



YEMEN

SECURITY AT WHAT
PRICE?

AMNESTY
INTERNATIONAL



In the name of security, the Yemeni authorities are rolling back human rights gains – with terrible consequences for the people of Yemen.

Challenged by growing calls for secession in the south, an intermittent conflict with a rebel movement (known as the Huthis) in the north, and the presence of al-Qa'ida in the country, the government has increasingly resorted to repressive and illegal methods.

The authorities have been egged on by other governments, particularly those in the USA, Europe and the Gulf, who want them to take tough action to combat al-Qa'ida and to prevent Yemen fracturing or imploding into a failed state. These governments fear that al-Qa'ida in Yemen could link up with the armed opposition group al-Shabab in Somalia, leaving the strategic Horn of Africa under the influence of Islamist militants and jeopardizing the safe transport of oil and other commodities to and from the Gulf region and Asia.

International pressure on Yemen intensified after 25 December 2009 when a Nigerian man, said to have been trained by al-Qa'ida in Yemen, apparently tried to blow up a US airliner bound for Detroit. The US government quickly expanded military and intelligence co-operation with the Yemeni authorities, and in early 2010 announced a US\$155 million security package for Yemen, with around US\$35 million earmarked for the country's Special Operations Forces to carry out counter-terrorism operations. Yet there was little evidence of concern about the impact any security operations might have on human rights.

Islamist militants have indeed carried out suicide and other attacks in Yemen, and the government has a duty to protect people from such attacks and to punish the perpetrators. However, the main security fear for many Yemenis is to be caught up in the government's sweeping responses



AROUND A THIRD OF YEMEN'S 24 MILLION PEOPLE SUFFER CHRONIC HUNGER AND AROUND A HALF LIVE ON LESS THAN US\$2 A DAY. WITH THE COUNTRY'S WATER AND OIL FAST RUNNING OUT, YEMEN IS LIKELY TO BECOME INCREASINGLY RELIANT ON INTERNATIONAL AID.

to the challenges it faces in the south and north, which are often described as counter-terrorism operations. Despite government allegations, there appears to be no evidence linking the Huthis or the loose coalition of individuals and groups known as the Southern Movement to al-Qa'ida. Both appear to be popular movements stimulated by anger at perceived discrimination by the government and local grievances.

Hundreds if not thousands of people suspected of links to al-Qa'ida or armed Islamist groups have been arrested and subjected to a wide range of abuses, including enforced disappearance, prolonged detention without charge, torture and unfair trials.



© Amnesty International



© Amnesty International



© Amnesty International

Above: Children in a street in Old Sana'a; 43 per cent of children in Yemen are malnourished.
Top right: A woman begging in Sana'a.
Cover photo: Old Sana'a, March 2010 .
Right: Map of Yemen, based on UN map.

In the conflict with the Huthis in the northern Sa'dah region, hundreds, possibly thousands, of civilians have been killed, many as a result of apparently indiscriminate attacks, and over a quarter of a million people have been forced to flee their homes. In the south, security forces have allegedly targeted for killings people prominent in the Southern Movement and

have killed or injured hundreds of protesters during peaceful demonstrations. Many suspected of links to the Huthis or the Southern Movement have been arbitrarily detained and jailed after unfair trials.

Those speaking out against government policies or human rights violations have also been targeted, among them journalists,

human rights defenders and lawyers. Legislation and specialized courts created to counter terrorism have been used to imprison even those who merely discuss what is happening in Sa'dah or the south.

The largely uncritical international support for Yemen's security operations has facilitated the government's resort to



unlawful methods. It is high time the international community put a different kind of pressure on the Yemeni authorities and other governments involved in Yemen – pressure based on the understanding that by violating human rights, security is jeopardized, not enhanced.

RESPONDING TO AL-QA'IDA

In July 2007, a suicide bomber killed eight Spanish tourists and two Yemeni drivers accompanying them in Ma'rib. In September 2008, a suicide bomb attack against the US embassy in Sana'a killed at least 16 people, including six attackers. In March 2009, a bomb killed four South Korean tourists and their Yemeni guide in Hadramawt. In June 2010, an attack on a security forces'

building in Aden killed seven security officers, three women and a child.

These and other lethal attacks have been carried out by militants suspected by the government of being affiliated to al-Qa'ida and other Islamist armed groups in Yemen. The government has the difficult duty of trying to protect people from such attacks while ensuring that any measures it takes do not violate human rights. The Yemeni authorities are failing this challenge as they increasingly resort to abusive measures.

