

UA 290/94

Executions / Fear of further executions

4 August 1994

YEMEN

Hussein Muhammad 'Abdullah al-Ajrab
Hussein Nassir Bin Hadi Harbi
Mulatif Hussein al-Seiyaghi
Amin 'Ali 'Abdullah Ha'im
Muhammad Hussein al-Zubeiri
Saleh Nassir al-'Ali
Ahmed 'Ali Hussein al- Ghobar
Jaber Malish Abu Sayed
Khamid Muqbil Hatman
Sameh Muhsin al-Khalil
Nakhi 'Ali Ahmed Duhan
Khalid Nassir Ahmed al-Mahash
Muhammad Ahmed al-Shahri
Hazza' Muhammad Masidi

At least five of the above named people are reported to have been executed on 29 July 1994. The execution of the remaining nine is said to be imminent.

Amnesty International has learned that the ruling Presidential Council ratified the death sentences of the 14 men two weeks ago. The 14, all convicted of murder, were sentenced to death at different times in the mid and late 1980s in the Yemen Arab Republic (YAR) prior to the YAR's unification with the former People's Democratic Republic of Yemen (PDRY) in May 1990. According to the Unity Agreement the legal systems of the former PDRY and the former YAR should remain separate pending an agreement on a common Penal Code and Criminal Procedures Code. To date these laws have not been promulgated by the unified Republic of Yemen.

Death sentences in the Republic of Yemen must first be passed by a Court of First Instance, then upheld by a Provincial Appeal Court and by the Supreme Court in Sana'a, before the final ratification by the Presidential Council.

Once the Presidential Council has ratified the sentence, the decision is passed on to local authorities and arrangements are made for the executions.

BACKGROUND INFORMATION

There are reportedly hundreds, and possibly as many as 1,000, death sentences currently at various stages in the appeals process. In addition to its opposition to the death penalty, Amnesty International is concerned that the trials of the above may have been inconsistent with international standards for fair trial. In the former YAR the use of false testimony and statements extracted under torture to convict people in court was widespread. Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman, and degrading treatment or punishment as proclaimed by the Universal Declaration of Human Rights.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters either in Arabic or in English or in your own language:

- expressing regret at the reported execution of five men on 29 July 1994;
- urging that the death sentences imposed on the other nine men be commuted;
- seeking details of trial and appeals procedures followed in each case;
- calling for the commutation of all death sentences passed in Yemen.

APPEALS TO

His Excellency
General 'Ali 'Abdullah Saleh
Chairman of the Presidential Council
Sana'a
The Republic of Yemen

Telegrams: President 'Ali 'Abdullah Saleh, Sana'a, Republic of Yemen

Faxes: +967 1 262 017

Telexes: 2422 RIASAH YE

Salutation: Your Excellency

COPIES TO: diplomatic representative of the Republic of Yemen in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 15 September 1994.