

PUBLIC

AI Index: MDE 31/005/2001

13 June 2001

Further information on UA 361/00 (MDE 31/08/00, 27 November 2000) - Fear of Execution

YEMENHussein bin Hussein Al-Ma'mari

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The Supreme Court has reportedly upheld the death sentence against Hussein bin Hussein Al-Ma'mari. The President will have to ratify the sentence before the execution can be carried out. Amnesty International fears that Hussein bin Hussein Al-Ma'mari's execution is imminent.

Hussein bin Hussein Al-Ma'mari's, who has been diagnosed as schizophrenic, was sentenced to death for murder in December 1998. The verdict and sentence were upheld by the Appeal Court in September 2000.

When Hussein bin Hussein Al-Ma'mari went on trial, his lawyer argued that he was mentally ill and should not be held responsible for his actions, under article 33 of the Yemeni Penal Code. Doctors who examined him confirmed that he had a history of schizophrenia prior to the murder, backed up by medical reports from Egypt, Jordan, and England, where he had sought treatment. However, since his state of health at the time of the crime was not known, they left it to the court to decide how great a part his illness played in the killing. The court ruled that the defence had failed to prove that Hussein bin Hussein Al-Ma'mari was ill at the time of the crime. As such it decided that he was criminally responsible and sentenced him to death.

**FURTHER RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in or in your own language:**

- expressing concern that the Supreme Court has upheld the death sentence against Hussein bin Hussein al-Ma'mari, even though he has been diagnosed as schizophrenic;
- urging the President not to ratify the death sentence and prevent the execution of Hussein bin Hussein al-Ma'mari;
- acknowledging the right of the government to bring to justice anyone found responsible for criminal offences, but expressing unconditional opposition to the death penalty;
- noting that the execution of the mentally impaired flouts international standards of justice and decency as reflected in resolution 2000/65 adopted by the UN Commission on Human Rights in April 2000, which urges retentionist countries "not to impose the death penalty on a person suffering from any form of mental disorder or to execute such a person".

**APPEALS TO:**

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

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

**Telexes: 2422 RIASAH YE**

**Faxes: + 967 127 4147**

**Salutation: Your Excellency**

'Abd al-Qader Bajamal

Prime Minister of the Republic of Yemen

Sana'a

Republic of Yemen

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**Faxes:+ 967 1 282 669**

**Salutation:Your Excellency**

Minister of Interior

Rashid Muhammad al-'Alimi

Ministry of Interior

Sana'a

Republic of Yemen

**Telegrams:Interior Minister, Sana'a, Yemen**

**Faxes:+ 967 1 251 529 / 251 566**

**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 25 July 2001.