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Amnesty International

YEMEN

REPUBLIC OF YEMEN

Head of state: 'Ali 'Abdullah Saleh

Head of government: 'Abdul Qader Bajammal

Death penalty: retentionist

International Criminal Court: signed

UN Women's Convention: ratified with reservations

Optional Protocol to UN Women's Convention: not signed

Overview - Covering events from January - December 2005

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Hundreds of people were killed in Sa'da Province amid armed clashes between the security forces and followers of Hussain Badr al-Din al-Huthi, a cleric from the Zaidi community. Police also apparently used excessive force during violent protests in July against fuel price rises. More than 1,000 alleged followers of Hussain Badr al-Din al-Huthi were detained without charge or trial, as were hundreds of people arrested in previous years in the context of the "war on terror". In the rare cases where political prisoners were brought to trial, the proceedings fell far short of international standards. Press freedom was further restricted and journalists were frequently attacked by police and others. The government continued to forcibly return people to countries where they risked serious human rights violations. Dozens of people were reportedly executed and several hundred people remained under sentence of death.

Fuel protests

More than 30 people, including children, were reported to have been killed, and hundreds of others injured when a government decision to double fuel prices resulted in violent protests across the country on 19/20 July. Several soldiers and police were also among those killed. It was reported that protesters used firearms and the military used heavy weaponry, including helicopter fire and tanks.

'War on terror'

At least 200 people continued to be detained without charge or trial throughout 2005 as suspects in the "war on terror". More than 100 others were released after they agreed to engage in religious dialogue with Islamic figures and signed a pledge renouncing "extremist" views. However, dozens of those released were later rearrested after it was reported that some of those freed had gone to Iraq to fight against US-led forces.

- At least three Yemeni nationals who were returned to the country from secret, apparently US-run, detention camps abroad continued to be detained unlawfully and without trial apparently at the behest of the US authorities. The Yemeni authorities told AI in October that they had no basis for detaining Muhammad Faraj Ahmed Bashmilah, Salah Nasser Salim 'Ali and Mohammed Abdullah Salah al-Assad, following their return to Yemen in May 2005, but had been requested to do so by the US authorities. Two other men, Walid Muhammad Shahir Muhammad al-Qadasi and Karama Khamis Khamisan, were returned to Yemen in April 2004 and August 2005 respectively. By the end of the year, the former was detained without charge or trial and the latter was standing trial on drug charges.
- In March, six Yemeni nationals accused of being al-Qa'ida members were sentenced to two years' imprisonment for forging travel documents. Five others were acquitted. All 11 were acquitted of another charge of establishing an armed group to carry out attacks in Yemen. Six of the defendants had been forcibly returned to Yemen from Saudi Arabia.
- In May, two suspected al-Qa'ida members, both Yemeni nationals who had been forcibly returned from Qatar, were reportedly convicted of forging documents. Al-Khadar Salam Abdullah al-Hatami was sentenced to three years and four months in prison. Abdullah Ahmed Saleh al-Raimi received a four-year sentence and lodged an appeal.

The Sana'a Committee

The Sana'a Committee, established in 2004 by Yemeni human rights defenders, AI activists, lawyers and others, met for a second time in June. The Committee widened its mandate to provide legal and other assistance to detainees' families and called on governments in the Gulf region to ensure that people detained in the context of the "war on terror" were treated humanely and in accordance with international

human rights standards.

Unrest in Sa'da Province

Hundreds of people were reportedly killed in Sa'da Province where there were armed clashes between government security forces and followers of cleric Hussain Badr al-Din al-Huthi. Intense fighting broke out in the area in late March after the authorities launched a search for followers of the cleric, who was killed in September 2004. The area was closed to journalists and human rights activists on grounds of security. Some 400 people were reported to have been killed in a two-week period, many allegedly as a result of excessive use of force by government troops. Hundreds of local men were rounded up and detained. The government also closed hundreds of religious schools within the Zaidi community and in October ordered the closure of 1,400 charities which it said were contravening the law.

Arrests and trial of members of the Zaidi community

More than 1,000 followers of Zaidi cleric Hussain Badr al-Din al-Huthi were reported to have been detained. The crackdown was prompted by their continued chanting of anti-US and anti-Israeli slogans after Friday prayers.

In May, dozens of Zaidis, including children, were arrested. At the end of the year most remained in incommunicado detention without charge or trial and were at risk of torture and ill-treatment.

- Fourteen-year-old Ibrahim al-Saiani was detained in May. He was reportedly arrested after the security forces stormed his family home in the capital, Sana'a. He remained in detention at the end of the year, reportedly in the Political Security prison in Sana'a. There were fears that he was at risk of torture and ill-treatment. According to reports, he sustained serious injuries in the clashes in Sa'da: his right arm was amputated, a piece of shrapnel was lodged in his skull and his right leg was injured. It was unclear whether he was receiving adequate medical treatment.

On 25 September, the President announced a pardon for followers of Hussain al-Huthi. However, it was not clear who was covered by the pardon and most of those held reportedly remained in detention.

