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GENERAL ASSEMBLY
Forty-fifth session
Items 12, 92, 103 and 113 of the
preliminary list*
REPORT OF THE ECONOMIC AND SOCIAL COUNCIL
EFFECTIVE IMPLEMENTATION OF UNITED
NATIONS INSTRUMENTS ON HUMAN RIGHTS
AND EFFECTIVE FUNCTIONING OF BODIES
ESTABLISHED PURSUANT TO SUCH
INSTRUMENTS
CRIME PREVENTION AND CRIMINAL JUSTICE
ENHANCING THE EFFECTIVENESS OF THE
PRINCIPLE OF PERIODIC AND GENUINE
ELECTIONS

SECURITY COUNCIL
Forty-fifth year

Letter dated 9 May 1990 from the Chargé d'affaires a.i. of the
Permanent Mission of Israel to the United Nations addressed to
the Secretary-General

I have been instructed by my Government to draw your attention to the attached extract from Country Reports on Human Rights Practices For 1989, published by the Department of State of the United States of America, which contains information on the situation concerning human rights in Democratic Yemen. I have underlined passages of special relevance.

In view of the importance of this information, I have the honour to request that the present letter and the attached extract be issued as an official document of the General Assembly, under items 12, 92, 103, and 113 of the preliminary list, and of the Security Council.

(Signed) Ephraim DOWEK
Ambassador
Deputy Permanent Representative
and Chargé d'affaires a.i.

* A/45/50.

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PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN

The People's Democratic Republic of Yemen (PDRY) is one-party state governed by the avowedly Marxist Yemeni Socialist Party (YSP). President Haidar Abu Bakr al-Attas came to power in January 1986, following the violent overthrow of President Ali Nasir Muhammad al-Hasani, who continues to live in exile in the Yemen Arab Republic (YAR). The current regime has purged the Government and YSP of Ali Nasir supporters. The efforts of the YSP to establish a Marxist-Leninist state along Soviet administrative lines have overwhelmed some traditional social and cultural values. An estimated 25 percent of the population has departed the PDRY, mostly to the YAR, since the country gained independence from Great Britain in 1967. In 1989 the ruling party debated political and economic reforms that would more clearly distinguish between party and state, allow a degree of economic incentives to employers and employees, modify the legal system, streamline administrative structures, and permit multiple political parties. While meeting in Aden on November 30, 1989, YSP Secretary General al-Bidh and YAR President Salih ratified a 1981 draft constitution for a unified Yemeni state. The two leaders agreed to submit the constitution to the PDRY and YAR legislative authorities for ratification within 6 months and then to the Yemeni people for approval in a referendum during the following 6 months.

The Ministry for State Security is charged with overseeing internal security operations. The army, regional militias, and the police play subsidiary roles, but in some areas tribal authority effectively supersedes government rules and regulations.

Approximately 40 percent of the 2.3 million inhabitants work as farmers, and their crops account for about 12 percent of the gross national product. The economy remains hampered by severe shortages of basic consumer items and commodities. The Government continues to regulate most sectors of the economy and makes it difficult for even PDRY citizens to import capital. Small shops and service industries remain privately owned and operated. In 1989 the Government allowed limited private ownership of dwellings for the first time in many years. The Government also expressed interest in attracting Western investment and technology, particularly in the oil and mineral resources sector.

The human rights situation overall remains grim, with many rights, such as freedom of speech, association, and the press, sharply curtailed. Other problem areas are abuse of prisoners and detainees, arbitrary arrest and incommunicado detention, lack of fair trial, and inability of citizens to change their government. There appeared to be some modest improvements in 1989, continuing the trend observable over the past three years. Some PDRY citizens believe that the improvement--in particular, liberalized travel measures and a somewhat freer press--is the result of internal pressure on PDRY officials to follow the liberalizing trend in the Soviet Union and Eastern Europe. The regime issued an amnesty for all but the top Ali Nasir supporters with the proclaimed goal of promoting

*The United States maintains no diplomatic mission in the People's Democratic Republic of Yemen, which severed diplomatic relations with the United States in 1969. It is difficult, therefore, to comment authoritatively on conditions in that country.

