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Yemeni authorities called upon to commute juvenile offender's death sentence

Amnesty International today called upon the Yemeni authorities to halt the imminent execution of a young man for a crime he is alleged to have committed at the age of 15.

“We are urgently appealing to President Ali Abdullah Saleh to show clemency in the case of alleged juvenile offender Muhammed Taher Thabet Samoum,” said Philip Luther, Amnesty International’s Deputy Director for the Middle East and North Africa. “We call for him to be saved from execution – the ultimate cruel, inhuman or degrading punishment – and for his death sentence to be commuted.”

As President Ali Abdullah Saleh has now ratified Muhammed Taher Thabet Samoum’s death sentence, he is at imminent risk of execution. Muhammed Taher Thabet Samoum has been sentenced to death for a murder he is alleged to have committed in May 2002. Although he does not have a birth certificate, he maintains that he is now 24 years old, which would make him 15 years old at the time of the offence.

Another alleged juvenile offender, Fuad Ahmed Ali Abdulla, whose death sentence was due to be carried out on 19 December, had his execution halted by the Yemeni authorities on 18 December. His case is now to be reviewed.

In both cases, it is unclear how the court determined their ages.

“Yemen has the right and responsibility to bring to justice those suspected of recognizably criminal offences, but Amnesty International is unconditionally opposed to the death penalty in all cases,” said Philip Luther.

“Executing individuals for crimes they are accused of committing while apparently under 18 is not only inhumane but also in contravention of Yemen’s obligations according to both Yemeni and international law.”

Yemen is a state party to the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights, both of which expressly prohibit the execution of juvenile offenders – those convicted of crimes committed when they were under 18.

The application of the death penalty on juvenile offenders is also expressly prohibited in Article 31 of Yemen’s Penal Code.

Amnesty International is aware of at least eight other people who are possible juvenile offenders on death row in Yemen and has long-standing concerns about the use of the death penalty in the country, particularly as death sentences are often passed after proceedings which fall short of international standards for fair trial.

In 2009, at least 53 people were sentenced to death and at least 30 people were executed in Yemen. In 2010 so far, at least 19 people have been executed. Hundreds are believed to be on death row.

Note for editors

Yemen has made significant progress in the prohibition of the use of the death penalty against juveniles, but courts continue to sentence alleged juvenile offenders to death. The legal progress to prohibit the use of the death penalty against juveniles followed the ratification of the Convention on the Rights of the Child by the government in 1991. At that time the prohibition of the use of the death penalty against juveniles was limited to offenders below the age of 15 at the time of the crime. However, this categorical prohibition was extended in 1994 to include individuals below the age of 18 at the time of the commission of capital offences. This was stipulated in Article 31 of the Penal Code, Law 12 of 1994, and marked a positive development, bringing Yemen's laws into line with Article 37 of the Convention on the Rights of the Child and Article 6 of the International Covenant on Civil and Political Rights, both of which categorically prohibit the use of the death penalty against anyone under 18 years of age at the time of commission of any crime.