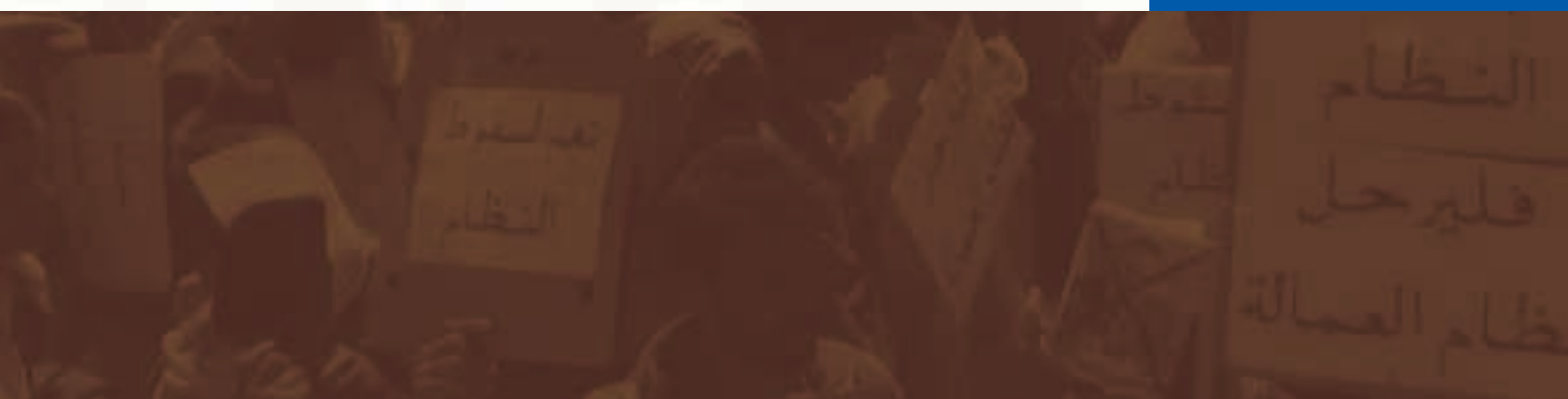




YEMEN

Days of Bloodshed in Aden

HUMAN
RIGHTS
WATCH





Days of Bloodshed in Aden

Copyright © 2011 Human Rights Watch
All rights reserved.
Printed in the United States of America
ISBN: 1-56432-753-1
Cover design by Rafael Jimenez

Human Rights Watch
350 Fifth Avenue, 34th floor
New York, NY 10118-3299 USA
Tel: +1 212 290 4700, Fax: +1 212 736 1300
hrwnyc@hrw.org

Poststraße 4-5
10178 Berlin, Germany
Tel: +49 30 2593 06-10, Fax: +49 30 2593 0629
berlin@hrw.org

Avenue des Gaulois, 7
1040 Brussels, Belgium
Tel: + 32 (2) 732 2009, Fax: + 32 (2) 732 0471
hrwbe@hrw.org

64-66 Rue de Lausanne
1202 Geneva, Switzerland
Tel: +41 22 738 0481, Fax: +41 22 738 1791
hrwgva@hrw.org

2-12 Pentonville Road, 2nd Floor
London N1 9HF, UK
Tel: +44 20 7713 1995, Fax: +44 20 7713 1800
hrwuk@hrw.org

27 Rue de Lisbonne
75008 Paris, France
Tel: +33 (1)43 59 55 35, Fax: +33 (1) 43 59 55 22
paris@hrw.org

1630 Connecticut Avenue, N.W., Suite 500
Washington, DC 20009 USA
Tel: +1 202 612 4321, Fax: +1 202 612 4333
hrwdc@hrw.org

Web Site Address: <http://www.hrw.org>



MARCH 2011

ISBN: 1-56432-753-1

Days of Bloodshed in Aden

Summary	1
I. Background.....	3
II. Victims.....	6
III. Perpetrators	8
IV. Denial of Medical Care	13
V. Government Cover Up	15
VI. Arbitrary Arrests and “Disappearances”	17
VII. Incidents of Excessive Use of Force.....	20
Wednesday, February 16, 2011.....	20
Thursday, February 17, 2011.....	21
Friday, February 18, 2011	22
Sunday, February 20, 2011.....	25
Friday, February 25, 2011	26
Recommendations.....	30
To the Government of Yemen	30
To Yemen’s international counterparts	31
Acknowledgments.....	32

Summary

From February 16 to 25, 2011, Yemeni security forces in the southern city of Aden repeatedly used excessive force, including live ammunition, against largely peaceful protesters. They killed at least nine and possibly twice as many protesters, and injured up to 150, some of them children.

