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Human rights situations that require the Council's attention

Written statement* submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Yemen: Human rights violations during pro-democracy protests**

The Cairo Institute for Human Rights Studies (CIHRS), the Sisters' Arab Forum for Human Rights in Yemen (SAF), the Yemeni Organization for Defending Human Rights and Democratic Freedoms, and the Hewan Foundation for Democratic Development, would like to express their grave concern over the ongoing repression of largely non-violent anti-government demonstrations calling for the end of the 32-year rule of President Ali Abdullah Saleh in the Republic of Yemen. In attempting to quell the growing protests that started on 16 February, 2011 in 17 different governorates, Yemeni authorities are committing what amounts to international crimes against peaceful pro-democracy protesters. Violations documented include extrajudicial killings, arbitrary arrests and enforced disappearances, excessive use of force by police and military forces and government-led thugs, detention of prominent political and human rights activists, torture, prevention of access to health care, and severe restrictions on the media.

1. The Yemeni authorities have directly and deliberately used live ammunition and excessive force with the intention of killing peaceful protesters since the beginning of the protests on 16 February. As of 11 May, the number of confirmed deaths related to the anti-government protests in Yemen had reached 145, 16 of whom were children, yet the actual number is feared to be considerably higher. Local and international human rights organizations report that such cases of extrajudicial killings are mostly executed by Central Security, commanded by President Saleh's nephew; the Military Republican Guards, commanded by Saleh's son; Military Police forces; in addition to government-led thugs, who are deployed by authorities to attack protesters with the intention of dispersing and halting demonstrations.

With over 60 protests and demonstrations estimated to have taken place since late January 2011, killings of peaceful protesters is becoming an almost daily practice in Yemen with no accountability or any attempt by the Yemeni ruling authorities to halt such practices. 18 March marked the day with the highest number of protester deaths to date. Just hours before President Ali Abdullah Saleh announced the State of Emergency, government-led gunmen attacked anti-government protestors in Sana'a, killing at least 52 people and wounding hundreds more.

It is important to note that the emergency legislation, which was approved by parliament on March 23, effectively suspends provisions of the Yemeni constitution and grants sweeping powers to the executive to impose heavy restrictions on public assembly, which may be used to ban street protests, and to arrest and detain suspects without being bound by the Criminal Procedure Law. Under the emergency law, the executive also has the power to suspend, seize, and confiscate "all media... and means of expression."

As of 11 May, the capital Sana'a had seen the highest number of protester deaths with at least 80 documented killings, followed by 26 in Aden, 23 in Ta'iz, 5 in Al-Hudaida, 4 in Ab, 2 in Omran, 2 in AlGuf, 2 in AlBaidaa, and 1 in Hadr Mawt. As of 5 May, the Yemeni Organization for Defending Human Rights and Democratic Freedoms had documented 52 cases of extrajudicial killings in the South of Yemen in addition to 323 protesters who sustained various injuries following attacks by security forces and government-backed thugs.

** Sisters' Arab Forum for Human Rights in Yemen (SAF), the Yemeni Organization for Defending Human Rights and Democratic Freedoms, and the Hewan Foundation for Democratic Development, NGOs without consultative status, also share the views expressed in this statement.

2. Additionally, Yemeni authorities have arrested hundreds of protestors, activists, and journalists, in an attempt to subdue the momentum of the anti-government demonstrations across the country. Several of those detained have been held at the Criminal Investigation Department, and there are significant reasons to believe that many are being subjected to torture and other ill-treatment. Many of the detainees are held incommunicado in unknown locations without clear charges brought against them.