Hundreds, possibly thousands, of people have been detained for long periods without charge or trial. Some have disappeared. Some have been tortured. Some have been condemned to death or long prison terms after unfair trials

Demonstration in Sana'a against government attacks on press freedom, 2010. A member of the security forces can be seen on the right filming the protesters.

before the Specialized Criminal Court, set up in 1999 to deal with state security offences.

Since 2009 the security forces have killed more than 100 people in operations allegedly targeting "terrorists". In some cases, people were said to have been killed during exchanges of fire between militants and security forces trying to apprehend them. In others, the security forces appear to have made no attempt to make an arrest, or used excessive force. No judicial investigations are known to have been

© Amnesty International



Abdullah Thabet
Muhsen al-Abab

Abdullah Thabet Muhsen al-Abab (*pictured*) says that Political Security officers came to his house late one night in June 2007 looking for his son Adil, who they believed had links to al-Qa'ida. When they failed to find Adil, they took him and three of his other sons – Ameer, 32, Muath, 26, and Muhammad al-Abab, 25 – to their premises in Sana'a and held them in solitary confinement. Abdullah says he was interrogated about Adil and held for around 30 hours without vital medicine, including insulin, before being released. Muhammad was convicted in January 2010 of forging a passport and sentenced to five years in jail. Ameer and Muath are still being held without charge.

initiated to establish whether or not the use of lethal force by security forces in any of these cases was justified and lawful.

Amnesty International calls on all armed groups in Yemen to:

- Respect human rights at all times and end armed attacks against people.

Amnesty International calls on the Yemeni government to:

- Bring to justice perpetrators of such attacks in fair trials without the imposition of the death penalty, and ensure that the human rights of all those suspected of involvement in armed attacks against people are respected at all times.



© Private

Unexploded BLU 97 cluster bomblet (*top*) and part of the propulsion unit of a BGM-109D Tomahawk cruise missile found at the site of the attack in Abyan. The pictures suggest that a US-manufactured cruise missile carrying cluster bombs was used during the attack. This type of missile is designed to carry 166 cluster bomblets, each exploding into more than 200 sharp steel fragments.



© Private

CARNAGE IN ABYAN

At dawn on 17 December 2009, missiles were fired at two settlements in the al-Ma'jalah area of al-Mahfad district of Abyan, killing 21 children and at least 20 men and women. The al-Haidra and al-Anbour families were almost entirely wiped out as they slept. There is strong evidence that cluster bombs used by the US military were among the weapons used.

The Yemeni authorities originally said they had been targeting a "terrorist training camp" and that al-Qa'ida was to blame for the deaths of women and children as they had brought them into the camp. Later, after an investigation by a parliamentary committee found no evidence of a military camp at the site, the government apologized to the victims' families and

described the killings as a "mistake".

A premeditated military strike of this kind – against people who are not posing an immediate deadly threat to others and without first trying to arrest them – is unlawful.

Amnesty International asked the US authorities what role they played in the attack, and what steps they took to prevent unnecessary deaths and injuries, but has yet to receive a response.

Amnesty International calls on the Yemeni government to:

- Open a judicial investigation into the attack and bring to justice those responsible for the killings.

SA'DAH: DESTRUCTION AND DISPLACEMENT

**“WE SAW THINGS FALLING
FROM THE SKY WITH
PARACHUTES. WE THOUGHT
THEY WERE PAMPHLETS.
BUT THEY WERE BOMBS.”**

A man who had fled his home in Razih describing an attack
apparently using cluster munitions



**“PEOPLE WERE SAYING THAT IF THIS HOUSE
WAS STRUCK, NO OTHER PLACE IS SAFE.”**

One of several witnesses who described the bombing on 23 or 24 December 2009 of the
house of Muhammad Jaber, a mediator involved in efforts to stop the conflict. Two bombs
fired within minutes of each other killed 38 people in or near the house.



© Private



Left: Al-Mazraq camp for people displaced as a result of the conflict in Sa'dah Harad district. Hajjah governorate, Yemen, January 2010.



“[WOMEN] DON’T PLAN WARS BUT BEAR THE BRUNT OF THEIR EFFECTS.”

Maha Awad, activist and former staff member of the Women’s National Committee

“I SAW A SCENE THAT CAN ONLY BE FROM DOOMSDAY.”

