Yemen

The human rights situation in Yemen deteriorated significantly in 2009. Yemen's previous advances in the rule of law have been eroded by hundreds of arbitrary arrests and use of lethal force against peaceful demonstrators as the central government responded to increasing political unrest in the south. A resurgence of conflict with Huthi rebels in the north saw both sides reportedly commit laws of war violations, and use child soldiers, and the government continued to deny humanitarian access to the displaced. Al Qaeda in the Arabian Peninsula launched attacks from Yemen inside the country and in Saudi Arabia.

Conflict in the North
On August 12, sporadic clashes between Huthi rebels and government forces in the northern Sa'da governorate erupted into the sixth round of heavy fighting since June 2004. The conflict has displaced more than 150,000 people, many of whom remain out of the reach of humanitarian agencies. Saudi Arabia in September blocked refugees' access to the kingdom, denied humanitarian access to Yemen through its territory, and forcibly returned refugees who had crossed its border. In November Saudi forces became a party to the armed conflict.

Yemeni authorities continued to restrict access by international aid agencies to persons in need in Sa'da governorate, shutting down telephone lines as well. The United Nations in August called for humanitarian corridors and localized ceasefires, to allow aid to reach civilians, and for civilians to be able to flee to safety.

Government forces and Huthi fighters both recruited children for combat. Huthi fighters carried out summary executions and put civilians in harm's way by firing from populated areas. Government forces reportedly conducted indiscriminate aerial bombardment in civilian-populated areas, including a crowded market in al-Talh on September 14 and a gathering of displaced persons in al-'Adi on September 16.

Suppression of Southern Separatism
Security forces carried out mass arbitrary arrests surrounding protests of the peaceful Southern Movement, a loose grouping with broad backing demanding secession. Security
forces erected checkpoints on days of announced protests and arrested suspected participants, but also uninvolved bystanders. The number of arrests at a July 7 Aden protest led authorities to move detainees into industrial hangars and even to the sports stadium.

Other arrests targeted perceived leaders of the Southern Movement. In early June police stopped Walid Shu'aibi, the head of the Union of Southern Youth in al-Dhali', and dragged him into their car as he was walking from his student housing in Aden. Lawyer Muhammad Hasani on May 7 tried to represent detainees, but was arrested and detained at the Criminal Investigation Division for six days instead. Ahead of the planned July 7 protest, authorities on July 2 arrested two leaders of the Southern Movement, Qasim al-Da’iri and Ali al-Sa’di, who remain in detention at this writing.

Security forces also “disappeared” people. In April they arrested Ahmad Ba-Mu’allim in Hadhramawt; his whereabouts remained unknown until lawyers for HOOD, a rights organization, got access to him in San’a’s War Prison in July.

During an April 15 protest in Habilain, riot police without warning or provocation fired automatic weapons directly at protestors, wounding one man in the foot. During a May 21 protest in Aden security forces on several different occasions opened fire without warning or provocation, wounding 23 protestors including Nasr Hamuzaiba, a former army officer and Southern Movement activist. Protestors responded by throwing rocks at the security forces, who again responded with deadly force. Rock-throwing by the protestors, while possibly criminal, does not warrant lethal responses in such circumstances. On May 30, protestors marched peacefully in Shahr, demanding the release of some 75 persons detained during a protest two days earlier. When they came to within meters of riot police blocking the road, police fired first into the air, but then at the protestors, killing ‘Awwad Baram. The government held no inquiry into the fatal shooting. In al-Dhali’, security forces shot and killed Tawfiq al-Ja’di during a May 31 demonstration without warning or provocation.

