

URGENT ACTION

YEMENI MAN AT IMMINENT RISK OF EXECUTION

A 55-year-old Yemeni man is at imminent risk of execution after spending 20 years in prison. The Supreme Court has upheld his death sentence, despite previous Appeal Court decisions to commute it to 10 years' imprisonment.

A 55-year-old Yemeni man, **Muhammad Abdullah Ali Hambaj**, has exhausted all his appeals and is at imminent risk of execution. He was sentenced to death in 2003 by the First Instance Court in al-Baydha for the murder of three men in 1992. The al-Baydha Appeal Court commuted his sentence to 10 years' imprisonment in 2005, and ordered his release since he had already served 12 years in prison.

The Public Prosecution continued to press for the death penalty, so his case went back and forth between the Supreme Court and the Appeal Court from 2005 until 2008, when the Supreme Court finally confirmed his death sentence.

Muhammad Hambaj was not sentenced to *qesas* ("retribution"), which, in murder cases in Yemen, is the private right of the blood relatives of a victim to seek execution, or reduction of the sentence to prison terms in conjunction with financial compensation, or to pardon the offender completely. In cases where blood relatives refrain from lodging a private complaint, such as Muhammad Hambaj's, the Yemeni Criminal Code provides the state with the right to sentence a person convicted of murder to anything from three years' imprisonment up to the death penalty. In some cases where the victims' blood relatives have not sought retribution, the state has commuted death sentences to at least three years of imprisonment.

Please write immediately in Arabic, English or your own language:

- Calling on the President to halt the execution of Muhammad Abdullah Ali Hambaj;
- Calling on the authorities to commute the death sentence of Muhammad Abdullah Ali Hambaj, as well as those of all other prisoners under sentence of death;
- Urging the President to stop ratifying death sentences and establish a moratorium on executions, with a view to completely abolishing the death penalty.

PLEASE SEND APPEALS BEFORE 12 APRIL 2013 TO:

President

His Excellency Abd Rabbu Mansour Hadi
Office of the President
Sana'a, Republic of Yemen
Fax: +967 1 274 147 (please keep trying)
Salutation: Your Excellency

Minister of Justice

His Excellency Murshed Ali al-Arashani
Ministry of Justice
Sana'a, Republic of Yemen
Fax: +967 1 222 015 (please keep trying)
Email: moj@yemen.net.ye
Salutation: Your Excellency

And copies to:

Minister of Human Rights
Her Excellency Houriah Ahmed Mashhour
Ministry for Human Rights
Sana'a, Republic of Yemen
Fax: +967 1 444 833 (please keep trying)
Email: mshr@y.net.ye
Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Amnesty International has longstanding concerns about the use of the death penalty in Yemen, particularly as death sentences are often passed after proceedings which fall short of fair trial standards. In 2012, dozens were executed. In 2011, at least 41 people were executed and, in 2010, at least 62. Hundreds of people are believed to be under sentence of death.

Amnesty International acknowledges the right and responsibility of governments to bring to justice those suspected of recognizable criminal offences, but is unconditionally opposed to the death penalty in all cases as the ultimate cruel, inhuman or degrading punishment, and a violation of the right of life.

Name: Muhammad Abdullah Ali Hambaj

Gender m/f: m

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