Yemenis in the southern provinces, including Aden, have been demonstrating since 2007 for increased economic opportunities and political autonomy or secession. The protest movement is led by the so-called Southern Movement, a loose grouping of various interests with multiple leaders. In February 2011, protesters in the south, as in other parts of the country, held demonstrations calling for the downfall of the government of President Ali Abdullah Saleh.

This report is based on information collected by Human Rights Watch in Aden through interviews with more than 50 people, including injured victims, witnesses to the killings, relatives of killed protesters, doctors and paramedics, and human rights activists. Human Rights Watch also analyzed video and photo materials made available by witnesses to the protests, as well as hospital records, and some of the ballistic evidence collected by protesters after the shootings.

In Aden, security forces have systematically attempted to prevent large gatherings. However, groups of several hundred people protested in various parts of the city almost daily starting on February 15, 2011. Some of the protests were entirely peaceful. On other occasions, protesters threw stones as security forces tried to disperse them.

Security and intelligence forces, including members of Central Security, the general police, the army, and the National Security Bureau, violently dispersed most of the peaceful protests. In all cases documented by Human Rights Watch, security forces used tear gas, rubber bullets, and live ammunition, including from automatic weapons and machine guns. Security forces routinely used lethal force that was clearly excessive in relation to the danger presented by unarmed protesters, who in most cases presented no threat to others or to surrounding property. In all of the cases documented by Human Rights Watch, security forces chased and shot at protesters trying to flee their assaults. Several bystanders were also injured in these incidents.

Security forces also prevented the victims from getting medical assistance. They routinely did not allow doctors and ambulances to reach the protest sites to assist the wounded, and fired at people who tried to rescue victims. Many injured did not go to government hospitals fearing arrest, and the capacity of private hospitals was overstretched.

The exact number of those killed and injured during the attacks in Aden remains unknown. Authorities did not publicize information on casualties and prevented independent observers from accessing government hospitals.

Government officials denied any involvement of security forces in the killings and blamed the violence on the Southern Movement separatists. Security forces quickly removed bullet casings from the streets, and authorities forced families to bury the bodies of those killed immediately, in an apparent attempt to suppress evidence and to prevent massive public funeral processions. In at least one case, the authorities forged a forensic report of a person killed in a protest.

Human Rights Watch in 2009 documented the same patterns of use of excessive force by Yemeni security forces against southern protesters. The report, *In the Name of Unity*, detailed the unlawful killings of protesters, in addition to arbitrary arrests and suppression of freedom of expression.

Human Rights Watch calls on the Yemeni government to ensure its security services abide by international policing standards, cease arbitrary and incommunicado detentions, and establish an independent commission of inquiry with full authority to investigate the use of excessive force against peaceful protesters. It calls on Yemen's neighbors and donors to make clear to the Yemeni authorities that international assistance, including financial, military, and diplomatic support, will be contingent upon improvements in Yemen's human rights conduct.

I. Background

Yemen is the poorest country in the Middle East and among the poorest in the world.¹ The Republic of Yemen was created through the unification of north and south in 1990. In 1962, an army coup ended centuries of rule by the Zaidi imam, establishing the Yemen Arab Republic (YAR), in what many referred to as North Yemen. In 1967 the British protectorate known as South Yemen achieved independence as the socialist People's Democratic Republic of Yemen (PDRY).

