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Yemen: Information on a decision-making body comprised of representatives of different tribes that deals with tribal revenge cases, including information on the tribes that make up the body or council; whether the Aman tribe is part of the council; whether northern tribes dominate it, and whether the decisions are generally binding - February 2003

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Subject: Yemen: Information on a decision-making body comprised of representatives of different tribes that deals with tribal revenge cases, including information on the tribes that make up the body or council; whether the Aman tribe is part of the council; whether northern tribes dominate it, and whether the decisions are generally binding

From: Research Directorate, Immigration and Refugee Board, Ottawa

Keywords: -

Information on a decision-making body that is comprised of representatives of different tribes and deals with tribal revenge cases could not be found among the sources consulted by the Research Directorate. However, according to several news reports, tribal disputes and revenge cases are resolved by tribal leaders (*Gulf News* 29 June 2002; *World Markets Analysis* 14 June 2002; *Los Angeles Times* 5 Apr. 2002; *Middle East Times* 15 Oct. 1999).

In June 2002, *World Markets Analysis* reported that, according to a report by the Shura Council, "tribal leaders have more influence than the judiciary, with only around 20% of problems being dealt with in courts whilst the majority are decided by influential tribal figures" (14 June 2002). The news report went on to state that "[i]nfluential tribal figures are able to interfere with law enforcement, while government officials who are themselves members of tribes work to enhance tribal, instead of state, norms" (*World Markets Analysis* 14 June 2002).

An August 2000 article published in *Yemen Times* stated that "[t]ribes do have their own sets of rules, and do not in any way abide by what the government wants them to do" (31 July - 7 Aug. 2000). This was reaffirmed by an article published in *American Statesman*, which reported that Yemen is a "poor country" where "tribal customs are more reliable than laws" (31 Mar. 2002). It also indicated that "[t]he national government has remarkably little power over much of the country" (*American Statesman* 31 Mar. 2002).

An article in *Los Angeles Times* stated that tribes are "part of an elaborate social structure" and are "a system with precise codes of conduct and its own caste-like hierarchy" (5 Apr. 2002).

To effect settlements in a dispute, the tribal leader or influential figure always takes from the disputants, or in the case of a murder, from the perpetrator and the victim's family items such as a car, weapons, etc. as "collateral" to ensure that the families will abide by the decision (*Los Angeles Times* 5 Apr. 2002; *Middle East Times* 15 Oct. 1999). In some tribes, the decision maker will speak to educated persons who are chosen to represent each party (*ibid.*). In cases where the murder was accidental (*ibid.*) or where both parties were armed (*Los Angeles Times* 5 Apr. 2002), the perpetrator is ordered to pay *fidya* or blood money to the victim's family (*ibid.*; *Middle East Times* 15 Oct. 1999); but when the crime involves premeditated murder, "it can only be resolved by revenge, which provokes wars between tribes" (*ibid.*). According to the *American Statesman*, "tribes can consist of several hundred thousand or even a couple of million people" (31 Mar. 2002).

Two news reports indicate that a decision that is made by a tribal leader or influential figure, is generally binding and officially respected (ibid.; *Los Angeles Times* 5 Apr. 2002). Tribal leaders, referred to as "sheiks," are "often given government positions that allow them access to gratuities and bribes they use to support their communities The tribal system serves as a substitute where few government services, from courts to running water, are provided" (*Los Angeles Times* 5 Apr. 2002).

According to a 1998 essay posted on the Yemen Gateway, the Speaker of the Yemeni parliament, the president of Yemen, the brothers of the president who control the army and the "security apparatus" and the head of the Bath Party, were all influential tribal figures (12 Aug. 2000). The presence of influential tribal figures in government institutions and the political apparatus continues today. According to a June 2002 news article in the *Gulf News*, "[m]ost of the Members of [the Yemeni] Parliament are tribal sheikhs with their own heavily armed bodyguards" (29 June 2002). However, an article in *Los Angeles Times* points out that "although the tribes might be strong in their regions, those without members in the government often feel neglected" (5 Apr. 2002).

Information on whether the Aman tribe is represented in the government could not be found among the sources consulted by the Research Directorate. Nor could information on whether northern tribes dominate representation in government be found among the sources consulted by the Research Directorate. However, the following may be useful.

Northern Yemen is dominated by tribes and tribalism, a social structure that is regarded as "backwards and primitive" by urban Yemenis in the south (US 27 June 2002). The origins of the northern and southern tribes "were of great political importance in the first centuries of the Islamic age, and have not been forgotten to the present day" (ibid.). While these tribes have often been in conflict, they have begun "to band together for mutual support against the central government" (ibid.).

For additional information on tribal law and revenge killing, please refer to YEM34582.E of 16 June 2000, as well as to *Country Reports on Human Rights Practices 2000* and *Country Reports on Human Rights Practices 2001*.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

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Yemen Gateway is a Website that began in February 1998 and is maintained by Brian Whitaker, who is the Middle East editor for *The Guardian* (Manchester, UK). The site is a non-partisan resource, mainly consisting of links to other sites and pages on the Internet, and some original material pertaining to the Arab world (16 Oct. 2002).

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Additional Sources Consulted

World News Connection

Internet sites, including:

BBC

United Kingdom, Immigration and Nationality Directorate.

Search engine:

Google

