



# Human Rights and Democracy Report - Yemen

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Human rights violations in Yemen continued on a large-scale in 2014, including widespread conflict affecting civilians; the use of child soldiers; child marriage and discrimination against women; restrictions on the media; religious persecution; use of the death penalty; and serious delays in drafting the new constitution and preparing for elections. Yemen is not expected to achieve its Millennium Development Goals on poverty and hunger; gender equality; and maternal health by 2015, and is ranked 154 out of 187 countries in the 2013 UN Development Programme (UNDP) Human Development Index.

Regrettably, the political, security and humanitarian situations deteriorated in 2014, particularly in the second part of the year, which seriously impeded the government's and civil society's capacity to protect human rights. Key events included: fighting between Ansar Allah/the Houthis and pro-Islah/Salafi armed groups; the Houthi take-over of key government institutions and territory; continued assassinations and bomb attacks against civilian, political and security targets by Al-Qaeda in the Arabian Peninsula (AQAP) and other armed groups; and interference by the former President and members of his regime.

Some progress was made – the National Dialogue Conference (NDC) concluded in January 2014, and agreed a number of principles to build the capacity of the state to safeguard human rights, increase gender equality, and end child marriage. Laws on children's rights and human trafficking were drafted, and a government action plan to end the use of child soldiers was agreed. A draft National Human Rights Strategy was also developed.

The appointment of a new government in November, following the 21 September Peace and National Partnership Agreement, was a positive step, with many ministers having technocratic,

rather than primarily political, backgrounds. Institutional capacity, however, remained weak, reducing their ability to deliver timely reforms.

The UK continued its human rights work through lobbying, awareness raising and programme work on human rights priorities, including democracy and elections; access to justice and the rule of law; women's and children's rights; and protection of civilians. We lobbied the government during Yemen's Universal Periodic Review (UPR) in January, and sponsored the UN Human Rights Council (HRC) Resolution on technical assistance and capacity-building for Yemen in the field of human rights in September. The UK government Special Envoy to Yemen, Sir Alan Duncan, lobbied the government on human right issues during visits to Sana'a, and the UK Ambassador to Yemen published a series of blogs to raise awareness of human rights issues, including women's rights, corruption, conflict and the protection of civilians, and refugees, and raised these in her meetings with political parties.

We also funded a number of human rights projects: to date the Department for International Development (DFID) has contributed £10 million through multi-donor UN Trust Funds to provide operational and technical support to the NDC, constitution drafting process, and election preparations. The Foreign & Commonwealth Office (FCO) funded projects on gender and security, child marriage, and youth engagement.

As co-chair of the Friends of Yemen Group, the UK hosted and co-chaired the seventh ministerial meeting in London, and co-chaired the eighth meeting in New York. The group urged progress on the constitution drafting process, in line with the outcomes from the NDC, and roll-out of the new biometric voter registry, as well as establishing technical working groups to provide more targeted assistance to the Yemeni government in support of reforms.

Looking ahead to 2015, large-scale violations of human rights are expected to continue, including unlawful detentions; use of child soldiers, indiscriminate attacks on civilians, and extrajudicial killings. For human rights in Yemen to improve, the government needs to work in partnership with all political elements and civil society organisations to implement the recommendations made by the NDC, adhere to its obligations under international law, and influence the public's attitudes towards human rights. The NDC's recommendations need to be included in the new constitution, and relevant legislation – such as the Child Rights Law – should be enshrined into law. The constitutional referendum and national elections will hopefully put in place a legitimate and inclusive government that can build the political, security and judicial institutions needed to protect human rights in the long term.

The UK will continue to support the government and civil society to improve human rights. We will work through the HRC, the Embassy and Special Envoy to lobby and raise awareness on priority issues, and explore possibilities for new human rights projects. DFID will continue programmes to help address the drivers of conflict and poverty, the key causes of many human rights violations. DFID will also launch a new civil society programme to help citizens hold government to account for public services, and support excluded women and youth to participate in the political process.

## **Elections**

Political choice in Yemen continued to be limited. Progress on constitution drafting and election preparations was seriously delayed due to a lack of political consensus. The UK welcomed the first

draft of the new constitution, and urged all parties to agree to it, in line with the NDC recommendations.

