

YEMEN

REPUBLIC OF YEMEN

Head of state: 'Ali 'Abdullah Saleh

Head of government: 'Abd al-Karim 'Ali al-Iryani

Capital: Sana'a

Population: 18.1 million

Official language: Arabic

Death penalty: retentionist

2000 treaty ratifications/signatures: Rome Statute of the International Criminal Court

Political activists, including prisoners of conscience, were detained and court proceedings continued against several journalists in an apparent attempt to harass them for criticizing the government. Torture and deaths in custody were reported. The judicial punishment of flogging continued to be imposed. At least 13 people were executed and scores, possibly hundreds, were under sentence of death at the end of 2000.

Background

In August the government submitted to parliament a proposal to amend the Constitution. The proposed amendments included extending the term of office of the president from five to seven years and of parliament from four to six years. The government also proposed the establishment of a consultative council (*Majlis al-Shura*) of 111 members appointed by the president. The proposed amendments were approved by the parliament in November and were expected to be the subject of a referendum in early 2001.

In al-Dala' two people, a soldier and a child, were reportedly killed in February and May respectively. The killings occurred amid ongoing tensions and protests calling for the demilitarization of the area, the integration of former South Yemeni soldiers into the army, and the release of detainees.

Scores of people were reportedly killed in clashes between armed tribes, and between tribes and the security forces in different parts of the country. In July and August, 39 people were reportedly killed during clashes between the Wailah and Dalim tribes near the border with Saudi Arabia. At least three people, including a child, were killed in July during clashes between the Al Zayidi tribe and the military in Mareb governorate. The clashes followed the kidnapping of military officers by tribesmen. Scores of residents fled their homes, reportedly after the area was bombarded by the Yemeni army. The village of Misrakh, in Ta'iz governorate, was also reportedly shelled by the Yemeni army in July following clashes between residents and army units arising from a land dispute. Confrontations with the military also occurred in Kud Qru, near Aden, in September, after local people prevented a contractor from digging stones from a mountain, the ownership of which was claimed by the Kud Qru tribe. More

than 200 people were reported to have fled the area in fear of their lives. Reports suggested that some people may have died as a result of excessive use of force by members of the security forces.

In October, 17 US sailors were killed and 35 wounded when a bomb exploded on a US destroyer in the port of Aden. Around 100 people were detained by the Yemeni authorities for questioning; most were released after a brief period in detention. Members of the US Federal Bureau of Investigation (FBI) travelled to Yemen to take part in the investigation but it was not known whether they were involved in the interrogation of the detainees. No information was available as to how many people remained held by the end of the year.

A total of 17 people were reported to have been abducted by tribesmen in seven incidents. In most cases the abductors demanded that the government improve local services and amenities.

Political prisoners and prisoners of conscience

Hundreds of people were arrested and detained on political grounds in different parts of the country but particularly in the southern regions. Some arrests took place after clashes with the security forces, others after what appeared to have been peaceful protests against government policies. Some of those detained were prisoners of conscience.

☞ In July Mohamed 'Omar Haji, a 27-year-old Somali national, was put on trial for converting to Christianity from Islam, an offence which is punishable by death. He was arrested and detained several times by police officers who allegedly beat him and threatened to kill him to force him to repent. In September the Yemeni authorities stated that Mohamed 'Omar Haji had left Yemen, but did not specify for which country.

☞ Up to 150 people were reportedly detained in the al-Dala' governorate at the beginning of 2000 following protests and clashes between residents and the security forces. The detainees were said to have included children as young as seven. It was not known if the detainees remained held at the end of the year.

☞ On 26 August, four members of the Yemen Socialist Party (YSP) — 'Ali Munser Muhammad, Yassine Ahmad Saleh, Ahmad Belghaith 'Othman and Ahmad Muhammad Ana'am — were reportedly arrested in Aden for participating in a YSP meeting. They were detained for several days and then released without charge.

