

Yemen: Fatima Hussein al-Badi (f)

Concern: Death penalty and Unfair trial

Fatima Hussein al-Badi was a housewife with four children when her husband, Hamoud Ali al-Jalal, disappeared. Fatima Hussein al-Badi contacted her husband's elder brother to see if he knew her husband's whereabouts, but he did not know. The family searched for Hamoud al- Jalal without success, and a week later the police told them that they had found Hamoud al- Jalal's body. Fatima Hussein al-Badi along with her son, brothers and father were arrested, and questioned by police. Later Fatima, her brother 'Abdullah and her son were detained by the police, apparently on the basis that there were problems in the marriage. Fatima is adamant that their problems were ordinary, "the likes of which you see in families".

Fatima was reportedly questioned by the police for more than five hours without a lawyer. She was taken to the criminal investigations unit at night and questioned until the early hours of the next day, without a lawyer. She was reported to have been told to confess. When she refused, her brother Abdullah, who also still detained, was reportedly brought to her, his face covered in blood. She was reportedly threatened with rape in the presence of her brother, who then confessed to the murder.

Fatima was only allowed a lawyer after she was charged with murder. During their trial, Fatima and 'Abdullah reportedly had no legal representation and were forced to be quiet whenever they tried to speak in court. She and her brother were both sentenced to death by the lower court, and their death sentence was upheld by the Court of Appeal.

The Supreme Court upheld 'Abdullah's sentence but had apparently reduced Fatima's sentence to four years. However shortly before she finished serving her sentence, her case file was re-opened and she was sentenced to death. Her brother submitted a plea to the President, but it was refused. He was executed in May 2005. Fatima's appeal is pending before the President. Fatima said "I don't know where to turn, I have nobody"

Please write to the authorities:

- Stating that the death penalty is the ultimate violation of the right to life and strongly urge the authorities to commute the death sentence against Fatima Hussein al-Badi immediately.
- Calling for all defendants facing the death penalty to be tried in compliance with international standards for fair trial, including full access to legal representation with adequate time and facilities to prepare their defence.
- Urging the authorities to ensure that all those facing the death penalty are granted the opportunity to appeal against the verdict and sentence and have the right to seek pardon or commutation of the sentence.
- Stating that although you support the right of the government to bring to justice those responsible for criminal offences, the death penalty is the ultimate form of cruel, inhuman and degrading punishment, and that you therefore call for a restriction on the scope of the death penalty and urge the government to work towards its abolition.
- Calling for all detainees sentenced to death to have their sentences commuted immediately, and no new death sentences should be imposed, pending abolition of the death penalty.

Please send appeals to:

General 'Ali 'Abdullah Saleh
President
Office of the President
Sana'a
Republic of Yemen