After the former Soviet Union withdrew its support from the south in 1989, the leaders of south and north, Ali Salim al-Baidh and Ali Abdullah Saleh, declared the union of the two Yemens on May 22, 1990 as the Republic of Yemen. Yemen embarked on a path of multiparty politics and held its first elections in 1993. Rather than consolidate unity, the elections reinforced the divide between southern Yemen, which overwhelmingly voted for Yemeni Socialist Party (YSP) candidates, and northern Yemen, whose voters returned candidates of the Islah party, an Islamist group, and the General People's Congress (GPC), the party of President Saleh.²

Relations between the YSP and the GPC deteriorated over issues including the speed and extent of integration of the two separate armies, bureaucratic and judicial reform, and measures against corruption and terrorism.³ A civil war in April-June 1994 ended in the defeat of the south.⁴

Many southerners regard the defeat as the beginning of a sharp decline in their economic fortunes and the start of an even greater marginalization of southerners in a united Yemen dominated by northerners. The damage from the war and the looting to factories and

¹ The World Bank estimated Yemen's annual per capita gross domestic product at US\$520 in 2003. That year, Yemen ranked 151 out of 177 countries on the United Nations Human Development Index. World Bank, "Yemen," <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/MENAEXT/YEMENEXT/0,,menuPK:310170~pagePK:141159~piPK:14110~theSitePK:310165,00.html> (last accessed October 2, 2008).

² Brian Whitaker, *The Birth of Modern Yemen (2009)*, e-book published at www.al-bab.com/yemen/birthofmodernyemen (accessed October 28, 2009), p.137.

³ Joseph Kostiner, "Yemen. The Tortuous Quest for Unity, 1990-94," *The Royal Institute of International Affairs, Chatham House Papers*, (Royal Institute of International Affairs, London: 1996), p. 65-74.

⁴ Human Rights Watch/Middle East, *Yemen: Human Rights in Yemen During and After the 1994 War*, vol. 6, no. 5, October 1994, p.6.

industries was never fully repaired.⁵ However, historians have stated that southern Yemen's formerly socialist economy was already in sharp decline long before the civil war.⁶ According to southern accounts, southern land and oil contracts often went to northerners close to the president, along with their profits. After the 1994 war, the authorities in Sanaa also forcibly retired many southern military officers and civil servants and replaced them with northerners, while some 100,000 retired southern military officers and civil servants only sporadically received their pensions.⁷

In 2007, these grievances led to a series of small-scale protests organized by former military officers from the south who had been forcibly retired. The protests soon drew broader support as most of the southern branches of political parties, led by the Yemeni Socialist Party (YSP), mobilized their grassroots networks, and more traditional leadership structures, including tribal shaikhs, joined the protest movement. This combination of factors gave birth to the Southern Movement, a coalition of various groups that by early 2009 had gained broad support in southern Yemeni society, and escalated its demands to calls for outright secession and the reestablishment of an independent state in the south.⁸

Since the start of the protests in 2007, the Southern Movement has publicly insisted that it is peaceful, and has repeatedly rejected the use of armed resistance in achieving its goals.⁹ The Yemeni authorities and the state-controlled press, on the other hand, have frequently accused the Southern Movement of harboring armed elements and have blamed deaths at protests on armed participants in the demonstrations.¹⁰

⁵ Ginny Hill, "Yemen: Fear of Failure," *Chatham House*, Middle East Programme Briefing Paper, November 2008, p.5.

⁶ Whitaker, *The Birth of Modern Yemen*, pp. 16-22.

⁷ Whitaker, *The Birth of Modern Yemen*, p. 216.

⁸ See, for example, Suzanne Dehlgren, "The Southern Movement in Yemen," *ISIM Review* 22, Society & the State, August 2008, and Human Rights Watch, *Yemen: In the Name of Unity*, December 2009, <http://www.hrw.org/en/reports/2009/12/15/name-unity-o>, Chapter IV, "The Southern Movement: An Overview."

⁹ See, for example, comments by Nasir Nuba: "We call on the people of the south to actively participate in this event [commemorating withdrawal of the last British troops] ... while holding dear their civil values and civilized manners and peaceful means in changing opinion." "The Supreme Council for the Liberation of the south and the Commission of the Southern Movement in Aden Call on Southerners to Celebrate Independence Day," contribution by Nasr Asad to discussion forum Yemeni Council, November 21, 2008, <http://www.ye1.org/vb/showthread.php?t=304437> (accessed October 29, 2009).

