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**Promotion and protection of all human rights,
civil, political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Cairo Institute for Human Rights Studies, 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.

[15 February 2010]

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

Terrorism and Human Rights in Yemen

The Cairo Institute for Human Rights Studies would like to express its concern for the terrible deterioration of the human rights situation in Yemen.

Policies adopted by the state to reinforce the monopolization of power and wealth in the country have threatened to tear apart what remains of the central state structure. These policies have exacerbated corruption, poverty, and unemployment. Moreover, the authorities' attempts to maintain absolute control of the country and to end forms of political and social opposition have prompted them to give priority to security-centered solutions.¹ Military confrontations have escalated, platforms for peaceful expression have been closed, and channels for constructive dialogue among social and political actors to discuss serious challenges facing the country have been blocked. Given this, the current consequences for Yemen are undeniable; the armed rebellion in the north is in its seventh year, and the long-peaceful social and political protest movements in the south are gradually adopting violent methods. Many in the south are now putting aside their demands for an end to marginalization and discrimination in favor of secession from the state they freely chose to join in 1990.

Another consequence of the above mentioned policies is that Yemen has become a regional foothold for al-Qaeda in the Arabian Peninsula, which constitutes an imminent threat to the region, and a potential threat to Western countries and their interests. As such, the international community is currently examining appropriate means and strategies of cooperation to confront the dangers of terrorist activity, which have found in Yemen a fertile ground. However, while we understand the legitimate motives of members of the international community for prioritizing security operations, we are concerned that the focus on these operations will distract from tackling the factors that helped foster violence and escalate the threat of terrorism, such as the repressive policies adopted by the Yemeni government against a broad segment of its population.

The following are instances of serious manifestations of violations of basic rights and freedoms perpetrated by the State:

- The increasing uses of excessive force by the security apparatus to repress peaceful social protest in the south. In 2007 and 2008, 15 citizens were killed and 126 injured as a result of this repression, and nearly 1,300 were arrested; Whilst, in the first nine months of 2009 alone, at least 45 people were killed, 109 injured, and more than 1,500 arrested.
- Violating the law in the persecution of political opponents, independent journalists, and human rights defenders. This is done through the routine use of arbitrary arrest, abduction, and the disappearance of detainees for months at a time, during which they are subjected to solitary confinement and brutal torture before being brought before the court for falsified charges of terrorism and sedition.²

¹ Cairo Institute for Human Rights Studies (CIHRS) Annual Report for 2009 entitled "Bastion of Impunity, Mirage of Reform." Available at <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

² "Detention in Isolation from the Outside World: Fear of Torture and Other Ill-treatment," Amnesty International, June 30, 2009. Available at <http://www.amnesty.org/ar/library/asset/MDE31/006/2009/ar/6d33c719-eaec-41c9-bfe5-47c19a418f6b/mde310062009ara.pdf>

- A prominent case is that of rights advocate Yasser Abd al-Wahhab al-Wazir, member of the Yemeni Organization for the Defense of Rights and Democratic Freedoms, who was recently sentenced to eight years in prison by an exceptional criminal court that lacks minimum guarantees for due process and fair trial. Yasser al-Wazir was abducted eight months ago and his whereabouts were unknown for more than three months.³ Reports indicate that he was tortured during this period. He was detained without charge until three months ago when the authorities referred him to trial on charges of forming an armed organization.
- Another example is journalist Mohammed al-Maqalih, member of the consultative body of the Yemeni Observatory for Human Rights. He was kidnapped in September 2009, and for several months thereafter the authorities refused to reveal his whereabouts. During this time he was beaten and endured physical and psychological torture, including more than one mock execution. He was later referred to trial on charges of joining a Houthi militia.⁴

Furthermore, authorities use collective punishment against the population of the Saada province in their attempt to contain the Houthi armed rebellion. Defenseless civilians, most of them members of the Zaidi sect, have been subjected to aerial strikes, and humanitarian agencies have been prevented from entering the province. As a result, hundreds of civilians have died and thousands have been forced to flee their homes to inaccessible mountainous areas, where they face hunger and sickness.⁵

The government has also exploited tribal formations in its conflict with the Houthis; it has urged some Salafi jihadi groups to support its military operations in the region, giving the conflict a sectarian dimension. Although it is now seeking the support of the international community in its so-called “war on terrorism,” the Yemeni authorities sponsored and deployed Arabs returning from Afghanistan during the 1994 civil war against its enemies in the south.⁶

Last year the Yemeni authorities targeted independent press and journalists. In addition to the routine harassment and abduction of some journalists, at least ten independent newspapers have been seized or banned on various occasions. The security apparatus raided the offices of the independent al-Ayyam, killing one of the office guards during the raid. In some cases, trucks carrying newspapers have been impounded or torched, and journalists are increasingly becoming targets of unfair trials in an exceptional court created specifically for journalists. Imprisonment penalties are increasingly applied in press and publication cases, as well as supplementary punishments, including temporary or permanent bans on journalists practicing their profession.⁷

The Cairo Institute for Human Rights Studies and the Yemeni Organization for Defending Rights and Democratic Freedom call on the Yemeni Government and the international community to:

³ Ibid.

⁴ Press Release by the Yemeni Observatory for Human Rights, February 9, 2009. Available at <http://www.anhri.net/yemen/makal/2010/pr0209.shtml>

⁵ Cairo Institute for Human Rights Studies (CIHRS) Annual Report for 2009 entitled “Bastion of Impunity, Mirage of Reform.” Available at <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

⁶ Ibid.

⁷ Cairo Institute for Human Rights Studies (CIHRS) Annual Report for 2009 entitled “Bastion of Impunity, Mirage of Reform.” Available at <http://www.cihrs.org/Images/ArticleFiles/Original/485.pdf>

- Stress that confronting the threat of terrorism in Yemen requires prioritizing a more comprehensive approach to solving the various policies and practices that have made Yemen a country which fosters violence and attracts more supporters of extremism and terrorism.
- Call for a fair resolution of the situation in the south and an end to the injustices faced by its population since the 1994 civil war that marginalized southerners from the centers of wealth and power. This requires an end to the arrest, pursuit, and assassination of political figures in the south, the release of political prisoners, and the restoration of equal citizenship. The consequences of the civil war must be addressed through a comprehensive reconciliation based on the reinstatement and compensation of public servants who were fired or forced into early retirement; the restoration of plundered property to individuals, parties, and trade syndicates in the south; and the establishment of a system for the fair apportionment of wealth and oil revenues. Development strategies should be adopted that foster balanced development throughout the country.
- Comply with international humanitarian law in Saada, and respect the rights of the population to practice their religious rites as members of the Zaidi confession. Aid organizations and local and international human rights agencies must be allowed access to the province.
- Stop all forms of repression against human rights defenders and guarantee their right to assess conditions in prisons and detention centers.
- End the blatant disregard for law and human rights by the security apparatus and hold accountable those responsible for torture, arbitrary arrest, abduction, and extrajudicial killing.
- Stop the repression of all forms of peaceful expression and end the brutal attacks on journalistic freedom.
