



**Yemen's Compliance with the Convention on the Elimination of All Forms of  
Discrimination Against Women: The Death Penalty**

**Submitted by The Advocates for Human Rights**

a non-governmental organization in special consultative status with ECOSOC since 1996

**for the 80th Session of the Committee on the Elimination of Discrimination Against  
Women**

**18 October–12 November 2021**

**Submitted 20 September 2021**

**The Advocates for Human Rights** (The Advocates) is a volunteer-based nongovernmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications.

The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence.

In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

**The World Coalition Against the Death Penalty** (World Coalition), an alliance of more than 160 NGOs, bar associations, local authorities and unions, was created in Rome on May 13, 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

## EXECUTIVE SUMMARY

1. Women in conflict with the law in Yemen are at risk of experiencing gender-based discrimination within the legal system and while detained. Such discrimination is particularly acute when women are at risk of being sentenced to death. For example, in Houthi-controlled parts of Yemen, women are in danger of being sentenced to death for “spying,” often based primarily on the conduct of their male family members. In parts of the country controlled by the internationally recognized Government of Yemen, women accused of capital offenses are denied legal aid to mount a successful defense. And because of the mandatory nature of the death penalty for crimes such as murder, courts do not take into account an accused woman’s experiences of gender-based violence that may have motivated her actions. Women are also often financially unable to gather sufficient resources to pay “blood money” to victims’ families. Detention conditions for women, particularly in Houthi-controlled parts of Yemen, amount to cruel, inhuman, and degrading treatment and in some cases prison authorities torture women detainees.
2. Because of continued internal conflict in Yemen, there is limited official data regarding the number of women currently sentenced to death. For the same reason, there is only limited information regarding detention conditions of women sentenced to death.

### **Yemen fails to uphold its obligations under the Convention on the Elimination of All Forms of Discrimination Against Women**

3. Women in conflict with the law in Yemen face multiple forms of discrimination, particularly in the context of legal proceedings in which a woman is at risk of being sentenced to death. IN Houthi-controlled areas, women are subjected to politically motivated prosecutions, unfair trials, death sentences, and brutal human rights violations in detention facilities. Yemeni authorities deny women access to qualified, experienced legal counsel in capital proceedings. Those proceedings fail to take into account a defendant’s history as a victim of gender-based violence. Women from disadvantaged socio-economic backgrounds may be unable to escape the death penalty by paying “blood money” to the victim’s family.

#### **I. The internationally recognized Government of Yemen fails to protect women in areas under Houthi control from politically motivated prosecutions, unfair trials, death sentences, and brutal human rights violations in detention facilities, arising primarily out of their familial relationships (List of Issues paragraph 2)**

4. The Committee recognized that “[t]he internationally recognized Government does not exercise effective control over parts of the territory of the State party,” and asked “how it promotes the implementation of the Convention . . . with a view to ensuring that women and girls throughout the State party, including in those areas that are under the effective control of non-State actors, are able to enjoy their rights under the Convention.”<sup>1</sup>

---

<sup>1</sup> Committee on the Elimination of Discrimination Against Women, List of issues and questions in relation to the combined seventh and eighth periodic reports of Yemen, (March 11, 2020), U.N. Doc. CEDAW/C/YEM/Q/7-8/Rev.1, ¶ 2.

5. The State Party Response to the List of Issues does not respond directly to this query, but instead calls on the international community to “shoulder its responsibility towards Yemen.”<sup>2</sup>
6. According to Amnesty International, “the Huthis and their allied forces have stepped up their use of an anti-terrorism court as a way to settle political scores, often handing down death sentences on spurious accusations of espionage and ‘aiding an enemy country’ following grossly unfair trials.”<sup>3</sup> For example, in October 2016, Houthi authorities arrested Ms. O, apparently because her husband was an al-Qai’ida suspect. According to her father, she was beaten up in his presence. She was also forced to watch other detainees being tortured. She was also wrongfully accused of engaging in an “illegitimate sex act” with a codefendant. Amnesty International characterized her trial, where she had no legal representation, as “grossly unfair.” For several months before her trial, she was barred from contacting the outside world. Her three male codefendants were released on bail months before the verdict, and she was the only defendant who remained in custody. In January 2018, a Houthi court in Sanaa sentenced her to death for spying, and she remains on death row.<sup>4</sup> Spying carries a mandatory death sentence in Yemen.<sup>5</sup> Amnesty International describes her prison conditions as “woefully inadequate”; she does not have access to hygiene products and her relatives are too fearful of the Houthi authorities to visit her.<sup>6</sup>
7. Ms. O’s case highlights a troubling trend identified by the Cornell Center on the Death Penalty Worldwide in its groundbreaking 2018 report: “women who are seen as violating entrenched norms of gender behavior may be sentenced more harshly.”<sup>7</sup> The study also observed that authorities tend to arrest, charge, and sentence women to death in conjunction with the conduct of their spouses or other family members.<sup>8</sup>
8. Ms. O’s case is not unique. In August 2021, a Houthi court in Sanaa sentenced two women to death on charges of aiding “the enemy” and “communicating with a hostile foreign country.”<sup>9</sup>