We contributed £5.3 million to support multi-donor efforts to help the Supreme Commission for Election and Referenda (SCER) in its work to deliver the constitutional referendum and biometric voter registration, and £1 million to the Constitutional Drafting Committee (CDC). We also continued to play a key role, bilaterally and through the Group of Ten Ambassadors, in encouraging political progress, including through the Gulf Cooperation Council initiative, which led to elections. We also co-sponsored sanctions, under UN Security Council Resolution 2140, against former President Saleh and two Houthi military commanders for disrupting the political transition and inciting violence.

### **Freedom of Expression and Assembly**

Freedom of expression and assembly remained limited in 2014, with freedom of speech subject to government censorship, and incidents of violence towards journalists and media outlets. Reporters Without Borders ranked Yemen 167 out of 180 in its 2014 Press Freedom Index. The Freedom Foundation reported 359 violations against journalists and media outlets in 2014, ranging from verbal harassment, destruction and confiscation of equipment, unlawful detention and murder. The Freedom Foundation reported that the government and other armed groups were either complicit in the attacks, and/or failed to investigate cases.

The Al-Yemen Al-Youm TV and newspaper were raided and temporarily closed by government forces in June; the privately-owned Suhail TV station was ransacked, its broadcasting stopped and employees detained by the Houthis in September; and the state-owned TV compound in Sana'a was also shelled during the Houthi attack on Sana'a in September, and its equipment ransacked. Western journalists found it difficult to get visas for Yemen and the American journalist, Adam Baron, was deported in May. Abdul Rahman Hamid Al-Din from Sana'a radio was shot and killed in August, and American journalist Luke Somers was murdered by AQAP during an unsuccessful rescue attempt in December. Government forces also used lethal force during a Houthi demonstration in Sana'a in September which killed eight and injured at least 67.

The UK lobbied the Minister of Interior, and co-sponsored a statement by international Ambassadors in Sana'a in June, calling on the government and media bodies to agree a code of conduct to hold organisations to ethical standards. We urged the government to investigate violations against all journalists and media outlets, review cases of detention, and to pass the new draft law on Press and Publications. We also urged the government to investigate the killing of the Houthi protestors in Sana'a and to hold those responsible to account.

The UK welcomed the appointment of former Yemen Times editor, Nadia al-Sakkaf, as Minister of Information in November. Early meetings indicated more systematic, open and fair engagement with the media, including international journalists. Ms al-Sakkaf and her advisors, however, were subject to Houthi intimidation and threats, and Houthis also seized the state-run al-Thawra newspaper on 16 December.

### **Human Rights Defenders**

Yemenis experienced extrajudicial killings, disappearances, torture, and political imprisonments. The Houthis allegedly detained individuals in illegal detention centres in Sana'a and other northern governorates. In Al-Dhale and Amran governorates, government forces used excessive force against civilians causing a number of deaths. Khaled Al-Junaidi – a southern activist – was killed by government forces in Aden in December, and the investigation committee has not released any findings. Houthi protesters were killed and injured by government forces during a demonstration outside the Cabinet building in Sana'a in September. Houthi representative at the NDC Ahmed Sharif al-Din was also killed by unknown gunman on 21 January.

A number of individuals – detained for their involvement in the 2011 protests and Presidential Mosque bombing – remained imprisoned. The government also failed to begin investigations of alleged violations of human rights in 2011, including establishing a presidentially decreed commission of inquiry, and passing the law on Transitional Justice.

The UK was active in helping to protect human rights defenders. A Conflict Pool project, led by Mercy Corps, on youth engagement helped increase the role of young people in community-level decision making in Taiz. During a visit to Scotland – led by the now former Minister for Human Rights, Hooria Mansour – the UK advised on the establishment of a Yemen human rights commission. We also lobbied the government during Yemen's UPR to carry out independent and impartial investigations into the cases of extrajudicial killings in Al-Dhale, as well as passing a law on transitional justice. We continued to urge the government to investigate all extrajudicial killings and the alleged human rights violations of 2011, and to make progress on establishing a Human Rights Commission.

### **Access to Justice and the Rule of Law**

Yemen is still transitioning from a confession-based prosecution system to one based on evidence. The judiciary remained subject to government interference, and judges continued to face harassment, armed attacks, and kidnappings. Houthi-related armed intimidation prevented the head of the SCER from carrying out his duties for several months, although he was back at work by December. The failure to pass the Law on Transitional Justice further weakened public confidence in the justice system, and corruption remained widespread throughout the public sector.

