

YEMEN

REPUBLIC OF YEMEN

Head of state:	'Ali Abdullah Saleh
Head of government:	Ali Mohammed Megawar (replaced 'Abdul Qader Bajammal in April)
Death penalty:	retentionist
Population:	22.3 million
Life expectancy:	61.5 years
Under-5 mortality (m/f):	83/75 per 1,000
Adult literacy:	54.1 per cent

Routine violations of civil and political rights impacted negatively on economic and social aspects of people's lives. The violations were exacerbated by renewed armed clashes in the north and protests in the south. Torture and other ill-treatment remained common. Sentences of death and flogging were imposed and carried out. Human rights activists remained firm in the face of these challenges.

Background

Renewed clashes broke out in January between security forces and armed followers of the late Hussain Badr al-Din al-Huthi, a prominent Zaidi – a Shi'a Muslim community in the Sa'da Governorate. The clashes continued intermittently throughout the year despite a ceasefire mediated by the Qatari government. Security forces carried out mass arrests, civilians were reportedly killed by government forces and some 30,000 people were internally displaced as a result of the violence. The government denied journalists and almost all independent observers access to the area and maintained a high degree of censorship, so few details emerged during the first six months of the clashes.

In July, seven Spanish tourists and two Yemeni drivers accompanying them were killed in Ma'rab in an attack by a suicide bomber. The government blamed the attack on al-Qa'ida.

In August, scores of retired soldiers from the army of the former People's Democratic Republic of Yemen (PDRY) and their supporters were arrested after they staged peaceful protests in Aden and other southern cities over their inferior pensions and terms and conditions of work compared to soldiers from the north. All were released uncharged by November and the government agreed to consider their grievances. The PDRY and the Yemen Arab Republic unified in 1990.

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Killings by security forces

There were unconfirmed reports of extrajudicial executions by security forces in the context of the violence in Sa'da. People alleged to be armed members of al-Qa'ida were also killed in unclear circumstances while reportedly resisting arrest.

■ On 10 September, security forces shot dead Walid Salih 'Ubadi and another person during a peaceful demonstration in al-Dali' in support of the retired soldiers. Eight other demonstrators were wounded. The incident was reportedly under investigation, but the outcome was not known.

■ In October, security forces killed four protesters at a peaceful demonstration in Radfan and wounded 15 others. It was not known if any investigation was carried out.

Political prisoners

Hundreds of people were arrested as suspected followers of Hussain Badr al-Din al-Huthi or members or supporters of al-Qa'ida following the upsurge in violence in Sa'da and the July attack on Spanish tourists. Others were arrested in connection with the retired soldiers' protests, but all were subsequently released. Most of those arrested in connection with al-Qa'ida and the Sa'da clashes remained held without charge or trial, mainly in Sa'da, Hajja, Dhamar, Ibb, Sana'a and Hudaida.

■ Muhammad Abdel Karim al-Huthi and at least four other members of the al-Huthi family, and Abdul Qadir al-Mahdi, remained in the Political Security prison in Sana'a. Muhammad Abdel Karim al-Huthi was arrested on 28 January. Abdul Qadir al-Mahdi was arrested on 19 February and held incommunicado for two months before his family was permitted to visit him. His salary was suspended, causing his wife and children hardship.

Among the political prisoners were people arrested in previous years.

■ Walid al-Kayma' remained held without charge at the Political Security prison in Sana'a since his arrest in 2004 or 2005. Like others held there, he was allowed family visits but was denied access to a lawyer and did not know whether he would be charged and tried or released.

'War on terror'

Five prisoners returned to Yemen after being held by the US authorities at Guantánamo Bay, Cuba, and

detained on arrival, were released without charge during the year. They included Sadiq Muhammad Isma'il and Fawaz Nu'man Hamoud. Five others detained on arrival in December 2006 were released in March without charge, but another, Tawfiq al-Marwa'i, was released after he was tried and convicted of forging a passport.

Unfair trials

At least 109 people tried before the Specialized Criminal Court (SCC) and two tried before ordinary criminal courts did not receive fair trials. At least 73 of them appeared before the SCC in seven separate cases on charges that included planning attacks on oil installations and the US embassy, seeking to smuggle weapons to Somalia, and forging papers for volunteer fighters to travel to Iraq. In the six cases that were concluded, at least 53 people were convicted and sentenced to up to 15 years in prison and five were acquitted.

In the other case, known as the Sana'a Cell 2 case, 15 defendants faced charges including murder, planning to poison Sana'a's drinking water and other violent crimes in connection with the events in Sa'da. One defendant, journalist Abdel Karim al-Khaiywani, was charged in connection with his media reporting of the violence in Sa'da, and was therefore a prisoner of conscience.