¹⁰ See, for example, Hammoud Mounassar, "Yemeni President Urges Dialogue after Deadly Clashes," *AFP*, May 21, 2009 (quoting President Saleh blaming "outlaws aiming to hit at the nation and its safety and to stir unrest" for deaths during a protest in Aden); "Aden Governor: No Clashes Between Citizens and Security," *Saba News*, May 21, 2009 (quoting Aden governor Adnan al-Jifri stating that armed persons who were part of "chaotic elements" who had "conducted unrest and sabotage acts" were responsible for the death of a protestor.)

Since 2007, security forces responded to the largely peaceful protests with brutal force, and routinely opened fire on protesters, killing and wounding unarmed demonstrators.¹¹

On February 3, 2011, inspired by the popular uprisings that toppled the presidents of Tunisia and Egypt, Yemenis in major cities including the capital, Sanaa, and Aden and Taizz in the south, began holding peaceful demonstrations in which they demanded the resignation of President Ali Abdullah Saleh, who has ruled the country since 1990. The Yemen protests were and became daily events following Egyptian President Hosni Mubarak's resignation on February 11.

Protesters in the south shared many of the northerners' demands, including for Saleh's resignation, but many have also called for the secession of Yemen's southern provinces. President Saleh's security forces and government loyalists, many of whom were supported by his office, responded to the protests across the country with excessive and deadly force, with most casualties reported from Aden, a strategic port and the capital of the south.

¹¹Human Rights Watch, *In the Name of Unity*.

II. Victims

The exact number of people killed and injured as a result of protests in Aden since February 16 remains unknown. Yemeni authorities admitted several deaths, which they blamed on protesters, and specifically on activists of the Southern Movement (see below). They have not made available information on the overall number of killed and wounded. Government hospitals and morgues remain off-limits for outside observers, and at least some of the wounded remain unregistered as they avoid any hospitals, fearing arrests (see below).

There are several unofficial casualty lists circulated in Aden by local journalists and activists which put the death toll at more than 25, but Human Rights Watch found serious inconsistencies and inaccuracies in those lists, with some names repeated or listed incorrectly.

Through interviews with family members and witnesses, Human Rights Watch was able to independently verify nine killings that occurred between February 16 and February 25; most of them are described below. A doctor in a private hospital that received the majority of victims told Human Rights Watch on February 28, 2011, that the hospital registered eight deaths from injuries sustained during the protests. Through contacts with colleagues in two government hospitals, the doctor said he was able to confirm another ten deaths. He also said that, according to his contacts in the military hospital, at least three bodies were delivered there following the February 25 attacks against the protesters (see below).¹² Based on available hospital records and interviews with doctors, witnesses, and victims, Human Rights Watch believes that the number of people injured during the crackdown on Aden protesters is more than 150.

According to doctors and paramedics interviewed by Human Rights Watch, the majority of victims were wounded by live ammunition, including bullets from AK-47 automatic rifles, sniper rifles, and, in at least two cases, 12.7 millimeter machine guns. Some protesters also sustained burns from teargas canisters or hot water that security forces used to disperse the protesters, or injuries from rubber bullets fired at close range. Most of the injuries were to lower limbs, although doctors said they also saw a number of fatal chest and head wounds. The doctors said that, judging by the nature of the injuries, some of the victims were shot from above, which corresponds with multiple witness accounts regarding the presence of snipers who fired on protesters from rooftops.¹³

¹² Human Rights Watch interview, Aden, February 2011.

¹³ Human Rights Watch interviews, Aden, February 2011.

The majority of victims were young men and boys; Human Rights Watch documented the killings of three boys, aged 16, 17, and 17; many of the injured were children under 18 years old.¹⁴

While most of the victims participated in protests, Human Rights Watch also documented several cases in which security forces injured and killed bystanders who happened to be nearby as security forces chased protesters away. One man was killed by a bullet as he observed the protests through the window of his home.

¹⁴ The word “child” is used in this report to refer to anyone under the age of 18. The Convention on the Rights of the Child states in Article 1, “For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.”

