

PUBLIC

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UA 320/06 Death penalty/ legal concern

YEMEN Ibrahim Sharaf al-Din (m), aged 23

On 23 November, Ibrahim Sharaf al-Din was sentenced to death by the Specialised Criminal Court in Yemen. He was tried in proceedings that fell short of international standards for fair trials. The case is now subject to appeal. If his sentence is upheld he will be at risk of execution.

Ibrahim Sharaf al-Din was among 37 members of the Shi'a Zaidi community charged in connection with an alleged "plot to kill the President and senior army and political officers". Their trial started in August 2005. Thirty-four of the defendants were sentenced to prison terms of up to eight years'. Two others were acquitted.

According to information received by Amnesty International, Ibrahim Sharaf al-Din was arrested in May 2005 and held incommunicado for several months at *al- Mabahith al-'Ama* (General Investigation unit) in the capital, Sana'a. While detained incommunicado, all 37 defendants were interrogated without a lawyer being present contrary to international fair trial standards as well as Yemeni laws. During the trial, lawyers were reported to have been prevented from obtaining a copy of the court file, including full interrogation records, to enable them to exercise an effective right to defence.

While Amnesty International recognizes the right and responsibility of governments to bring to justice those suspected of a recognizable criminal offence in accordance with international standards, the organization opposes the death penalty in all cases.

BACKGROUND INFORMATION

Amnesty International has documented a number of cases in which people have been sentenced to death in Yemen after trials which fell short of international standards. Yemen retains the death penalty for a wide range of offences, including political offences, in breach of its commitment under Article 6 (2) International Covenant on Civil and Political Rights to impose the death penalty "only for the most serious crimes".

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

- urging the President to commute the death sentence imposed by the Specialized Criminal Court on Ibrahim Sharaf al-Din;
- reminding the authorities that they are bound by international standards for fair trial, including those relating to capital cases;
- calling on President to ensure that lawyers are given an effective opportunity to exercise their right to defence in a transparent process.

APPEALS TO:

President

His Excellency General 'Ali 'Abdullah Saleh

President of the Republic of Yemen

Sana'a

Republic of Yemen

Fax: + 967 127 4147

Salutation: Your Excellency

Minister of Interior

His Excellency Dr Rashid Muhammad al-Alimi

Ministry of Interior

Sana'a

Republic of Yemen

Fax: + 967 1 332 511

Salutation: Your Excellency

Minister of Human Rights

Her Excellency Kadijah al-Haysami

Ministry for Human Rights

Sana'a, Republic of Yemen

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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 11 January 2007.