As in previous cases, lawyers and human rights activists criticized the SCC for failing to conform to international fair trial standards, including by denying defendants and their lawyers full access to their case files and so limiting their ability to prepare their defence. Lawyers defending the accused in the Sana'a Cell 2 case appealed to the Constitutional Court to declare the SCC unconstitutional, but no ruling was announced by the end of the year.

In July, Ta'iz Appeal Court ordered the release of four men shortly before they were due to complete one-year sentences imposed by an ordinary court for challenging the integrity of local and national elections held in September 2006. In a separate case also related to the 2006 elections, at least 36 people were tried before an ordinary court in Sana'a in connection with a dispute in Hajja in which an official was killed; six people were sentenced to death and others received prison terms of up to 15 years. There were concerns about the fairness of both trials.

Freedom of expression

In June, the Information Ministry announced that a new press law would be introduced, raising concern that this would further restrict press freedom. The law would prohibit publication of information deemed harmful to national stability and further hamper media reporting of politically sensitive issues, such as the violence in Sa'da. Vague concepts such as national security and national stability had routinely been invoked as justification for restriction of press freedom and punishment of journalists. The law had not been introduced by the end of the year.

Journalists were harassed. The authorities blocked websites carrying political and other critical commentary and prohibited the use of some phone messaging services.

■ Journalists Abdel Karim al-Khaiwani and Ahmad 'Umar Ben Farid were abducted in August in Sana'a and Aden respectively by unidentified assailants believed to be connected to the security authorities. The two men were beaten and dumped in deserted areas. Abdel Karim al-Khaiwani was believed to have been targeted because of his reporting about events in Sa'da, and Ahmad 'Umar Ben Farid because of his writing about the protests in the south.

■ In July, a regular weekly gathering of supporters of the NGO Women Journalists Without Restrictions who were demanding that they be allowed to publish a magazine, was violently disrupted, apparently by security officials. A number of people were injured.

Discrimination and violence against women

Women continued to face discrimination and violence at the hands of both state and non-state actors, including rape and other sexual violence, and trafficking. Such abuses were particularly severe in rural areas, where 80 per cent of women live, girls generally have less access to education than boys, and women are particularly vulnerable to economic hardship.

In a shadow report to Yemen's sixth report to CEDAW, a collective of women's and human rights organizations criticized laws that continue to discriminate against women and called for government action to protect women's rights, including the criminalization of domestic violence.

■ Anissa al-Shu'aybi brought a court case against officers at the Criminal Investigation department in

Sana'a alleging that she was raped and otherwise tortured by them in previous years. Her testimony of torture and other ill-treatment of women in the prison was widely publicized. The case was not concluded by the end of the year.

■ Samra al-Hilali, a 15-year-old girl, said she was tortured by police in Ibb before being tried and acquitted in August on murder charges.

Torture and other ill-treatment

Torture and other ill-treatment in police custody were common. Many detainees held by Political Security and National Security, two security police agencies, were reportedly tortured, including with beatings with fists, sticks and rifle butts; scalding with hot water; tight handcuffs; prolonged blindfolding; denial of water and access to a toilet; and death threats.

■ In April, Shayef al-Haymi said he had been tortured so badly during 40 days of incommunicado detention by National Security officials that his limbs became paralysed and his body was covered with scars. The case was investigated by the prosecuting authorities, and the authorities released him and paid a sum of money to his family. However, no one was brought to justice and, after he made his ordeal public, the authorities said that his injuries were self-inflicted and rearrested him.

Cruel, inhuman and degrading punishments

Courts across the country imposed sentences of flogging almost daily for alcohol and sexual offences. The floggings were carried out immediately in public without appeal.

Death penalty

At least 15 people were executed, including one child offender, although Yemeni law prohibits the execution of child offenders. Another child offender, Hafez Ibrahim, had his death sentence annulled, but others were among several hundred prisoners who remained on death row.