Authorities have particularly targeted human rights defenders and political opponents, most notably from the Southern movement, who are subjected to arbitrary arrest, enforced disappearances, and other forms of repression. Starting as early as 22 January, 'Ali al-Dailami, Executive Director of the Yemeni Organization for Defending Rights and Democratic Freedoms, and Tawakkol Karman, President of Women Journalists Without Chains, were briefly arrested along with dozens of other protestors for taking part in an "unlicensed" protest. On 20 February, Hassan Baoum, a prominent political opponent and member of the Southern movement, was arbitrarily detained along with his son and 8 other activists from the Southern movement. The activists remain in incommunicado detention and their wellbeing is in danger, particularly in the case of 76-year-old Baoum, who was arrested while being treated in hospital. Such arrests continue until today. Additionally, several prominent human rights defenders and political opponents were subjected to various forms of intimidation by authorities, including death threats in some cases. Amal Al-Basha, Yasmine Al Sabri, Abdurashid Al-Faqih, Gazi Al-Samei, Samya Al-Agbari, Maged Al-Mazhagi, and Mohamed Salem Basonda, are among those who faced direct threats for their participation in the protests and/or for documenting the violations.

3. The Yemeni government, aided by the newly deployed state of emergency, has become increasingly intolerant of independent media coverage of the on-going protests in Yemen and has cracked down severely on dissenting voices. On 18 March, photojournalist Jamaal al-Sharaabi of the independent weekly Al-Masdar was shot dead while covering a protest. Furthermore, Yemeni authorities have arrested, assaulted, and beaten local and international journalists, and pro-government thugs have targeted media workers to beat them or confiscate their equipment.

As early as 26 February, there were already 31 documented cases of international and Yemeni journalists who had been beaten or harassed by Yemeni security forces or pro-government attackers, including correspondents from al-Arabiya and al-Jazeera satellite television channels; Al-Quds al-Arabi and the Guardian newspapers; and news agencies including BBC, The Associated Press, Reuters, and Agence France-Presse. As of 18 March, the Yemeni Journalists Syndicate had documented over 50 different attacks against journalists. Additionally, on 19 March, Yemeni authorities deported two news correspondents from al-Jazeera, and on 23 March, Yemeni authorities shut down al-Jazeera television news channel operations in Yemen, closing the bureau (after raiding and destroying the office) and withdrawing press accreditation from the Yemen-based staff. Online news websites were also banned, including Bern-based Swissinfo, Yemen's Marib Press, Masdar online, and "Erhal" blog. In the south, media access to protest areas is especially restricted. For example, in Yakla, Yafea, and Abeen, reporters and media workers are entirely prevented from entering the areas. Moreover, independent newspapers have been targeted, including al-Nedaa, al-Sharea, al- Oula, al-Shahed, al-Yaqeen, al-Masdar, al-Ahaly, al-Nas, and al-Tagamoa, all of which were confiscated on different occasions due to their reporting on the uprisings.

4. Another disturbing feature of the government response has been the prohibition of wounded protestors from access to medical care, resulting in further deaths. At least 12 cases of ambulances denied access to the wounded were documented in Sanaa alone. In addition, ambulances and medical workers have been targeted; at least three ambulances sent to aid protestors were attacked, while another three were hijacked by pro-

government attackers. Additionally, at least one hospital has denied care to individuals wounded in the anti-government protests, while Yemeni security forces have also blocked access to hospitals. Also alarming are the recurring transfers of patients being treated for protest-related wounds against their will and arrests from various hospitals and clinics. Four female doctors were also arrested by security forces on 15 March as they were on their way to tend to the wounded at a field hospital in Sana'a; they were later released following announcements that demonstrators would march to the presidential palace if they were not released.

The situation in Yemen requires an immediate and effective intervention by the international community. Indeed, the violations currently being committed by President Saleh's government are partially a result of years of silence and complicity on the part of the international community regarding grave human rights abuses systematically committed against the Yemeni people. It is time for the Human Rights Council member states to demonstrate leadership and impartiality in dealing with the situation unfolding in Yemen.

We therefore request that an urgent debate of the UN Human Rights Council be convened, without delay, to address the ongoing violations in Yemen and to introduce ways to ensure an immediate end to the human rights crisis facing a population and its aspirations for democracy and the rule of law. Moreover, an independent international investigation commission should be formed as an outcome of this debate in order to ensure justice for the victims. Furthermore, if the committee proves that crimes against humanity were systematic and widespread, it should recommend the UN Security Council to refer the situation in Yemen to the International Criminal Court. We further call on all states to refrain from sending arms to Yemeni authorities.