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national reconciliation.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

The Ali Nasir exile movement's YAR-based newspaper and an affiliated human rights committee charged the PDRY with the politically motivated killing of several PDRY citizens, including military officers and government officials. The movement regularly accuses the PDRY of political killings, but there is no independent confirmation of these accusations.

b. Disappearance

There were continuing reports of disappearances. As in the past, some apparently were the result of tribal and factional infighting.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Amnesty International (AI) and the Arab Organization for Human Rights (AOHR) noted in their 1989 reports the deaths in custody of three persons under circumstances strongly suggesting ill-treatment had caused the deaths. The Ali Nasir exile movement and an affiliated committee frequently charge that torture is still practiced by PDRY security services. There is no independent confirmation of these charges.

d. Arbitrary Arrest, Detention, or Exile

Incommunicado detention and arbitrary arrests are common. A committee affiliated with the Ali Nasir exile movement identified 23 persons, including some exiles who had returned from North Yemen under a general amnesty first announced in March 1986, who were detained in 1989 without charges. There was no independent confirmation of this allegation. In its 1989 Report covering 1988, AI notes it repeatedly expressed concern about the detention without trial of suspected government opponents.

With regard to forced or compulsory labor, see Section 6.c.

e. Denial of Fair Public Trial

Many persons are believed to have been imprisoned without trial. Legal procedures for the protection of the accused are routinely ignored or manipulated as in the case of the 1987 show trials of former President Ali Nasir and his followers. The Ali Nasir exile movement charged the PDRY Government with conducting a show trial in 1989 of 14 persons charged with treason before the same judges who convicted and sentenced to death other Ali Nasir supporters in 1987. A committee affiliated with the movement further charged the Government with conducting a show trial of four pilots of Yemda, the national airline. There was no independent confirmation of either allegation.

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f. Arbitrary Interference with Privacy, Family Home, or Correspondence

National security is frequently cited as the justification for the pervasive invasion of personal privacy. PDRY security services routinely inspect mail, tap telephones, and arbitrarily search residences and businesses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Freedom of speech and press is severely restricted. The state-owned electronic media and party newspaper faithfully reflect government views and priorities. In 1989 the state-controlled press reportedly allowed more extensive debate and airing of opinions on draft party and government political and economic reforms. PDRY citizens visiting the YAR have commented that the press appears to be somewhat freer than in previous years.

b. Freedom of Peaceful Assembly and Association

No public or professional associations, except those sponsored by the State or party, are permitted to operate openly. Unauthorized gatherings are forbidden.

For a discussion of freedom of association as it applies to labor unions, see Section 6.a.

c. Freedom of Religion

The Constitution declares that Islam is the state religion and provides for freedom of religious expression. In practice, however, the Government attempts to minimize the influence of religious leaders, and some sermons for Friday prayer are reportedly provided by the Ministry of Religious Affairs. A small Christian community of Indian origin exists in Aden and is allowed to practice its religion.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

There are some restricted areas in the PDRY, but there were said to be fewer checkpoints on major roads and near the capital in 1989 than there were in 1988. The two Yemens implemented a new accord in 1988 which permits citizens of each country to enter the other by presenting only a national identification card. In November 1989 the PDRY revoked the requirement of obtaining prior police permission for South Yemenis wishing to travel to North Yemen. For the first time in their acrimonious relationship, the border between the two countries is basically open to all Yemenis. Many PDRY citizens have taken advantage of this accord to visit relatives and shop in the YAR. Approximately 60,000 South Yemenis have fled to the YAR since the January 1986 coup. In 1989 as many as 5,000 Ali Nasir exiles may have returned to the south under the general amnesty first announced in 1986 and reiterated several times since. However, counterbalancing this movement south across the YAR/PDRY border was the movement north of approximately 5,000 wives, children, and other relatives of Ali Nasir supporters who were in exile in the YAR.