---

<sup>2</sup> Committee on the Elimination of Discrimination against Women, *Replies of Yemen to the list of issues and question in relation to its combined seventh and eighth periodic reports*, (August 19, 2020), U.N. Doc. CEDAW/C/YEM/RQ/7-8, ¶ 1.

<sup>3</sup> *Yemen: Illegal detention remains rife after five years of war*, Amnesty International, Mar. 24, 2020, <https://www.amnesty.org/en/latest/news/2020/03/yemen-illegal-detention-remains-rife-after-five-years-of-war/>.

<sup>4</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>5</sup> *Yemen: Illegal detention remains rife after five years of war*, Amnesty International, Mar. 24, 2020, <https://www.amnesty.org/en/latest/news/2020/03/yemen-illegal-detention-remains-rife-after-five-years-of-war/>.

<sup>6</sup> *Young Yemeni woman on death row suffers the wrath of the Huthis’ ‘psychological war’ on opponents*, Amnesty International, Apr. 13, 2018, <https://www.amnesty.org/en/latest/news/2018/04/young-yemeni-woman-on-death-row-suffers-the-wrath-of-the-huthis-psychological-war-on-opponents/>.

<sup>7</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 6, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>8</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 8, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>9</sup> Ismaeel Naar, *Houthi court sentences 11 Yemenis to death, including two women and a professor*, Al Arabiya News, Aug. 28, 2021, <https://english.alarabiya.net/News/gulf/2021/08/28/Houthi-court-sentences-11-Yemenis-to-death-including-two-women-and-a-professor>.

9. Civil society organizations have documented human rights violations against women in detention facilities controlled by Houthi militias.<sup>10</sup> Civil society organizations report extensive human rights violations against women in Houthi-controlled detention facilities.<sup>11</sup> Activists say that reports of rape and other forms of sexual violence in detention facilities have increased.<sup>12</sup> Ms. B, director of the 8<sup>th</sup> March Yemeni Union Women, reported that “Houthi prisons are like graves for women.”<sup>13</sup> She stated that Zinabiyat, a women’s military group established by Houthis, “are accused of brutal acts against women such as arbitrary arrest, looting, sexual assault, beating, torture, and facilitating rape in secret detention centers.”<sup>14</sup> Another women, Ms. M, stated that Zainabiyat kidnapped her in March 2019 and then subjected her to torture, beatings, electrocution, and rape in detention.<sup>15</sup>
10. Recent news reports outline substandard conditions for women incarcerated by Houthi forces in Yemen. According to the Associated Press, “[a]ctivists and former detainees described to The Associated Press a network of secret detention facilities where they are tortured and sometimes raped.”<sup>16</sup> In addition, there may be detained women who believe they are on death row even though claims have yet to be adjudicated. A recently imprisoned woman reported that shortly after she was detained, and before any legal proceedings occurred, she was taken “to the basement of a converted school, its filthy cells filled with female detainees. Interrogators beat her bloody, gave her electrical shocks and, as psychological torture, scheduled her execution only to call it off last-minute.”<sup>17</sup> This woman was not accused of murder: it is believed she was arrested because she expressed opposition to Houthi forces.

## **II. Yemeni authorities deny women access to justice in court proceedings (List of Issues paragraph 6)**

11. The Committee requested information on “[m]easures taken by the State party to ensure that women have access to legal aid and legal representation to claim their rights in court proceedings.”<sup>18</sup>

<sup>10</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>11</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>12</sup> *Young Yemeni woman on death row suffers the wrath of the Huthis’ ‘psychological war’ on opponents*, Amnesty International, Apr. 13, 2018, <https://www.amnesty.org/en/latest/news/2018/04/young-yemeni-woman-on-death-row-suffers-the-wrath-of-the-huthis-psychological-war-on-opponents/>.

