

PUBLIC

AI Index: MDE 31/026/2005

15 December 2005

Further Information on UA 133/05 (MDE 31/008/2005, 20 May 2005) Imminent execution

YEMEN

Fatima Hussein al-Badi (f), aged 42

Fatima Hussein al-Badi could face imminent execution if the President of Yemen rejects a final appeal asking for her death sentence to be commuted on the basis that her trial was unfair.

Fatima Hussein al-Badi and her brother Abdullah Hussein al-Badi were arrested on 13 July 2000 for the murder of her husband, Hamoud Ali al-Jalal, and were sentenced to death on 17 February 2001. During their trial, they reportedly had no legal representation, and were forced to be quiet whenever they tried to speak in court. Both Fatima and her brother took their case to the Court of Appeal, which upheld the sentence against them on 12 August 2002. They then appealed to the Supreme Court, which upheld the decision.

President 'Ali 'Abdullah Saleh then ratified the two death sentences. On 2 May 2005, Abdullah Hussein al-Badi was reportedly executed for his alleged role in the murder. In October, Fatima Hussein al-Badi lodged a special personal appeal with the President, asking him to commute her sentence on the basis that her trial was unfair. The President is believed to be considering the appeal. If he rejects it, Fatima Hussein al-Badi could be executed within a few weeks.

According to Fatima Hussein al-Badi's lawyer, she has maintained her innocence of the murder of her husband since her arrest. She was reportedly tortured by police in detention, but refused to "confess". According to reports, her brother denied that he and his sister were involved in the murder, but later "confessed" to police after he was assured that his "confession" would lead to Fatima's release.

BACKGROUND INFORMATION

Amnesty International has longstanding concerns about the use of the death penalty in Yemen and believes that scores of people have been executed so far this year. Among them was Fuad 'Ali Mohsen al-Sharari, who was executed by firing squad on 29 November following an unfair trial. The execution was carried out despite many appeals by Amnesty International and others, including the European Union, and Yemen's own Human Rights Ministry, one of the country's leading judges and Yemeni human rights groups (see UA 139/04, MDE 31/005/2004, 06 April 2004, and follow-ups).

While Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of recognizably criminal offences, it is unconditionally opposed to the death penalty in all cases as the ultimate violation of the right to life.

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

- urging the President of Yemen to commute the death sentence against Fatima Hussein al-Badi;
- expressing concern that she was reportedly convicted after an unfair trial;
- reminding the authorities that they are bound by international standards for fair trial in capital cases, including the right to seek pardon or commutation of the sentence;
- acknowledging that the government has a right to bring to justice those responsible for criminal offences, but expressing unconditional opposition to the death penalty as the ultimate violation of the right to life.

APPEALS TO:

President

His Excellency General 'Ali 'Abdullah Saleh
President of the Republic of Yemen

Sanaa

Republic of Yemen

Faxes: + 967 127 4147

Salutation: Your Excellency

Minister of Interior

His Excellency Dr Rashid Muhammad al-Alimi
Ministry of Interior

Sanaa

Republic of Yemen

Faxes: + 967 1 332 511

Salutation: Your Excellency

Minister of Human Rights

Her Excellency Amat al Aeem al Suswah
Ministry for Human Rights

Sana'a, Republic of Yemen

Faxes: + 967 1 444 838

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 26 January 2005.