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**Annual report of the United Nations High Commissioner
for Human Rights and Reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by 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.

[17 May 2010]

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

Reprisals against Human Rights Defenders in Yemen

The Cairo Institute for Human Rights Studies (CIHRS) is deeply concerned about the ongoing deterioration of the situation of Human Rights in Yemen and the escalation of attacks on human rights defenders, particularly when these attacks come as reprisals for engagement with UN Human Rights Mechanisms. The following is an example that highlights the harassment experienced by Yemeni human rights defenders that cooperate with UN mechanism.

The Sister Arab Forum for Human Rights (SAF), an independent Yemeni human rights NGO, submitted a shadow report to the Committee against Torture (CAT) and participated in the 43rd session of the Committee from the 3-4 November, 2009. Immediately after SAF's participation in the CAT and the issuing of the CAT Concluding Observations on Yemen, SAF and the organization's chairperson, Mrs. Amal Al-Basha, began to be subjected to various serious incidents of harassment by the Yemeni authorities.

The SAF shadow report was submitted to the CAT on October 12, 2009, in collaboration with other Yemeni human rights organizations.¹ It provided detailed descriptions of the human rights violations practiced by Yemeni authorities and contained a wide range of cases reflecting the government's grave violation of the Convention against Torture. Due in part to the information contained in the report, the Committee adopted firm recommendations in its provisional Concluding Observations, calling on the Yemeni authorities to enact necessary legal and practical measures to prohibit torture, punish its perpetrators, and reform prisons.²

Furthermore, an NGO delegation of three Yemeni human rights defenders traveled to Geneva to participate in the review of Yemen at the CAT. Their engagement with the UN included participating in the CAT briefing for NGOs and observing the review of Yemen at the CAT, at which the state failed to be present. The delegation also met with the mandates of the Special Rapporteurs on the Promotion and Protection of the Right to Freedom of Expression, the Situation on Human Rights Defenders, and Torture and Other Cruel Inhumane or Degrading Treatment or Punishment. Additionally, they met with different state mission to the UN to discuss the deteriorating human rights situation in Yemen.

As a result of these activities, SAF has faced numerous incidents of harassment, as an effort by the government to threaten and deter human rights defenders in order to prevent their participation in future international activities. These attacks occurred despite a recommendation in the provisional Concluding Observations on Yemen after the session that SAF participated in, which specifically stated that "the State party should take all necessary steps to ensure that all persons, including those monitoring human rights, are protected from intimidation or violence as a result of their activities and exercise of human rights guarantees..."³

The week following the return of the SAF delegation from Geneva, Mrs. Al-Basha and the SAF were victims of the following incidents of harassments:

1. On November 17, 2009 the brakes of Mrs. Amal Al-Basha's car were deliberately sabotaged.

¹ The report was prepared in coordination with the Cairo Institute for Human Rights Studies (CIHRS), the International Federation for Human Rights (FIDH), and Human Rights Watch (HRW), available on: http://www2.ohchr.org/english/bodies/cat/docs/ngos/SAF_Yemen43.pdf.

² CAT/C/YEM/CO/2, Provisional Concluding Observations of the 43rd session of the CAT on Yemen, available on: <http://www2.ohchr.org/english/bodies/cat/cats43.htm>.

³ Ibid., p. 8.

2. A few days later, on November 20-21 2009, Mrs. Al-Basha received over 50 anonymous phone calls. During one such phone call, the caller informed her that he worked for the investigation department, and used an intimidating tone.

3. Mrs. Al-Basha was attacked on her way out from the Criminal Court, after attending the trial of political activists in South Yemen. Moreover, unidentified individuals terrorized her by spraying a liquid on her face. This was done to imitate the practice, similar to that practiced by some Islamic extremists, of using burning chemical fluids on the faces of women to disfigure and cause blindness.

4. On November 22, 2009, the SAF office was raided. The office windows were smashed and the archives and files searched. However, nothing was reported stolen. The SAF reported the incident to the police and an investigation was opened, but was not resumed, nor was an adequate outcome produced.

It is widely suspected that these patterns of attacks are affiliated with the Yemeni National Security Agency. These attacks are carried out in an effort to silence human rights defenders and prevent them from directing their pleas and petitions internationally. CIHRS is deeply concerned that such reprisals might restrict the sphere of activity of Yemeni human rights defenders and limit their ability to work with UN Human Rights mechanisms to improve the dire situation of human rights in the country.

Therefore, CIHRS urges the government of Yemen, and the members of the Human Rights Council and all UN member states to call on Yemen, to:

1. End all attacks on human rights defenders and put an end to all reprisals against human rights defenders that engage with international human rights mechanisms.
2. Complete thorough investigations into cases of attacks on human rights defenders.
3. Respond to the letter sent by the Chairperson of the CAT on 3 December 2009, which draws the attention of the State party to the issue of harassment against SAF.⁴
4. Comply with their commitments under the “Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms” (Declaration on Human Rights Defenders), which grants human rights defenders the right to seek the protection and realization of human rights at both the national and international levels; and, comply with the numerous HRC resolutions on the rights and protection of Human Rights Defenders.

⁴ CAT/C/YEM/CO/2, Concluding Observations of the 44th session of the CAT on Yemen, p. 16, available on: <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.YEM.CO.2.pdf>.