III. Perpetrators

Witnesses interviewed by Human Rights Watch provided consistent accounts of Yemeni security forces using excessive force, including live ammunition, against largely peaceful protesters in various Aden neighborhoods from February 16 to 25, 2011.¹⁵

In most cases, witnesses referred to the following security forces as the perpetrators of the violence and identified them by their uniforms and marked vehicles:

Central Security forces (CS), a paramilitary unit, which is formally part of the Ministry of Interior but is under the command of President Saleh's nephew, Yahya Muhammad Saleh. This force featured prominently in witness accounts as the perpetrator of the worst incidents of violence during the dispersal of the protests in Aden. Several witnesses also referred to "special forces" and a "counter-terrorism unit" of the CS, an apparent reference to the Counter-Terrorism Unit that is funded by the United States and trained by US special forces.¹⁶ Witnesses said they could distinguish this unit by their uniforms and special gear—helmets, body armor, and weapons—that differ significantly from those used by other security forces. It is possible that in some cases they confused the CS Counter-Terrorism Unit and the Special Forces unit of the army, commanded by Ahmad Saleh, the president's son. CS also manned check points, in some cases jointly with the army or General Security police, across the city to prevent the protesters from gathering in large groups. A doctor in Aden told Human Rights Watch that sources in the security forces told him that after February 18 members of the CS changed into army uniforms. The source said this happened after US authorities told Yemen's president that US-trained units should not participate in the crackdown on protesters.¹⁷ Human Rights Watch could not independently verify this claim, but did see men in army camouflage uniforms driving in Aden in police cars; sources from Sanaa also said that they witnessed the same pattern after about February 18.

¹⁵ There are many security agencies in Yemen answering to different parts of the executive. Their remits overlap, leading to public uncertainty about which agency might be responsible for a particular human rights violation. A 1980 presidential order established Central Security (al-Amn al-Markazi), tasking the agency with responsibilities ranging from ensuring the safety of property and persons to border patrolling and counterterrorism. Central Security is officially under the Minister of Interior's direct authority. This agency has been heavily involved in the use of force against southern demonstrators. National Security, an agency established by decree 262 in 2002, mainly prepares analyses and provides advice to the government. For a detailed description of Yemen's security agencies and their role in suppressing the protests in the past, see Human Rights Watch, *In the Name of Unity*.

¹⁶ Jeremy Sharpe, "Yemen: Background and US Relations," Congressional Research Service, RL34170, February 3, 2010, www.fas.org/sgp/crs/mideast/RL34170.pdf, p. 32.

¹⁷ Human Rights Watch interview, Aden, February 2011.

Soldiers in the **Yemeni armed forces** also deployed on several occasions to control and disperse the protesters. In at least two cases, witnesses said that the army appeared more open to negotiation with the protesters and allowed them to proceed with the demonstrations for a while. However, the witnesses were not sure whether this was a demonstration of good will on behalf of the army, or whether the soldiers were simply waiting for reinforcement. In both cases, soldiers started shooting as soon the CS forces arrived on the scene of the protest.

The **National Security Bureau (NSB)**, an intelligence agency formed in 2002 and commanded by the president's nephew, 'Ammar Saleh, reports directly to the president and has responsibilities similar to those of the **Political Security Organization**, which is Yemen's primary domestic intelligence agency and notorious for human rights violations.¹⁸ In several cases, witnesses reported seeing members of the National Security Bureau deployed to disperse the protesters. They said they could identify them by the light beige uniforms that National Security officials wear to the office. In at least one case, a member of the NSB fired at the crowd of the protesters from his automatic gun, which apparently served as a signal to other forces to start the shooting.

General Security is the regular police, and witnesses reported that divisions of the general police, riot police, the emergency unit, and other units participated in the crackdown on protesters.

According to witnesses, security forces deployed to the sites of protests in large numbers, and used a variety of military vehicles, including armored personnel carriers, at least one tank, four-wheel drive vehicles mounted with machine guns, and water cannon trucks. Human Rights Watch saw all of these vehicles near protest sites across Aden, as well as at checkpoints.

