

PUBLIC

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Fear of E

YEMENHussein bin Hussein Al-Ma'mari

Hussein bin Hussein Al-Ma'mari, who has been diagnosed as schizophrenic, is facing the death penalty. The Supreme Court is now hearing a final appeal, and its verdict is expected within weeks. Other prisoners have been executed within hours of their appeals being rejected by the Supreme Court.

He was sentenced to death for murder in December 1998 by a court in the capital, Sana'a. 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. The doctors also found that his state of health had improved but recommended he continue to receive treatment. However, the doctors said that his state of health at the time of the crime was not known, and 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.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes in English or your own language:

- expressing concern that Hussein bin Hussein al-Ma'mari has been sentenced to death, although he has been diagnosed as schizophrenic;
- urging the President to commute the death sentence if it is upheld by the Supreme Court;
- acknowledging the right of the government to bring to justice anyone found responsible for criminal offences, but expressing unconditional opposition to the death penalty.

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

Dr 'Abd al-Karim al-Iryani
Prime Minister of the Republic of Yemen

Faxes: + 967 1 282 669

Salutation: Your Excellency

Minister of Justice
Isma'il Ahmad Al-Wazir
Ministry of Justice
Sana'a
Republic of Yemen

Telegrams: Justice Minister, Sana'a, Yemen

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Faxes:+ 967 1 252 138

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 8 January 2001.