injuries.

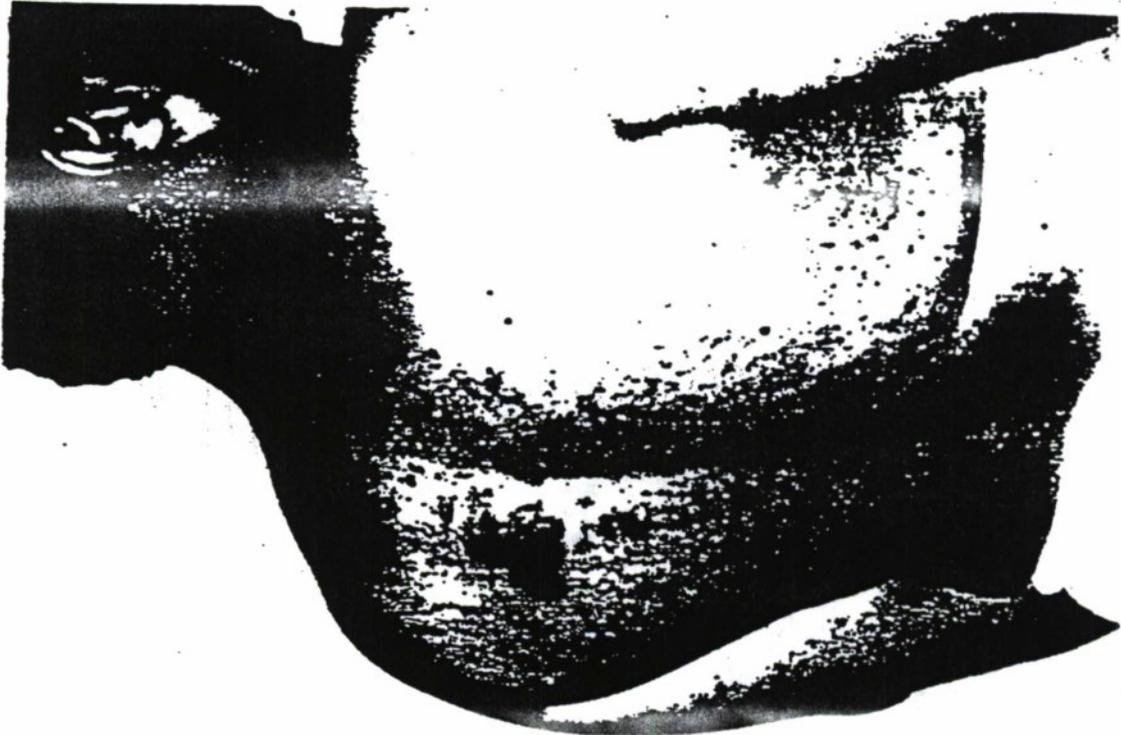
APPENDIX D:

