

PUBLIC

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UA 139/04 Imminent execution

YEMEN **Fuad 'Ali Mohsin al-Shahari (m), born 1960**

Fuad 'Ali Mohsen al-Shahari, who was sentenced to death after what appears to have been an unfair trial, is now facing imminent execution. His death sentence has reportedly been upheld by the Supreme Court; if the President now ratifies the sentence, it may be carried out at any time.

Fuad 'Ali Mohsen al-Shahari was sentenced to death on 12 November 1996 for the murder of Captain Mohammed al-'Ameri. He confessed to the killing, but may have done so under torture. His death sentence was upheld by the Court of Appeal in May 1999.

In May 1996, two Political Security officers spoke to Fuad 'Ali Mohsen al-Shahari about a dispute involving his brother. On 29 May, a military car reportedly blocked his way as he was driving to work, and armed men forced him out of his car at gunpoint. They arrested him but released him shortly afterwards. Fuad 'Ali Mohsen al-Shahari was working for the General Prosecution, and he informed them, but they reportedly took no action.

That afternoon another military car, driven by Captain Mohammed al-'Ameri from the Political Security Department, blocked Fuad 'Ali Mohsen al-Shahari's way. Armed men surrounded him and tried to arrest him without a warrant. They reportedly threatened to kill him. A gun battle ensued, the precise details of which remain unclear. A number of shots were fired, at least one of them by Fuad, and Captain Mohammed al-'Ameri was killed.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic or your own language:

- expressing concern that the Supreme Court has upheld the death sentence against Fuad 'Ali Mohsen al-Shahari;
- urging the President not to ratify the death sentence, and prevent the execution of Fuad 'Ali Mohsen al-Shahari;
- **expressing concern at reports that Fuad 'Ali Mohsen al-Shahari received an unfair trial, and may have confessed under torture;**
- acknowledging the right of the government to bring to justice anyone found responsible for criminal offences, but expressing unconditional opposition to the death penalty.

APPEALS TO:

President

His Excellency General 'Ali 'Abdullah Saleh

President of the Republic of Yemen

Sana'a

Republic of Yemen

Telegrams: President 'Ali 'Abdullah Saleh, Sana'a, Republic of Yemen

Telexes: 2422 RIASAH YE

Faxes: + 967 127 4147

Salutation: Your Excellency

Prime Minister

'Abd al-Qader Bajamal
Prime Minister of the Republic of Yemen
Sana'a
Republic of Yemen
Telegrams: Prime Minister of the Republic of Yemen, Sana'a, Republic of Yemen
Faxes: + 967 1 274 662
Salutation: Your Excellency

Minister of Interior
Rashid Muhammad al-'Alimi
Ministry of Interior
Sana'a
Republic of Yemen
Telegrams: Interior Minister, Sana'a, Yemen
Faxes: + 967 1 332 511
Salutation: Your Excellency

Minister of Human Rights
Amat al Aeem al Suswah
Ministry for Human Rights
Sana'a, Republic of Yemen
Telegrams: Minister of Human Rights, Sana'a, Yemen
Faxes: + 967 1 419 700
Salutation: Your Excellency

COPIES TO: diplomatic representatives of Yemen accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 May 2004.