The UK continued to influence Ministry of Interior reform through the work of the UK Rule of Law and Policing attaché, seconded to the EU. The attaché has worked with the UN to develop training programmes for the Yemeni security and justice sectors on human rights compliance, oversight and the investigations of abuses. The attaché also secured EU funds to strengthen the role of the Ministry of Interior Inspector General, and worked on a project to provide community oversight of policing in Sana'a.

The UK co-hosted a workshop on corruption, which brought together representatives from Yemeni Ministries, public bodies and civil society organisations to discuss ways to support the government tackle corruption. The workshop, and associated Embassy media activities, reached a wide and sympathetic audience.

### **Death Penalty**

The death penalty remained in use for adult offenders for murder and other crimes. 18 adult male prisoners were executed in Sana'a Central Prison, but the total for the rest of the country could have been more. The UK welcomed the fact that no juveniles were executed, but remained concerned that some juvenile detainees continued to be on death row.

We lobbied the government to introduce an immediate moratorium on adult and juvenile executions, with the intention of abolishing the death penalty altogether, during Yemen's UPR in January 2014. We also sponsored the UNHRC Resolution on technical assistance and capacity-building for Yemen in the field of human rights in September, which included references to the Convention Against Torture.

### **Torture and Cruel, Inhuman or Degrading Treatment**

Human Rights Watch published a report alleging Yemeni government complicity in the abuse of migrants by human traffickers; the UK lobbied the government to consider the evidence and launch an investigation. The government later launched raids on some camps, yet the problem still persists, with the UN High Commissioner for Refugees (UNHCR) reporting that at least 2,440 migrants were kidnapped for ransom in November on arrival at the Red Sea coast. We urge further action and reform to address the issue.

Conditions in detention facilities, including those managed by Yemeni intelligence in Sana'a, Aden and Al-Dale, remained poor. There were allegations of torture of political prisoners detained for their opposition to former President Saleh prior to the 2011 revolution, and reports of prisoners living in a cramped, unhygienic environment, with little access to rehabilitation programmes. Human rights violations appear to be largely due to mismanagement, incompetence, and failure to follow due process, such as pre-trial detention time limits, rather than through active and intentional mistreatment.

There were also reports of widespread abuses by the Houthis towards members of the Islah party, which included damage to property, kidnappings and killings.

A British national was detained by the Yemeni authorities and extradited to Ethiopia in an apparent contravention of the Convention Against Torture. The UK immediately raised this case with the Ministry of Foreign Affairs, who promised to investigate. Initial feedback did not provide sufficient detail and the UK – through Ministerial correspondence and repeated lobbying by the British Ambassador – continued to press the case.

### **Conflict and Protection of Civilians**

Widespread internal conflict had serious implications for the civilian population. Large numbers of civilian deaths were caused by: fighting between the Houthis and supporters and pro-Islah/Salafi armed groups in the north of the country; the Houthi takeover of key government institutions and territory; and the upsurge in assassinations and bomb attacks against civilian, political and security targets by AQAP and other armed groups.

The most prominent AQAP attacks included: the bombing of a Houthi cultural centre in Ibb which killed at least 45 people on 31 December; twin bombings in Radaa which killed 26 people on 16 December, including 16 children travelling on a school bus; the bombing of the residence of the

Iranian Ambassador, killing one person and injuring 17 others on 3 December; and a suicide bombing which killed at least 42 people during a Houthi demonstration in Sana'a in October. The UK publicly condemned these attacks, bilaterally and through EU and UN statements.

According to the Sana'a-based Abaad Studies and Research Centre, fighting in Amran, Al-Jawf, Al-Bayda, Sana'a and Marib Governorates resulted in the death over 7,700 people. 80,000 civilians were also displaced and humanitarian conditions deteriorated. DFID's humanitarian programme continued to address issues of protection by providing funding to organisations able to conduct assessments of protection needs in the immediate aftermath of conflict, and to respond as required. This is through pooled funding accessible to national and international organisations, as well as UN agencies.

### **Freedom of Religion or Belief**

According to the Pew Research Centre, Yemen has "very high" restrictions on religious freedoms. It is still illegal for an individual to convert from Islam – an offence that carries the death penalty – and Muslim women are not permitted to marry non-Muslim men. The Houthi emblem containing the phrase "a curse to the Jews" became common in Houthi-controlled areas in 2014.