A displaced person describing the bombing of a market in Razih on 7 October 2009 at the busy time of 9.30am

*Above: A destroyed house. The graffiti reads: “This is the help Yemen gets from America”.
Above right: A makeshift market by the ruins of shops and homes.
Left: Inside a building that took a direct hit.
Above left: Destroyed houses in al-Nadir, central Razih, where up to 45 members of the extended Abu Taleb family are alleged to have been killed.
Far left: Araba area, Al-Nadir, Razih, March 2010.*

“THE BOMBARDMENT WAS CONTINUOUS. CHILDREN WET THEMSELVES BECAUSE OF THE FEAR.”

A woman who had fled Sa'dah with her family at the beginning of 2010

All pictures of the destruction in Sa'dah were taken in March 2010. These pictures, obtained by Amnesty International, reveal for the first time the scale of destruction in the region. © Private

CONFLICT IN SA'DAH

An armed conflict in Yemen's most northerly region of Sa'dah, which borders Saudi Arabia, has killed thousands of people and maimed many more during six rounds of fighting in as many years.

The conflict began in June 2004 when Hussain Badr al-Din al-Huthi, a Zaidi Shi'a cleric, refused to surrender to the authorities. Armed clashes followed between the security forces and Huthis, as his followers became known, until the cleric was killed in September 2004.

In August 2009, after five further rounds of fighting and several truces, the conflict resumed with new intensity when the government deployed fighter jets and tanks in a military offensive code-named "Scorched Earth". In November 2009, the fighting spilled into Saudi Arabia, whose forces then bombarded Sa'dah with particular ferocity for around two months. The latest fragile ceasefire between the Huthis and Yemeni government was agreed in February 2010.

Access to Sa'dah was closed off meaning that virtually no one outside the region knew what was happening during the sixth round of the conflict. The magnitude of the death and destruction only began to emerge as people who fled their homes began arriving in safer areas.

Pictures of the aftermath of the conflict reveal a devastated region. Houses and apartment blocks, market places and mosques, petrol stations and businesses, schools and health centres – no type of building appeared to have been spared.

Several displaced people described to Amnesty International attacks that indicated the use of cluster bombs. A man who survived the bombing of a market in Razih on 7 October said: "I saw two planes with parachutes coming down [from them]. People said and thought it was aid. They took about three minutes to come down..."

"INTERNALLY DISPLACED PEOPLE ARE AT RISK IN YEMEN DUE TO INSUFFICIENT HUMANITARIAN FUNDING."

Walter Kälin, Representative of the UN Secretary-General on the human rights of internally displaced persons, April 2010

Then the market turned to a screaming area, smoke, shrapnel, dust, stones and broken windows everywhere..."

Others described repeated attacks on residential areas. A man who witnessed the bombing in Razih of two houses of the Abu Taleb family on 30 December 2009, in which up to 45 people were killed, said: "We were taking the victims out – 14 women and 16 children were killed."

Another group described the bombing of Bani Ma'an market on about 12 December 2009, which killed 80 to 90 people. One of them said: "You couldn't tell human flesh from animal meat."

The lack of access to Sa'dah meant that Amnesty International delegates in Yemen in March 2010 could not verify such accounts at first hand, although collectively the accounts they received provided strong evidence of the nature of the recent bombardments by Yemeni and Saudi Arabian forces.

International humanitarian law, which applies during armed conflicts, forbids the targeting of civilian objects, such as houses, as well as attacks that fail to discriminate between military and civilian targets, or are disproportionate in their consequences for civilians. If such attacks are carried out deliberately, they constitute war crimes.

Allegations of human rights abuses were also made against the Huthis, including the use of child soldiers and laying land mines. Again, Amnesty International could not verify them.



Children playing in an Internally Displaced People (IDP) camp in 'Amran, February 2010



“I DID NOT KNOW ANYTHING ABOUT HIM, OR WHETHER HE WAS DEAD OR ALIVE.”

Yahya Abdullah al-Siyani was speaking about his son Abdul Ilah, a 21-year-old accountant who disappeared for four months after his arrest in Sana'a on 19 May 2008. He was later sentenced to five years in prison on charges relating to his alleged support for the Huthis. Another son, Muhammad, an 18-year-old student, remains held without charge since his arrest in March 2007.

Many people captured or arrested in connection with the Sa'dah conflict have disappeared; some for months, some are still reported missing. Many have allegedly been tortured under interrogation when held for long periods without contact with the outside world and without access to a lawyer. Many remain behind bars even though they have never been charged. Hundreds have been prosecuted, including at least 34 sentenced to death after unfair trials before the Specialized Criminal Court.