<sup>13</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>14</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>15</sup> Mohammed Alragawi, *Yemen: Women captives recall ordeal in Houthi prisons*, Anadolu Agency, 23 Feb. 2021, <https://www.aa.com.tr/en/middle-east/yemen-women-captives-recall-ordeal-in-houthi-prisons/2153806>

<sup>16</sup> Associated Press, “Women who dare dissent targeted for abuse by Yemen’s rebels,” Accessed 9 Nov. 2020, <https://apnews.com/article/0ba4a955901572c1ce013a6045fba49a>.

<sup>17</sup> Associated Press, “Women who dare dissent targeted for abuse by Yemen’s rebels,” Accessed 9 Nov. 2020, <https://apnews.com/article/0ba4a955901572c1ce013a6045fba49a>.

<sup>18</sup> Committee on the Elimination of Discrimination Against Women, List of issues and questions in relation to the combined seventh and eighth periodic reports of Yemen, (March 11, 2020), U.N. Doc. CEDAW/C/YEM/Q/7-8/Rev.1, ¶ 6.

12. The State Party Response asserts that “[t]he judiciary is one of the main mechanisms for protection and defending human rights,”<sup>19</sup> and that “[f]ree legal aid is provided to women and children in coordination with civil society organizations.”<sup>20</sup> It further states that “[t]he Ministry of Justice has a specialized unit that provides legal and judicial aid to victims and women in distress who cannot afford the legal fees.”<sup>21</sup>
13. The State Party’s response does not appear to reflect the reality faced by women charged with death-eligible offenses, particularly when those charges arise within the context of gender-based violence. Because of significant internal conflict in Yemen, it is difficult to obtain accurate current information about women sentenced to death or the legal proceedings that result in their death sentences. In Yemen a murder conviction results in a mandatory death sentence (unless the victim’s family pardons the offender or accepts payment of blood money).<sup>22</sup> In 2012, Yemen’s Interior Ministry reported that of 50 women arrested for killing their husbands, most of those murders had been motivated by domestic violence and gender inequality. It is unknown how many of those 50 women were ultimately sentenced to death or executed.<sup>23</sup>
14. According to the Cornell Center on the Death Penalty Worldwide, “[m]ost women have been sentenced to death for the crime of murder, often in relation to the killing of family members in a context of gender-based violence.” The report noted that “[i]n mandatory death penalty jurisdictions,” such as Yemen, “a woman’s prior history as a survivor of physical or sexual abuse is simply irrelevant, since the death penalty is automatically imposed for death-eligible offenses without consideration of the offender’s background or the circumstances of the crime.”<sup>24</sup>
15. A person from the UN Population Fund who visited a Yemeni women’s prison in 2017 spoke with two women, both of whom had been sentenced to death for offenses related to gender-based violence. One had been sentenced to death for killing a man who had tried to rape her while her husband was away. The other had been sentenced to death for killing her husband in what the woman said was a “mistake.” Both women were ultimately able to gather donations to pay “blood money” to secure their release.<sup>25</sup>

---

<sup>19</sup> Committee on the Elimination of Discrimination against Women, *Replies of Yemen to the list of issues and question in relation to its combined seventh and eighth periodic reports*, (August 19, 2020), U.N. Doc. CEDAW/C/YEM/RQ/7-8, ¶ 25.

<sup>20</sup> Committee on the Elimination of Discrimination against Women, *Replies of Yemen to the list of issues and question in relation to its combined seventh and eighth periodic reports*, (August 19, 2020), U.N. Doc. CEDAW/C/YEM/RQ/7-8, ¶ 28.

<sup>21</sup> Committee on the Elimination of Discrimination against Women, *Replies of Yemen to the list of issues and question in relation to its combined seventh and eighth periodic reports*, (August 19, 2020), U.N. Doc. CEDAW/C/YEM/RQ/7-8, ¶ 29.

<sup>22</sup> Republican Decree for Law Concerning Crimes and Penalties [YEM] arts. 13, 234, 235.

<sup>23</sup> The Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, (Cornell Law School, 2018), 11. Available online at <http://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>24</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 4, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>25</sup> Odharnait Ansbro, *Behind Bars in a Civil War: The Women of Yemen’s Prisons*, New Humanitarian, Sept. 6, 2017, <https://deeply.thenewhumanitarian.org/womenandgirls/articles/2017/09/06/behind-bars-in-a-civil-war-the-women-of-yemens-prisons>.

