

PUBLIC

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Further Information on UA 292/08 (MDE 31/009/2008, 22 October 2008) - Fear of imminent Execution

YEMEN

Ismail Lutef Huraish (m), aged 49

Ali Mussara'a Muhammad Huraish (m), aged 39, his cousin

Ismail Lutef Huraish and his cousin Ali Mussara'a Muhammad Huraish were executed this morning. They had exhausted all their appeal stages, and their death sentences had been ratified by the President.

Ismail Lutef Huraish and Ali Mussara'a Muhammad Huraish were sentenced to death in 2000 for a murder committed in 1998. They were reportedly arrested on 14 October in a village near the city of Ta'iz, and were charged with murder the following day. The Supreme Court upheld their death sentences in January 2004. In December 2005 Amnesty International called on the President not to ratify the death sentences against the men (see UA 301/05, MDE 31/023/2008, 1 December 2008).

Since his arrest, Ismail Lutef Huraish, who is deaf and illiterate, has not been given access to sign-language interpretation. Therefore, at no point in the judicial process was he able to give his own account of events or to respond to allegations that he was involved in the murder. According to his lawyer, he was convicted solely on the basis of statements which Ali Mussara'a Muhammad Huraish made during police interrogation and during their trial, and which allegedly implicated both men in the murder. Amnesty International has no further information about these "confessions".

The failure of the authorities to provide Ismail Lutef Huraish with interpretation facilities is in violation of Article 337 of the Yemeni criminal procedure law, which states that deaf defendants must have access to sign-language interpretation, as well as of Article 14 (3) of the International Covenant on Civil and Political Rights (ICCPR), to which Yemen is a state party, which states that defendants have the right to be informed of the charges against them and to have proceedings conducted in a language which they understand. This includes finding the appropriate language or method to inform people with a hearing or speech disability of the charges and proceedings which they face.

No further action is requested from the UA network. Many thanks to all those who send appeals.