Amnesty International calls on the Yemeni government to:

- Take appropriate measures to ensure the safe return to Sa'dah of displaced people who wish to return, including rebuilding homes and infrastructure, and funding adequate levels of assistance and services.
- Prioritize safe and unimpeded humanitarian access to Sa'dah.

Amnesty International calls on the Yemeni and Saudi Arabian governments to:

- Investigate and ensure accountability for alleged violations of international law by their forces during the conflict.

Amnesty International calls on the Yemeni government and Huthis to:

- Ensure that their forces always abide by their obligations under international human rights and humanitarian law.
- End the use of child soldiers.

BY MARCH 2010, AROUND 280,000 PEOPLE FROM SA'DAH WERE DISPLACED. ABOUT 10 PER CENT OF THEM WERE IN CAMPS. THE OTHER QUARTER OF A MILLION WERE SQUEEZED IN WITH RELATIVES AND FRIENDS, OR STRUGGLING TO SURVIVE IN DERELICT BUILDINGS, RENTED ROOMS, THE GROUNDS OF MOSQUES AND OPEN SPACES.

© Amnesty International



© Private

Above: Muhammad al-Maqalih
Left: The Specialized Criminal Court in Sana'a where Amnesty International delegates were refused entry to attend sessions of Muhammad al-Maqalih's trial in March 2010.

MUZZLING FREE SPEECH

The government has become increasingly intolerant of the independent media and any criticism. Journalists, editors and media proprietors have been detained, held incommunicado, ill-treated and jailed on spurious charges after unfair trials. Security forces have attacked and raided newspaper offices and television stations, and shot at demonstrators peacefully protesting against repression of free speech. Newspapers have been suspended and news websites blocked.

Freedom of expression is guaranteed by Yemen's Constitution. However, this right is undermined by restrictive laws and practices, particularly the 1990 Press and Publications Law, and by the Specialized Press and Publications Court set up in May 2009. The court appears to be aimed at suppressing dissent by fast-tracking cases brought against government critics.

Among many victims of the crackdown on free speech is Muhammad al-Maqalih, a journalist and Socialist Party member. He

disappeared in September 2009 for four months. He later told Amnesty International that he had been snatched by armed state agents in plain clothes from a street in Sana'a and then severely beaten "all over my body until I was bleeding and lost consciousness... I was unable to move for about 10 days."

Muhammad al-Maqalih was subsequently charged with broadcasting information against the security forces and defending Huthi supporters. Such charges are punishable by death. He was then referred to the Specialized Criminal Court. In April 2010 he was told that he also faced prosecution for "defaming the President" before the Specialized Press and Publications Court, apparently for articles he wrote in 2005.

In March 2010 Amnesty International delegates in Yemen were twice refused admission to the Specialized Criminal Court to attend sessions of Muhammad al-Maqalih's trial. Around a week later, Muhammad al-Maqalih was released and

on 20 May Yemen's President halted all legal proceedings against him. However, Amnesty International is concerned that the charges against him were not dropped, so the threat of trial and punishment continues to hang over him.

Amnesty International calls on the Yemeni government to:

- Release immediately and unconditionally anyone detained solely for the peaceful exercise of their views.
- Repeal all laws that criminalize peaceful dissent.
- Ensure the Specialized Press and Publications Court meets international fair trial standards.

SOUTHERN DISCONTENT

Tens of thousands of people have demonstrated in the past three years against what they perceive as discrimination against the south by the government in Sana'a. The scale of opposition is reflected



© Private

in the ubiquitous red, white, blue and black flags of the previously separate state of South Yemen and widespread graffiti. In response, the authorities have increasingly resorted to unlawful killings, arbitrary arrests and excessive use of force against peaceful demonstrators.

Peaceful protests began in August 2007, led by former soldiers angry that they received lower pensions and pay than their counterparts in the north. A heavy-handed response by the authorities contributed to the formation of the Southern Movement. Many factions of the movement call for the south to secede from the north.

The Yemeni authorities deny the accusations of discrimination against the south and accuse the Southern Movement of links with al-Qa'ida and of containing an armed element. They point to violent clashes between armed protesters and the security forces in 2009 that left casualties on both sides. These clashes have, in fact, been exceptions. For its part, the Southern Movement denies any link to al-Qa'ida and

“THEY ARE FOLLOWING, ARRESTING AND HARASSING US AND OUR FAMILIES TO PUT PRESSURE ON US TO REMAIN SILENT.”