☞ At least 100 people, including children, were reportedly detained following armed clashes in Kud Qru in September. Among the children who were detained were 10-year-old Mehdi Fadhl Hadi and eight-year-old Muhammad Fadhl Hadi. It was not known how many of those detained remained held at the end of the year.

☞ At least 13 political prisoners, suspected members of the former *al-Jabha al-Wataniya al-Dimuqratiya*, National Democratic Front, an opposition organization in the former Yemen Arab Republic, remained in prison. They had been arrested in the 1980s and most had been under sentence of death since 1986.

☞ At the beginning of April, the Supreme Court upheld the

jail sentences of five United Kingdom (UK) nationals who were part of a group of 10 individuals, including two Algerian nationals, convicted of forming an armed gang and possessing weapons. The defendants alleged that they had signed their confessions under torture, but it was not clear whether the Supreme Court took this into account when considering the case. No investigation into their allegations of torture was known to have been carried out.

☞ 'Omar Ibrahim Dagah was released without charge at the beginning of January. He had been arrested in August 1999 in connection with an explosion in Aden and held in incommunicado detention for several months. His family was never allowed to visit him in prison and his case never went to court.

Harassment of journalists

Legal proceedings continued against several leading journalists and newspaper editors for articles they had written or published.

☞ In May Hisham Basharahil, editor-in-chief of the newspaper *al-Ayyam*, was accused of having caused "damage to national unity" following an interview with UK-based Islamist activist Abu Hamza al-Masri. Days later, in the second case to be brought against him within a week, Hisham Basharahil was charged with provoking tribal and religious strife by publishing an article that criticized the demolition of an old synagogue in Aden. In June he was also summoned for questioning, for a third time, by the General Prosecution Office in Aden for publishing a news item entitled "Prisoner attempts to commit suicide". Legal proceedings against him were continuing at the end of the year.

Torture/ill-treatment

Torture and ill-treatment were reported. One prisoner reportedly died in custody as a result of torture.

☞ In August Sabah Seif Salem, a pregnant Yemeni woman, reportedly died while detained in the al-'Udain district of Ibb. She had allegedly been tortured in order to force her to confess to adultery. No investigation into the circumstances surrounding her death was known to have taken place.

Death penalty

Scores, possibly hundreds, of people were believed to be under sentence of death or facing trial for capital offences at the end of 2000. At least 13 people were executed.

☞ Salih 'Ali Ahmad al-Kabdi, who had been convicted of murder, was reportedly executed in October in a public square in al-Hawtah in front of a large crowd. Some local residents were said to have protested against the use of the square for executions because of the psychological effect on patients in a nearby hospital and children.

☞ At the end of the year, a response from the Yemeni government informed AI that the Supreme Court had referred the case of Fuad 'Ali Mohsen al-Shahari to the appeal court in Ta'iz. His case was pending before the Supreme Court; the death sentence against him had been upheld by the court of

appeal. Fuad 'Ali Mohsen al-Shahari had been convicted of the murder of a captain in the Political Security Department. He had been sentenced to death by the Court of First Instance in Ta'iz on 12 November 1996 after an unfair trial. He had been held incommunicado for about a month and allegedly tortured and ill-treated in order to force him to confess to the murder. Key defence witnesses were reportedly intimidated to prevent them from testifying in the case.

Flogging

People continued to be sentenced to flogging for offences of a sexual nature, for the consumption of alcohol and for slander.

☞ In May, Yemen's Supreme Court reportedly upheld the sentence of 80 lashes imposed on journalist 'Abd al-Jabbar Sa'ad. He had been sentenced for accusing Sheikh 'Abdel Majid Zendani, president of the central committee of the main Islamist opposition party, *al-Islah*, of adultery in an article published in the weekly newspaper *al-Shura*. The court also banned him from working as a journalist for a year, ordered the closure of *al-Shura* for six months, and ordered him to pay damages to Sheikh Zendani. It was not known if the flogging was carried out during the year.

'Disappearances'

The fate of hundreds of people who had "disappeared" in Yemen since the late 1960s remained unknown. Undertakings made by the government to investigate the cases of those who had "disappeared" since 1994 were apparently not implemented.