- In August the trial began of 36 members of the Zaidi community, eight of them in absentia. They were accused of plotting to kill the President and senior army officers. The trial was adjourned after it was disrupted by defendants shouting verses from the Qur'an and political slogans. A subsequent hearing in November was also adjourned to seek clarification whether the suspects were covered by the presidential pardon.
- Zaidi cleric Yahia al-Dailami was sentenced to death on 29 May after an unfair trial. Another Zaidi cleric, Mohammed Muftah, who was also tried with Yahia al-Dailami, was sentenced to eight years' imprisonment. The prosecution lodged an appeal against the sentence and called for the death penalty to be imposed. On 3 December the Court of Appeal upheld the sentences. The two men were charged with vaguely worded offences including "communicating with Iran" and "supporting Hussain Badr al-Din al-Huthi". Both were prisoners of conscience.
- In June, the Special Criminal Court for terrorism in Sana'a reduced Judge Muhammad Ali Luqman's sentence from 10 to five years' imprisonment. His sentence was reduced on the grounds that there was insufficient evidence in relation to one of the charges. He had been arrested for his alleged support for Hussain al-Huthi and reportedly charged with "sedition, fanning sectarian discord and forming an armed gang".

Restrictions on media freedom

Media freedom was restricted and journalists who criticized the government were harassed, attacked and had their property confiscated. In May, the authorities introduced a draft press law which was strongly criticized by journalists as posing an even greater threat to press freedom than the existing Press and Publication Law (1990). New offences would include "criticizing heads of state" and some, such as "communicating classified information or documentation to foreign bodies", would be punishable by death.

Journalists attempting to report on the July fuel protests were arrested and attacked by police and security forces. Several were banned from covering the protests or had their equipment confiscated.

- Abdul Karim al-Khaiwani, chief editor of the opposition publication *al-Shura*, was released on 23 March following a presidential pardon. A prisoner of conscience, he had been sentenced to one year's imprisonment in September 2004 for his alleged support for Hussain al-Huthi. During his appeal hearing in March, defence lawyers Mohammed Naji Allow and Jamal al-Ju'bi, as well as the Secretary General of the Union of Journalists, Hafez al-Bukari, were badly beaten by the security forces. Other people attending the hearing were also allegedly beaten when they tried to leave the courtroom in protest.
- Jamal Amer, chief editor of the independent *al-Wassat* newspaper, was reportedly abducted outside his home on 23 August, taken to an unknown destination and beaten and threatened with death. Shortly before, his newspaper had accused government officials of corruption. A day later the office

of Ahmed al-Hajj, an *Associated Press* journalist, was reportedly raided by the security forces, who confiscated files and two computers.

Women's rights

Women's organizations continued to campaign against discrimination and violence against women. Women's rights activists called on the government to reserve at least 30 per cent of parliamentary seats for women. In September the National Women's Committee announced that it would establish a coordination council to press political parties to support women in forthcoming presidential and local elections.

On 8 March, International Women's Day, a group of women journalists established a new organization, Women Journalists Without Borders, to promote human rights, including women's rights, across the Middle East, but the government revoked its licence after members of the organization reported on the July fuel protests.

In December a conference on the rights of Arab women was held in Sana'a, continuing the work of a similar conference in 2004.

Forcible returns

The Yemeni authorities forcibly returned at least 25 people to countries where they would be at risk of torture and other human rights violations, in contravention of international human rights standards.

- Twenty-five Saudi Arabian nationals considered to be suspects in the "war on terror" were reportedly returned involuntarily to Saudi Arabia on 28 March. In previous months, Saudi Arabia had returned at least 27 unnamed Yemenis to Yemen. Their fate was not known at the end of the year.
- Abdul Rahman Ameer and Kamal Berkane, both Algerian nationals, were believed to have been deported in May. They had completed prison sentences in Yemen in December 2003. Their whereabouts remained unknown at the end of the year and it was feared that they had "disappeared".

Death penalty

Death sentences continued to be passed and dozens of people were reportedly executed. Hundreds of people were believed to remain under sentence of death.

- Fuad 'Ali Mohsen al-Shahari, whose death sentence was ratified by President Saleh on 6 September, was executed on 29 November. He had been on death row for more than nine years. He had been sentenced to death for murder in 1996 at the end of a grossly unfair trial that may have been politically motivated or influenced by tribal factors.
- Fatima Hussein al-Badi, who was sentenced to death in February 2001 for the murder of her husband, was at risk of imminent execution. Her brother, who was sentenced at the same time, was executed in May.
- In February the Appeal Court upheld the death sentence on Hizam Saleh Mejalli, who was convicted of the 2002 bombing of the French oil tanker *Limburg* and other attacks. It also imposed a death sentence on Fawaz Yahya al-Rabi'ee who had previously been sentenced to 10 years in prison.
- Hafez Ibrahim's death sentence for a murder committed when he was 16, was stayed in April.
- Amina Ali Abdulatif's execution, scheduled for 2 May, was stayed to allow a review of her case. She was sentenced to death at 16 for the murder of her husband. The Attorney General reportedly appointed a special committee to review her case and confirm whether she was under 18 at the time of the crime.

Refugees

Around 80,000 refugees registered with UN High Commissioner for Refugees, including more than 68,000 refugees from Somalia, were living in Yemen. Around 7,000 were housed in Al-Kharaz refugee camp.

Throughout the year, hundreds of refugees drowned off the coast of Yemen either because they were forced to jump from smugglers' boats or because the boats became unseaworthy.

Refugees in Yemen faced poor economic conditions and a lack of work opportunities. There were reports of rapes of refugee women; the justice system failed to ensure that survivors had access to justice.

Oromo refugees from Ethiopia repeatedly complained of harassment by the Yemeni authorities, including arbitrary arrests.

AI country visits

AI delegates visited Yemen in June to attend the Sana'a Committee meeting, and in September/October.

Yemen
Archive information

USA/Jordan/Yemen: Torture and secret detention – Testimony of the “disappeared” in the “war on terror”
(AI Index: AMR 51/108/2005)

USA/Yemen: Secret Detention in CIA “Black Sites”
(AI Index: AMR 51/177/2005)

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