A soldier forcibly demobilized from the army in 1994

stresses the peaceful nature of its campaigning.

Since early 2010, the security forces have stepped up operations against the Southern Movement. In late February 2010, for example, more than 90 people were arrested during demonstrations. In March, the government declared a state of emergency in al-Dali', imposed night curfews for varying periods in al-Dali', Radfan and Zinjibar, and closed down mobile phone networks in some areas.

The first five months of 2010 also witnessed the killing of several Southern Movement activists. Among them was Ali al-Haddi, a

Mass demonstration against perceived discrimination by the Sana'a-based government against the south, 2009.

relatively new member of the Movement. Security forces stormed his house at 3.30am on 1 March 2010. Hours after shooting and injuring him in the leg, they shot him dead. They also shot dead a relative. When the family viewed Ali al-Haddi's body at the mortuary a few hours later, it had been mutilated. Among other things, his lips had

“THERE WERE SECURITY MEN SCATTERED IN THE STREETS AND ON ROOFS TO GUARD A PEACEFUL PROTEST... SUDDENLY THEY'RE SHOOTING... MANY WERE HIT. I SAW ONE DIE.”

Ala Muhammad Ali Ubad, a bystander during a demonstration in Aden on 21 May 2009

been cut off. Afterwards, the authorities claimed that Ali al-Haddi was a member of al-Qa'ida, an allegation ridiculed by activists.

Since 2007 the security forces are reported to have killed scores of people in or near demonstrations, most of which were peaceful although a few involved low-level violence such as stone-throwing. Some of those killed were bystanders.

© Amnesty International



Sharaf Saleh Ali Ba Ubad

Sharaf Saleh Ali Ba Ubad, a 22-year-old student at Aden University, was arrested on 7 May 2009 in Aden. Twenty days later the university expelled him without investigation. The security forces accused him of planning to demonstrate and carrying banners with pro-secession slogans. He was subsequently tried and given a four-month suspended prison sentence. During a meeting with Amnesty International in March 2010, the Human Rights Minister said that she would personally ensure that Sharaf was reinstated at his university. However, Amnesty International learned in late May that he had not been reinstated and in fact had been rearrested on 26 May while on a bus, burned with cigarettes and then taken to al-Mu'alla police station in Aden and subsequently released.

Thousands of protesters and bystanders have been arrested and detained, in many cases arbitrarily. Most were quickly released but many have been held for long periods without charge or trial and denied any means to challenge the legality of their detention. Some detainees say that they have been tortured or otherwise ill-treated.

Following amnesties announced by the

President in May, most detainees linked with the unrest in the south have been released.

Amnesty International calls on the Yemeni government to:

- Investigate the killing or injury of demonstrators and bystanders, and bring to justice anyone found responsible for ordering or participating in unlawful killings or excessive use of force.

TAKE ACTION NOW

Please write to the Yemeni authorities, calling on them to carry out the recommendations in this document as well as to:

- End their resort to arbitrary arrests and detentions, enforced disappearances, incommunicado detention and torture, excessive use of force against demonstrators, targeted killings, unfair trials and the death penalty.
- Release immediately and unconditionally anyone held solely for the non-violent expression of their conscientiously held beliefs.
- Promptly charge and give fair trials to all security detainees, or release them.
- Give all detainees access to lawyers.
- Protect detainees from torture and other ill-treatment, including by investigating thoroughly all allegations and bringing those responsible for abuses to justice.
- Provide reparations to all victims of human rights violations, including financial compensation.

Please write to the US authorities, asking them to:

- Investigate the apparent US involvement in the unlawful killings in Abyan governorate on 17 December 2009 and other attacks, make public the findings, and bring to justice anyone responsible.
- Ensure that human rights standards, including those governing the use of firearms in law enforcement, are strictly adhered to when the USA and Yemen co-operate on security operations, and that such standards are also included in US training programmes for Yemeni forces.

Please send your appeals to:

His Excellency Ali Abdullah Saleh
President
Office of The President
Sana'a
Republic of Yemen
Salutation: Your Excellency

President Barack Obama
The President
The White House
Office of the President
1600 Pennsylvania Avenue NW
Washington DC 20500, USA
Email: <http://www.whitehouse.gov/contact/>
Salutation: Dear Mr President

**AMNESTY
INTERNATIONAL**



Amnesty International is a global movement of 2.8 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

www.amnesty.org

Index: MDE 31/011/2010
August 2010