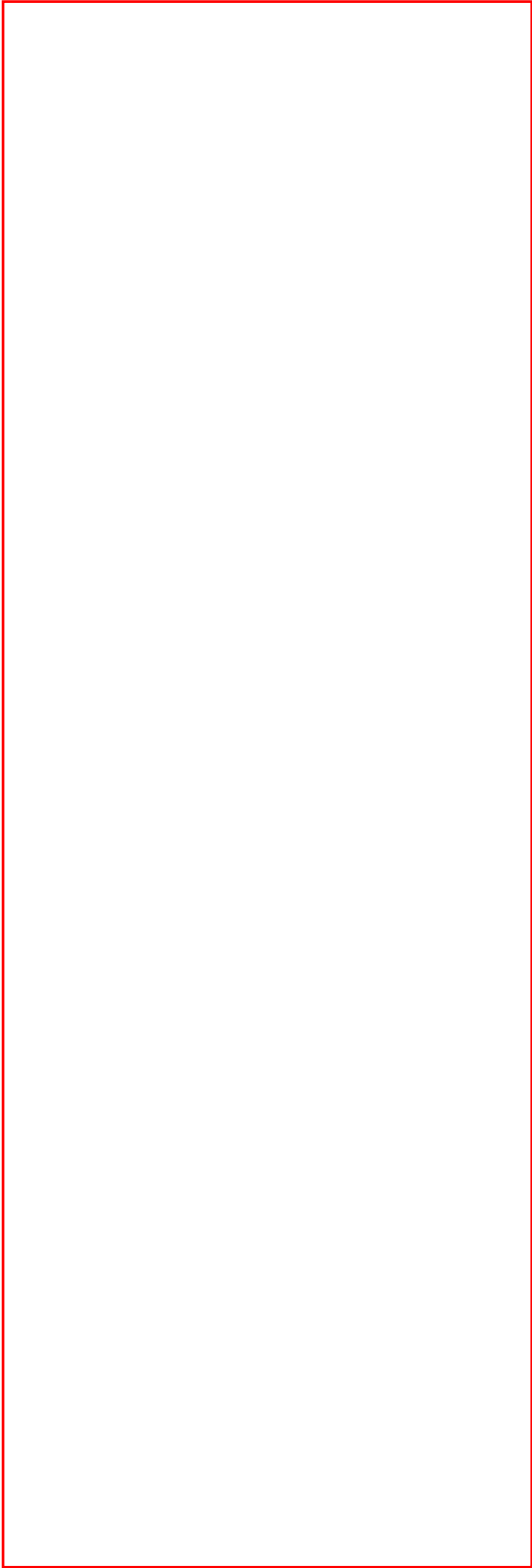
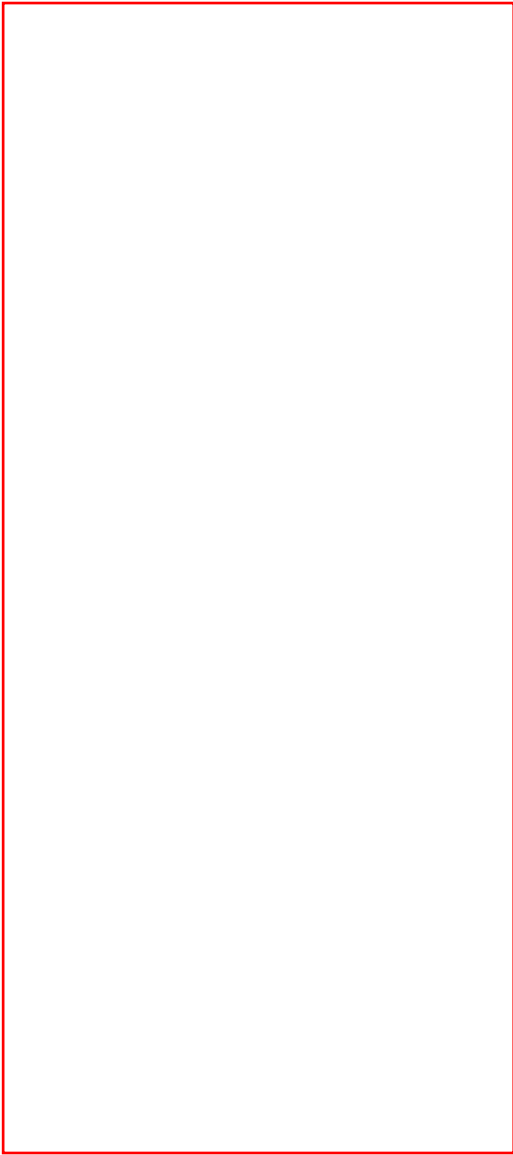
■ Adil Muhammad Saif al-Mu'ammari was executed in February despite international appeals and medical evidence that he was below the age of 18 at the time of the murder for which he was sentenced to death.

■ Radfan Razaz, another possible child offender, remained at risk of imminent execution. He was initially sentenced to imprisonment because of his age, but the appeal court changed his sentence to death.

At least 90 prisoners were held on death row at Ta'iz Prison. In one particularly disturbing incident in September, two prisoners – Sharaf al-Yusfi and 'Issam Tahla – were reportedly killed by prison guards after they survived initial attempts to execute them. The attempted executions had left them both seriously injured.

Amnesty International visits

🗺️ Amnesty International delegates visited Yemen in January and September.



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