

PUBLIC

AI Index: MDE 31/002/2009

06 February 2009

Further Information on UA 25/09 (MDE 31/001/2009, 30 January 2009) Imminent Execution

**YEMEN**                      **Bashir Sultan Mohamed al-Ja'fari (m), aged 23**

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Bashir Sultan Mohamed al-Ja'fari, a soldier in the Yemeni army, has had his execution postponed, but may face the death penalty in the next few days. He has exhausted all his appeals after being sentenced to death for murder.

Bashir Sultan Mohamed al-Ja'fari is detained in the military prison in the capital Sana'a. In August 2006, a military court had sentenced him to pay *diya* (financial compensation, commonly referred to as "blood money"), for the unintentional killing of a fellow soldier. However, in November 2007, a military appeal court increased his sentence to death. The Military Division of the Supreme Court upheld his death sentence in March 2008, and Yemen's President ratified this sentence seven months later. His execution was scheduled to be carried out on 28 January but has been postponed twice; in each case for a few days.

At least 13 individuals were executed in Yemen in 2008, and hundreds of prisoners are currently detained under sentence of death.

#### **BACKGROUND INFORMATION**

Amnesty International has long-standing concerns about the use of the death penalty in Yemen, particularly as death sentences are often passed after proceedings which fall short of international standards for fair trial. Amnesty International acknowledges the right and responsibility of governments to bring to justice those suspected of recognizably criminal offences, but is unconditionally opposed to the death penalty in all cases as the ultimate cruel, inhuman or degrading punishment, and as a violation of the right to life.

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

- urging the President to commute Bashir Sultan Mohamed al-Ja'fari's death 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;
- 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;
- urging the President to commute all outstanding death sentences and establish a moratorium on executions, with a view to completely abolishing the death penalty.

#### **APPEALS TO:**

President

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

**Fax:**                      **+ 967 127 4147**

**Salutation:**            **Your Excellency**

Minister of Justice

His Excellency Dr Ghazi Shaif al-Aghbari

Ministry of Justice

Sana'a

Republic of Yemen

**Fax: + 967 1 222 015 (please keep trying)**

**Salutation: Your Excellency**

Minister of Human Rights

Her Excellency Houda 'Ali 'Abdullatif al-Baan

Ministry for Human Rights

Sana'a

Republic of Yemen

**Fax: + 967 144 8333**

**Salutation: Your Excellency**

Attorney General

His Excellency 'Abdullah al-'Ulufi

Office of the Attorney General

Sana'a

Republic of Yemen

**Fax: + 967 137 4412**

**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 20 March 2009.