Witnesses said that on most occasions, security forces simultaneously used teargas, rubber bullets, and live ammunition to disperse protesters. Human Rights Watch examined the remnants of ammunition, used to disperse teargas, collected by the protesters in Aden, including a "Han Ball™" hand grenade and a 37mm Long-Range "Spede-Heat™" canister,

¹⁸ Human Rights Watch, *Yemen: All Quiet on the Northern Front?*, April 2010, <http://www.hrw.org/en/reports/2010/04/07/all-quiet-northern-front-o>; Human Rights Watch, *Yemen: No Direction Home*, March 2009, <http://www.hrw.org/en/reports/2009/03/28/no-direction-home>; US State Department, Bureau of Democracy, Human Rights, Labor, "Country Reports on Human Rights Practices – 2009: Yemen," March 11, 2010, <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136083.htm> (accessed March 7, 2011).

projected by a launcher up to a range of 150 meters. Both types of ammunition are US-manufactured.

Judging by multiple witness accounts as well as videos made available to Human Rights Watch, some protests were entirely peaceful, while during others the protesters threw stones at the police—it appeared, however, that stone-throwing started after police tried to disperse the protests that were initially peaceful. These findings correspond to Human Rights Watch’s findings in 2009, in which peaceful protesters threw stones in response to the use of force by security forces.¹⁹

In virtually all cases, witnesses independently said that security forces also used snipers positioned on rooftops next to protest sites. Doctors who treated the wounded confirmed that the nature of the injuries sustained by the protesters (the angle at which bullets entered the body) was consistent with this account, and that some of the bullets extracted from the bodies seemed to have been fired from sniper rifles.

In a number of cases that Human Rights Watch documented, including those resulting in the deaths of protesters and bystanders, security forces dispersed and then chased unarmed protesters into neighborhoods and shot and killed some of them at close range (see case descriptions below). These protesters, who were running away or taking cover behind houses or vehicles, were clearly not armed and presented no physical danger to the security forces.

The use of force by state security forces acting in a law-enforcement capacity is governed by international standards. Yemen is a party to the International Covenant on Civil and Political Rights and therefore must respect the rights to life and security, and to peaceful assembly. The UN Code of Conduct for Law Enforcement Officials states that “law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.”²⁰ The UN Basic Principles on the Use of Force and Firearms provides that law enforcement officials “shall, as far as possible, apply non-violent means before resorting to the use of force” and may use force “only if other means remain ineffective.”²¹ When the use

¹⁹ Human Rights Watch, *In the Name of Unity*.

²⁰ United Nations Code of Conduct for Law Enforcement Officials, adopted December 17, 1979, G.A. res. 34/169, annex, 34 U.N. GAOR Supp. (No. 46) at 186, U.N. Doc. A/34/46 (1979), art. 3.

²¹ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), principle 4.

of force is necessary, law enforcement officials must “exercise restraint in such use and act in proportion to the seriousness of the offense.”²² Article 9 of the Basic Principles states:

Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.

The use of nonlethal means of force in crowd control, including the use of teargas, may also constitute a breach of applicable international standards, especially when such means are used to disperse nonviolent assemblies where force must be avoided, or restricted to the “minimum extent necessary.”²³ Yemeni authorities and Yemen’s international suppliers of nonlethal means of crowd control should further investigate whether the use of such means by security forces in Aden was justified and compatible with international standards.

Article 10 of the Basic Principles requires that law enforcement officials “give clear warning of their intent to use firearms.”²⁴ The Basic Principles make clear that there can be no departure from these provisions on the basis of “exceptional circumstances such as internal political stability or any other public emergency,” i.e. that these are non-derogable standards.²⁵

Yemen’s 2003 Law on Organizing Demonstrations and Marches requires organizers to notify the authorities three days in advance, except for smaller protests and gatherings that the law exempts from this procedural requirement.²⁶ Demonstrations also must not sow “sedition” or question the “unity of the lands.”²⁷ While international human rights law permits governments to act against groups—or demonstrations—using or advocating

²² Ibid, Principle 5(a).

²³ Ibid. Principles 12-13.

²⁴ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), principle 4.

²⁵ Ibid, Principle 8.