**Media Freedom**

On May 11 the judiciary created a new court to try journalists. On July 11 this Specialized Press Court held its first criminal hearing, relating to earlier (December 2006) charges against Sami Ghalib, editor of Al-Nida newspaper, over an article about corruption at the Ministry of Endowments’ Hajj and ‘Umra department. A special prosecutor for press and publication matters can take journalists and media personnel to court over violations of the penal code and the Press and Publications Law.
Information Minister Hasan al-Luzi on May 4 announced a ban on the distribution of eight of Yemen’s leading independent daily and weekly newspapers, *Al-Ayyam, Al-Masdar, Al-Watani, Al-Diyar, Al-Mustaqilla, Al-Nida, Al-Shari*, and *Al-Ahali*, for publishing articles “against national unity and the country’s highest interests” and “incit[ing] violations of law and order, spreading hatred and enmity among the united people of Yemen.” The government also imposed informal censorship, imposing “red lines” that included publishing interviews with Southern Movement leaders and gory pictures of injured or killed southern protestors, and mentioning the names of the organizations behind the protests. Pressure by authorities on media outlets extended to physical attacks on *Al-Ayyam*, Yemen’s oldest and largest independent newspaper. On May 1, armed individuals stopped *Al-Ayyam*’s delivery van in the Milah area of Lahj governorate and burned 16,500 copies. On the night of May 2, soldiers at two military checkpoints outside Aden confiscated more than 50,000 copies of *Al-Ayyam*, providing employees with a receipt signed by the police, the intelligence service, and the Ministry of Information. On May 4, *Al-Ayyam* suspended publication due to a siege of their offices. On May 12, security forces exchanged fire with guards at the *Al-Ayyam* compound in Aden, leaving one bystander dead and another gravely wounded.

**Terrorism and Counterterrorism**

Al Qaeda in the Arabian Peninsula, a new merger of al Qaeda’s Yemeni and Saudi branches, carried out attacks on both countries from Yemen, where about two dozen wanted Saudi militants, including nine former detainees of the United States at Guantanamo Bay, are said to be hiding. In March a suicide bomber killed four South Korean tourists in Hadhramawt, and in August a suicide bomber who crossed into Saudi Arabia nearly assassinated the Saudi counterterrorism chief, Prince Muhammad bin Nayef. Islamist militants are among the possible suspects in the June abduction of nine foreigners in north Yemen, three of whom—two German nurses and a South Korean teacher—were killed.

Security forces arbitrarily detained more than 135 terrorism suspects without charge, including one former Guantanamo detainee held for five months, and two children held as hostages to induce relatives to surrender.

US concerns about Yemen’s counterterrorism measures stalled repatriation of more than 90 Yemenis at Guantanamo—nearly half the remaining detainees. Only two Yemenis have been returned since 2007: Salim Hamdan in November 2008 and Ala’ Ali Ahmad in September 2009.
Death Penalty
In 2009 Yemen executed more than 30 persons as of October, including Aisha al-Hamza for murdering her husband, whom she alleged had abused their daughter. Courts sentenced to death members of al Qaeda, Huthi rebels, and alleged spies for Israel and Iran.

Women’s and Girls’ Rights
In a positive step, parliament in February gave women the right to pass their nationality on to their children, and set the minimum legal age for marriage at 17. However, early marriage remains widespread, exposing young girls to domestic violence and maternal mortality, and cutting short their education. In September a 12-year-old married girl died in childbirth. Yemen has one of the world’s highest maternal mortality rates, with an estimated eight women dying each day from childbirth complications. Seventy-five percent of Yemenis live in rural areas with no hospitals.

Women who marry against parental wishes are sometimes charged with adultery and imprisoned. Marital rape is not criminalized, trapping forcibly married girls and women in relationships with abusive husbands. Women fleeing domestic violence are sometimes incarcerated, and may face prolonged detention when male relatives refuse to collect them. A new policy allows female relatives to collect female detainees as well, but to date it is not consistently observed.

Key International Actors
Saudi Arabia, Qatar, and other Persian Gulf states provide substantial amounts of assistance to Yemen, including to tribal leaders and religious institutions.

Nine European Union states also provide aid to Yemen. The largest donor, the United Kingdom, plans to give the equivalent of US$189 million between 2007 and 2011. For fiscal year 2010 the Obama administration requested from Congress US$55.5 million, an increase of US$20 million compared to 2009, bringing US aid levels back to 2007 levels. The biggest increases went to programs of “governing justly and democratically,” and to human rights and the rule of law within that category. Washington publicly supported Yemen’s unity but criticized attacks on Al-Ayyam newspaper.

The UN and donor states played a greater role in 2009 pressing the government to grant humanitarian access to civilians affected by the Sa’da conflict.