

EXTERNAL - FOR RESPONSE ONLY

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UNITED ARAB EMIRATES: AMNESTY INTERNATIONAL IS CONCERNED ABOUT THE CAPITAL SENTENCE IMPOSED ON SARAH BALABAGAN, A FILIPINO MAID

Amnesty International is concerned about the death sentence imposed on Sarah Balabagan, a Filipino worker in the United Arab Emirates (UAE), on 15 September 1995. This sentence comes following a retrial by a court of first instance in the al-Ain city in the Emirate of Abu Dhabi.

Sarah Balabagan was found guilty of premeditated murder against her employer, Almas Mohammed al-Baloushi. She pleaded before the court that she stabbed him to death because he raped her. Her defence lawyer argued for her acquittal on the basis of self defence, but the court was not satisfied by his plea.

During a previous trial on the same charge, which was concluded on 26 June 1995, a different court ruled that she was both guilty of manslaughter and a victim of rape. It accordingly sentenced her to seven years' imprisonment and ordered her to pay 150,000 dirhams (\$40,000) blood money to relatives of the deceased. In addition, the court awarded the defendant 100,000 dirhams (\$27,000) compensation for rape.

This verdict was open to appeal before the appeal court in al-Ain and subsequently before the Supreme Federal Court of Cassation in Abu Dhabi. However, the President of the UAE, Sheikh Zayed Bin Sultan al-Nahayan, reportedly ordered a retrial of the case before appeal. Amnesty International does not know the exact reasons for the retrial order by the President.

The retrial verdict is subject to appeal before the Appeal Court in al-Ain. Sarah Balabagan's lawyers have 15 days from the date of the verdict, 16 September 1995, to lodge their appeal. As of the date of writing the lawyers are understood to be in the process of preparing their appeal case. Depending on the outcome of the appeal hearing the parties concerned will have the opportunity to lodge another appeal before the Supreme Federal Court of Cassation within a month from the date of the verdict of the appeal court. If the death sentence is upheld by both courts of appeal it will have to be ratified by the President of the UAE before it becomes final and execution imminent.

Amnesty International is concerned about the death sentence against Sarah Balabagan and has sent early appeals to the UAE President urging him to exercise clemency and commute this punishment should it be upheld by the appeal courts. The organization is closely monitoring the case and will take appropriate actions, as it always does in death penalty cases anywhere in the world, to urge the UAE government to prevent the execution of Sarah Balabagan.

Amnesty International is also seeking information regarding conflicting accounts of Sarah Balabagan's age at the time of the sentencing.

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