²⁶ Republican Decision of Law 29 for the Year 2003, Regarding the Organization of Demonstration sand Marches, arts. 4 and 19.

²⁷ Law on Demonstrations and Marches, arts. 9.c. and 16.

violence, it does not allow a government to ban a group solely because it is regionally based or advocates autonomy or even secession.²⁸

The Yemeni law on demonstrations bans carrying weapons at such a public event.²⁹ It requires security forces to protect participants in demonstrations and provide medical care. Security forces must disperse demonstrators when crimes are being committed, when demonstrations are unannounced, and in the event of riots.³⁰

²⁸ It is clear that political parties cannot be banned on grounds of regional basis or secessionist platform: See, for example, the judgment of the European Court of Human Rights in *United Communist Party of Turkey v. Turkey* (19392/92) (1998) 26 E.H.R.R. 121. See also the African Commission on Human and Peoples' Rights ruling in Communication 75/92, *Katangese Peoples' Congress v. Zaire*, Eighth Activity Report 1994-95.

²⁹ Law on Demonstrations and Marches, arts. 13 and 17.

³⁰ Law on Demonstrations and Marches, arts. 8 and 9.

IV. Denial of Medical Care

Witnesses, some of whom were wounded protesters, told Human Rights Watch that security forces prevented the delivery of medical assistance to the injured. Only occasionally were ambulances present, and those belonged to the police. Police prevented medical professionals from approaching the wounded. One doctor from a private clinic told Human Rights Watch that he was trying to get to the site of the protest in al-Mu'alla, a neighborhood in Aden, on the afternoon of February 25, after he received reports of casualties there. "I went there in my car, and Central Security stopped me at the checkpoint," the doctor said. "I explained who I was and that I needed to provide medical assistance to the wounded, but they didn't let me through. 'Let them die' were their exact words."³¹

The doctor and several other witnesses also told Human Rights Watch that in the first days after February 16, government hospitals refused to admit wounded protesters. Human Rights Watch documented cases where people were arrested from hospitals or had to leave the hospital fearing arrest (see below). After that, the protesters avoided these hospitals, fearing arrest. Several wounded protesters told Human Rights Watch they either did not go to the hospital at all, seeking medical assistance in private clinics, or fled from the government hospital after doctors warned them they might be arrested (see below).

Private hospitals struggled to treat the wounded, most of whom had no means to pay. A doctor at one of the hospitals that treated the majority of wounded said the hospital provided medical assistance, including complicated surgeries, free of charge. The doctor said that until March 2, 2011, the governor's office compensated some of the hospitals' cost "because the people were injured by the state," the doctor explained. However, the payments stopped and since March 4, 2011, the hospital could not take any new patients.³²

Witnesses said that security forces also prevented protesters and bystanders from carrying away the wounded, and in at least one instance, on February 25, bleeding protesters remained unassisted on the ground for hours as security forces continued shooting, preventing rescuers from approaching. At that point, according to witnesses, most protesters ran away, trying to escape the shooting, and it is difficult to see how those who tried to rescue the wounded would have presented a danger to the security forces to justify the continued use

³¹ Human Rights Watch interview, Aden, February 2011.

³² Human Rights Watch interviews, Aden, February and March 2011.

of force. Human Rights Watch documented several cases in which security forces shot and killed people who were trying to rescue the wounded (see case descriptions below).

Denial of medical aid is a form of inhuman treatment and may be a violation of the right to life guaranteed by international law, as it creates a life-threatening situation for seriously injured persons. The UN Basic Principles on the Use of Force and Firearms also stipulate that “whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall... ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.”³³

³³ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), principle 5.