Regulations governing travel to other countries reportedly

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have also been liberalized. The YSP Politburo approved in November 1989 the lifting of former requirements on foreign travel such as prior police permits, family letters of invitation, exit permits, and travel bonds. Whether other requirements remain is unknown.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The PDRY has no democratic institutions, and ordinary citizens do not have the ability peacefully to change their leaders or the system of government. Political parties, other than the YSP, are banned, and the YSP dominates politics. Other organizations, such as the military and, to a lesser extent, the National Democratic Front (NDF), also play prominent roles. The NDF consists largely of northern Yemenis who waged a guerrilla insurgency against the YAR until 1982; now it is one of several principal factions competing for influence in Aden. Alliances are often based on tribal or regional affiliations; natives of Aden are largely unrepresented in the senior ranks of the YSP.

The Constitution provides for universal suffrage for those over the age of 18, but only candidates approved by the YSP may run for election. An election reform law, reportedly allowing candidates independent of the YSP, self-nominated candidates, and multiple candidates was enacted in 1989. A number of independent candidates competed with YSP candidates in local council elections conducted in November under the new law. The ruling party also announced its agreement in principle to permit multiple political parties and instructed the YSP Politburo to draft a new political parties law. Overall, politics in the PDRY are characterized by violence and coercion. Leading members of the losing faction can often expect imprisonment, exile, or death.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Although AI, AOHR, and other human rights groups attempt to monitor the situation in the PDRY, they are not permitted to enter the country to pursue individual cases. An AI delegation did visit the PDRY in 1987, however, to observe a Supreme Court trial, and the delegation met with several senior government ministers during their visit to discuss some of the cases being followed by AI. In its 1989 Report, AI noted that the authorities had provided some information on cases of detention without trial and denied knowledge of others, and failed to confirm three deaths in custody or to explain the circumstances in which they occurred.

Section 5 Discrimination Based on Race, Sex, Religion, Language, or Social Status

The PDRY is a generally homogeneous society and there are few ethnic or linguistic differences. Political factions are based largely on tribal and regional affiliations. Equality of the sexes is mandated by law.

The postindependence government introduced legislation to emancipate Yemeni women. One 1974 law, modeled after the divorce law of Tunisia, restricted polygamy by requiring the official permission of the court for a second marriage, prohibited child marriages, and provided for a considerable

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degree of female protection, including equal rights in divorce. Despite this law, there are still frequent cases of polygamy, child marriage, and arbitrary divorce, especially in the more traditional, rural areas.

Violence against women, including wife beating, doubtless occurs, but there is no information available on its extent.

Section 6 Worker Rights

a. The Right of Association

There are no independent trade or labor organizations. The General Federation of Trade Unions (GFTU), the PDRY's only labor association, is under close YSP control. The GFTU is affiliated with the Communist-controlled World Federation of Trade Unions and with the International Confederation of Arab Trade Unions. The PDRY has ratified Convention 98 on the Right to Organize and Collective Bargaining and the ILO's two forced labor conventions, but not Convention 87 on Freedom of Association. It has been cited by the ILO as not having complied with its obligation to supply reports on ratified conventions in recent years. No information is available on the right to strike.

b. The Right to Organize and Bargain Collectively

The State, through the YSP-controlled unions, purports to represent the rights of workers. There is no collective bargaining, and there are no nongovernmental bodies which address labor grievances. A special export processing zone has been established at Maalla Wharf in the port of Aden. Few PDRY exports have been processed through this zone, however, since January 1986.

c. Prohibition of Forced or Compulsory Labor

There are no reports of forced or compulsory labor.

d. Minimum Age for Employment of Children

The labor code prohibits the employment of children (defined as between 7 and 12 years of age) and young persons (between 12 and 16 years of age). However, apprentice employment of young persons 14 years and older is permitted. Child labor is common but is more prevalent in rural areas than in cities, where children must compete with adults for scarce jobs. Child labor in rural areas is often in the context of work on family, cooperative, or state farms.

e. Acceptable Conditions of Work

There is some legislation regulating conditions of labor, but there is no mechanism for effective enforcement. Labor legislation is uniform throughout the PDRY but labor practice is not. For example, child labor is common in many rural areas, but not in Aden. Many, perhaps most, PDRY workers are farmers; the majority of these work in state-controlled collectives or associations, while the others, in more isolated rural areas, enjoy a greater degree of independence. The labor code stipulates a 42 hour workweek. Information on whether the labor code provides for a minimum wage is not available. The prevailing daily wage for unskilled labor is about \$10.