An individual from the Baha'i faith was detained without charge by the government, and allegedly subject to physical and verbal abuse and given only limited access to family and legal representation. FCO Minister for the Middle East, Tobias Ellwood, wrote to the government urging treatment in accordance with the International Covenant on Civil and Political Rights, as well as reiterating the NDC principle of religious freedom. The UK Ambassador also lobbied the Yemeni Foreign Minister.

### **Women's Rights**

Gender inequality remained high, and Yemen was ranked 152 in UNDP's Gender Inequality Index, the lowest any country measured. Child marriage, the suppression of women's political and economic participation, and gender-based violence continued. Only 11% of the technocratic government, formed in November, are female, well below the 30% quota agreed at NDC.

Some progress was made – women held 126 of the 565 seats at the NDC, and four women were appointed to the 17-member CDC. Yemen was one of 138 countries that endorsed the Declaration of Commitment to End Sexual Violence in Conflict in June, and also signed up to the London Girl Summit Charter commitment to end early and forced marriage and female genital mutilation (FGM).

The UK continued to urge the government to fulfil the NDC recommendations on women's rights and to approve the draft Child Rights Law, which includes important provisions on FGM and child marriage. We sponsored the attendance of representatives from civil society to the Global Summit to End Sexual Violence in Conflict, and supported the attendance of a Yemeni delegation – including the Minister of Human Rights and civil society and diaspora representatives – to the Girl Summit hosted by the Prime Minister, David Cameron, in London.

We also funded a project, led by Saferworld, to help increase the role of women in the security sector in Sana'a, Taiz and Aden, as well as a Human Rights and Democracy Programme project in

Hodeidah, led by Progressio, to educate women and men of the socio-economic and health implications of child marriage, and the benefits of women's participation in the public and private sectors.

## **Children's Rights**

The use of child soldiers by the armed forces and non-state actors continued in 2014, despite the government signing an action plan to end the practice. The Houthis used children to staff security checkpoints in Sana'a, which the UK lobbied against, leading to a significant reduction, if not removal, of child soldiers from the checkpoints. We remain concerned that the Houthis are using child soldiers elsewhere and continue to lobby on the issue. We also urged the government to implement the action plan, and urge all groups to put an end to the practice.

Children were killed and maimed as a result of armed conflict; for example, bomb attacks in Radaa killed at least fifteen children travelling on a school bus. According to the Ministry of Education and Teaching, conflicts in Amran, Sana'a and Shabwa damaged or destroyed at least 41 schools, and the armed forces occupied at least six schools in 2014. In November, fighting in Ibb led to the temporary closure of 169 schools, all of which deprived children of their right to education.

## **Other Issues**

### *Economic and social rights*

Yemen remained the poorest country in the Middle East, with much of the 25 million-strong population having limited access to sufficient food, safe drinking water, education, housing and health. The UNDP ranked Yemen 154 out of 187 in its 2014 Human Development Index. An estimated 15.9 million people were in need some form of humanitarian assistance. This includes 10.6 million people who were without access to sufficient food, of whom 5 million were in urgent need of food assistance. 13.4 million had no access to safe water, 12 million no proper sanitation facilities, and 8.4 million no access to basic healthcare.

DFID continued to deliver its £196 million three-year plan on development and reducing poverty, with £70 million committed to the humanitarian response until 2015. The UK was the first humanitarian donor to provide multi-year funding in Yemen, so as to provide more predictable allocations given the changing needs. DFID is also supporting nutrition interventions through the UN Children's Fund (UNICEF) and delivery of basic services and social protection through the Social Fund for Development.

### *Refugees*

The number of refugees, asylum seekers and migrants remained high. According to the UNHCR, new arrivals mostly from the Horn of Africa, totalled 82,680, a 27% increase from 2013. Refugees and migrants were mainly spread along the west and south-west coasts, and continued to lack access to basic services and food and be vulnerable to human trafficking and smuggling.

DFID are providing over £7 million to the International Organisation of Migration, the Danish Refugee Council and the Norwegian Refugee Council to support the needs of migrants, refugees, internally displaced persons and returnees from Saudi Arabia who have been forced to leave

following labour law reforms. This support is in the form of provision of food and basic services, as well as livelihood support.