16. These two women were fortunate to escape Yemen’s mandatory death penalty for murder by securing blood money. As the Cornell Center on the Death Penalty Worldwide observes, “[l]ack of economic resources . . . makes it practically impossible for many women to compensate the victim’s family in legal systems where financial restitution can lead to a reduction in their sentence.”<sup>26</sup>
17. Women charged with death-eligible crimes such as murder, particularly in cases arising in a context of domestic violence, “suffer from gender discrimination on multiple levels.” As the Cornell Center on the Death Penalty Worldwide explains, “evidence of abuse is difficult to gather.” Further, “[e]ven if evidence of domestic violence is presented to the court, women face substantial barriers in convincing a court that they acted in self-defense.” Courts very rarely treat domestic abuse as a mitigating factor during sentencing,<sup>27</sup> and in Yemen’s legal system, the mandatory death penalty precludes them from doing so.
18. Ms. P is from India and she was denied legal aid and subsequently convicted of killing a Yemeni man who held himself out as her husband in order to claim ownership over a health clinic she started. She explained that after the man presented an altered photo purporting to show their wedding, she reported his actions at the police station in Sanaa and was arrested for raising the complaint. The man was also arrested. Authorities detained her for 16 days, and they released both parties after the man presented authorities with a forged marriage certificate.<sup>28</sup>
19. After the arrest, the man confiscated Priya’s passport and began subjecting her to physical abuse. He forced her to live with him and brought friends to the house, forcing her to perform sexual acts. He confiscated her SIM cards to prevent her from calling relatives in India.
20. Ms. P states that she did not receive any legal aid in her trial court proceedings, and she attributes the death sentence to her lack of legal representation.<sup>29</sup> The Cornell Center on the Death Penalty Worldwide confirms that her situation is not unique: “women frequently lack money or property of their own, which impedes their ability to retain qualified counsel.”<sup>30</sup> She states that the appellate court assigned her an attorney, but the attorney was a junior advocate who did not offer appropriate representation. That attorney was not authorized to represent her before the apex court for further proceedings.<sup>31</sup> Indian authorities ultimately intervened to

---

<sup>26</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 8, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>27</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 11-12, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>28</sup> The News Minute, "He tortured me for 2 yrs: Indian woman on death row for murder in Yemen seeks help," Accessed 9 Nov. 2020, <https://www.thenewsminute.com/article/he-tortured-me-2-yrs-indian-woman-death-row-murder-yemen-seeks-help-131574>.

<sup>29</sup> The News Minute, "He tortured me for 2 yrs: Indian woman on death row for murder in Yemen seeks help," Accessed 9 Nov. 2020, <https://www.thenewsminute.com/article/he-tortured-me-2-yrs-indian-woman-death-row-murder-yemen-seeks-help-131574>.

<sup>30</sup> *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 8, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

<sup>31</sup> The News Minute, "He tortured me for 2 yrs: Indian woman on death row for murder in Yemen seeks help," Accessed 9 Nov. 2020, <https://www.thenewsminute.com/article/he-tortured-me-2-yrs-indian-woman-death-row-murder-yemen-seeks-help-131574>.

appoint a lawyer, but the lawyer was not able to travel to Yemen due to COVID-19 restrictions.<sup>32</sup>

21. The appellate court upheld her death sentence, but on August 30, 2020, the apex court stayed her execution. The Indian government has intervened on her behalf, and unnamed organizations are reported to be willing to pay blood money to the victim's family.<sup>33</sup> On October 25, 2020, it was reported that Indian embassy officials visited Ms. P. and were working on an out-of-court settlement with the victim's family.<sup>34</sup>
22. Aside from Ms. P's case, it is difficult to determine whether any other women have been sentenced to death or have been executed recently. Amnesty International's most recent figures show an increase in death sentences from 55 in 2019 to at least 269 in 2020, but those figures are not disaggregated by sex or gender.<sup>35</sup>

### **III. Women in Houthi-controlled detention facilities face worsening human rights violations (List of Issues paragraph 22)**

23. The Committee requested disaggregated data "on the numbers of women and girls in detention, the grounds on which they have been deprived of liberty and the sentences imposed on them." The Committee also requested information on mechanisms to detect gender-based violence in detention facilities, including torture, and on measures to hold perpetrators accountable. The Committee also inquired whether detention facilities for women and girls are in line with the Bangkok Rules.<sup>36</sup>
24. The State Party Response provides little information regarding women and the death penalty or, even more generally, the detention of women. Section XIV of the State Party Response addresses "prisons"; however, the response contains neither the requested statistical data nor the requested information regarding condition of facilities in which Yemen detains any such women.<sup>37</sup>
25. As discussed in greater detail in paragraphs 9 and 10 above, detention conditions for women in Houthi-controlled areas of Yemen have deteriorated.