PHOTOGRAPHS OF VICTIMS OF TORTURE AND
EXTRAJUDICIAL EXECUTION

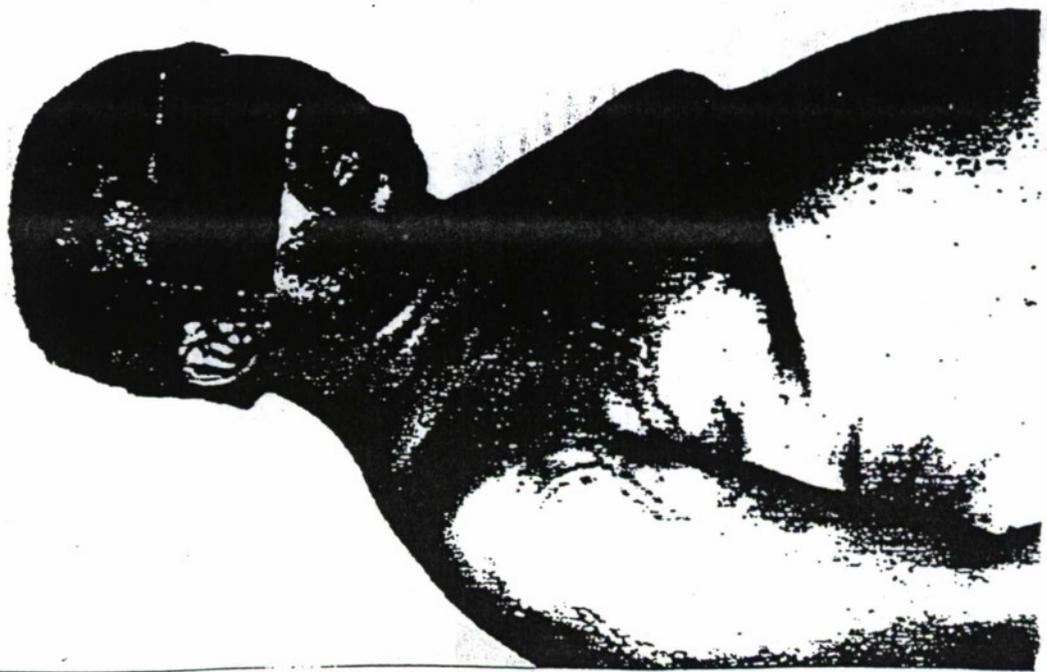


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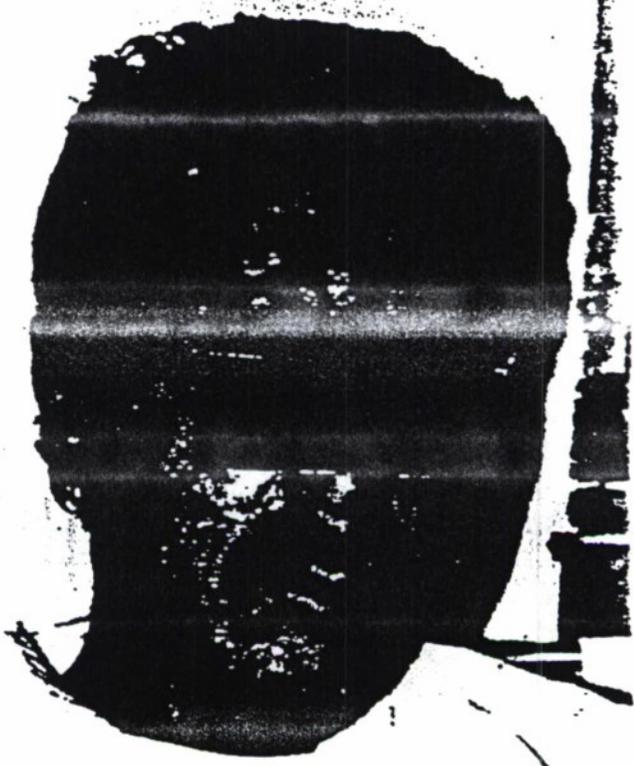




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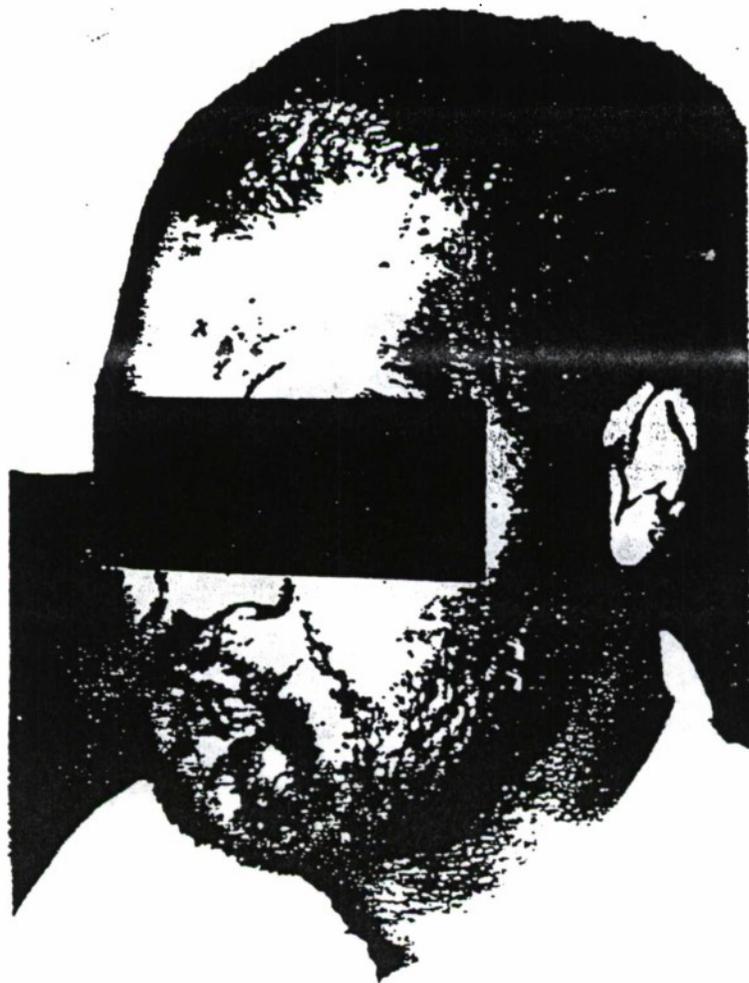


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6



10. The body of a man said to be an Iraqi soldier executed for looting on 16 August. This body was publicly hung from a crane in Kuwait City.



**EMBASSY OF THE
REPUBLIC OF IRAQ**

**21 QUEEN'S GATE,
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STATEMENT BY THE IRAQI EMBASSY

Once more, Amnesty International has resorted to its unenviable lip-service in matters related to Iraq. Perhaps, what is most regrettable on this occasion is that the end product of its service concerns a country where the entire population is now the victim of illegal armed embargo on all necessities for their livelihood, including food and medicine with the intention of starving its people and exposing their children to diseases. But our past experience with the Amnesty shows that no humane motives towards Iraq could have galvanized Amnesty into action.

However, we find it regrettable that under the present circumstances in the concerned area any outsider would have the audacity to give credibility to today's so called report by Amnesty International.

Yet, on our part, we renew our advise to the Amnesty on the need to approach an official Iraqi representation and examine their so called "testimonies" as one-sided stories would only further expose the intentions of those involved in this lip-service by the Amnesty. The opportunity to witness the situation on the ground remains open for the Amnesty. Absence of representative officers of the Amnesty and lack of evidence to its reports on Iraq renders its recent report an embarrassment to the practice of reporting, and Amnesty itself is in no better position in this regard.

LONDON, October 3, 1990