---

<sup>32</sup> The News Minute, "He tortured me for 2 yrs: Indian woman on death row for murder in Yemen seeks help," Accessed 9 Nov. 2020, <https://www.thenewsminute.com/article/he-tortured-me-2-yrs-indian-woman-death-row-murder-yemen-seeks-help-131574>.

<sup>33</sup> The Week, "Yemen court stays death penalty for Indian nurse convicted of killing husband," Accessed 9 Nov. 2020, <https://www.theweek.in/news/world/2020/08/30/yemen-court-stays-death-penalty-for-indian-nurse-convicted-of-killing-husband.html>.

<sup>34</sup> Mathrubhumi, "Indian Embassy officials hold discussion with Nimisha Priya; to meet Yemen man's family," Accessed 9 Nov. 2020, <https://english.mathrubhumi.com/news/nri/indian-embassy-officials-hold-discussion-with-nimisha-priya-to-meet-yemen-man-s-family-1.5155488>.

<sup>35</sup> *Death Sentences and Executions 2020*, Amnesty International (2021), at 13, <https://www.amnesty.org/en/documents/act50/3760/2021/en/>.

<sup>36</sup> Committee on the Elimination of Discrimination Against Women, List of issues and questions in relation to the combined seventh and eighth periodic reports of Yemen, (March 11, 2020), U.N. Doc. CEDAW/C/YEM/Q/7-8/Rev.1, ¶ 22.

<sup>37</sup> Committee on the Elimination of Discrimination against Women, *Replies of Yemen to the list of issues and question in relation to its combined seventh and eighth periodic reports*, (August 19, 2020), U.N. Doc. CEDAW/C/YEM/RQ/7-8, ¶¶ 80-83.

#### IV. Suggested recommendations

26. This report offers the following recommendations<sup>38</sup> for Yemeni authorities:

- Take concrete measures to hold non-state actors accountable for human rights violations committed against women and offer effective remedies to victims of those human rights violations.
- Immediately vacate any death sentences issued by non-state actors and ensure that no woman is executed on the basis of any legal proceedings carried out by non-state actors.
- When negotiating with non-state actors for exchanges of prisoners, prioritize women who have been sentenced to death by non-state actors.
- Abolish the death penalty and replace it with a penalty that is fair, proportionate, and consistent with international human rights standards.
- In the interim, eliminate the death penalty as a possible sentence for offenses that do not involve an intentional killing committed by the person being sentenced.
- In the interim, eliminate the mandatory death penalty and provide all judges with sentencing authority with comprehensive gender-sensitization training, including with respect to women and girls in conflict with the law who have experienced gender-based violence, focusing on gender-based discrimination, domestic violence, and tactics of coercive control that may lead women to commit death-eligible offenses.
- Implement legislative reforms to prevent the application of the death penalty when women and girls who have experienced gender-based violence, including early and forced marriage as well as rape and sexual assault, act against their abusers.
- Ensure that all women accused of capital crimes have access to free and effective legal representation by attorneys who specialize in capital representation.
- Provide financial resources in cases involving indigent women so that they can participate on an equal basis in restitution practices, such as the payment of blood money, that may result in forgiveness from victims' families or mitigated sentencing.
- Guarantee access to consular assistance for non-Yemenis charged with death-eligible offenses, as required by the Vienna Convention on Consular Relations.
- Commute the sentences of women sentenced to death for killing close family members who perpetrated gender-based violence against them.
- Commute the sentences of every woman sentenced to death for an offense that does not involve an intentional killing committed by the woman.

---

<sup>38</sup> Some of these recommendations are borrowed or adapted from *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty*, Cornell Center on the Death Penalty Worldwide, Sept. 2018, at 35, <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

- Ensure that all prison authorities adopt gender-sensitive policies in relation to women's detention, based on the Bangkok Rules and the Nelson Mandela Rules, ensuring women's safety and security pre-trial, during admission to any detention facility, and while incarcerated.
- Provide and publish transparent information on the number of women sentenced to death or on death row, disaggregated by age, age of dependent children (if any), nationality, ethnic group, crimes of conviction, date of conviction, and date of execution (if applicable), to facilitate analysis of the demographics of women on death row.
- Ensure that any woman or girl who has experienced gender-based violence while in detention receives timely, gender-sensitive and trauma-informed medical care, including psychological care.