V. Government Cover Up

Yemeni authorities repeatedly denied allegations that security forces shot and killed protesters in Aden. Government officials claimed that the security forces were deployed to “protect the protesters” and blamed the shootings on the Southern Movement.³⁴ Following the protests in al-Mu’alla on February 25, local media cited government sources blaming the shooting, which the authorities said resulted in three deaths, including of one soldier, on “an armed group of separatists.”³⁵

Witnesses described how authorities also took steps to hide the security forces’ abuses and to prevent their exposure. One method was to prevent forensic examinations of the corpses. Several families told Human Rights Watch that the morgue in the main Aden government hospital, al-Jumhuri, initially refused to accept the bodies of their killed relatives, citing “higher orders,” and only agreed to take them after the families paid significant bribes. Several families also said that local authorities tried to convince them to immediately bury the bodies, offering financial compensations should they agree to do so.³⁶

For most of the killings, no forensic reports have been filed, even though they are usually prepared in homicide cases, and in at least one case the forensic report was forged, a doctor told Human Rights Watch. The doctor said that he was in the hospital on the night of February 25, when the body of Salim Ba-Shatah, an employee at the state electricity company, arrived. The doctor told Human Rights Watch:

The entry wound in the head was so big and the damage was so extensive that I was certain that it was from a machine gun bullet—I used to be a military doctor, I know these things well. A forensic expert was looking at the body, but then I saw a security official talking to him, and some time later the forensic expert came with a Kalashnikov bullet. I asked him, “Isn’t the inlet too big for such bullet?” He looked embarrassed. And then I said, “Weren’t

³⁴ See, e.g., “Southern Movement Behind Killing, Riots in Aden, Official Says,” *Yemen News Agency (SABA)*, February 18, 2011, <http://www.sabanews.net/en/news235992.htm> (accessed March 4, 2011).

³⁵ “Yemen Denies Media Reports on Shooting Protesters in Aden,” *Yemen News Agency (SABA)*, February 26, 2011, <http://www.sabanews.net/en/news236590.htm> (accessed March 4, 2011).

³⁶ Human Rights Watch interviews, Aden, February 2011. See case descriptions below for more details.

you supposed to do an X-ray before you extracted the bullet?” And he said, “Yes, but I forgot.”³⁷

Several witnesses also told Human Rights Watch that the security forces kept the streets closed for several hours after shootings to collect the bullets and cartridges. Doctors said they had to hand over the extracted bullets to the police.

On February 28, 2011, President Saleh ordered the Council of Ministers, Yemen’s cabinet, to form a panel to investigate the “violent events” during the Aden protests.³⁸ As of this writing, the panel had not produced a report on its findings.

³⁷ Human Rights Watch interview, Aden, February 2011.

³⁸ “Saleh Orders Panel to Investigate Aden Violence,” *Yemen News Agency (SABA)*, February 28, 2011, <http://www.sabanews.net/en/news236788.htm> (accessed March 4, 2011).

VI. Arbitrary Arrests and “Disappearances”

Yemeni security forces detained dozens of peaceful protesters and Southern Movement activists in Aden. Some detainees were released, but others “disappeared,” without a trace. Human Rights Watch documented at least eight cases of enforced disappearances of southern opposition leaders and activists in Aden.

On February 11, 2011, 40-year-old Nasir Ali Muhammad al-Qadhi, a Southern Movement activist, was participating in a peaceful protest in Aden when a group of security officers in civilian clothes got into a fight with protesters. His brother told Human Rights Watch that witnesses to the fight told him that security forces broke al-Qadhi’s wrist, and other protesters took him to a hospital. Witnesses from the hospital told the brother that as soon as doctors started bandaging al-Qadhi’s hand, uniformed policemen arrived in a four-wheel-drive and arrested him. The brother searched for al-Qadhi at various Aden police stations and was told that his brother had been transferred to the Political Security offices in al-Mansura, and then to Political Security offices in Fath, two Aden neighborhoods. For two weeks, Political Security officers kept telling the brother to come the next day, until on February 25 they informed him that they did not have al-Qadhi. The man’s fate and whereabouts remain unknown.³⁹

On February 20, 2011, police arrested Southern Movement leader Hassan Baoum and his son Fawaz from al-Naqib hospital in Aden, where Hassan Baoum was receiving treatment. Another of Baoum’s sons told Human Rights Watch that his 75-year-old father, who suffers from diabetes and a heart condition, had been admitted to the hospital the night before. He said other patients in the ward told him that on the morning of February 20 a group of masked, uniformed security forces (the witnesses could not specify whether these were members of the general police or Central Security) entered the ward, took the two men away without explanation, and did not identify themselves or present any papers. Hospital staff and patients confirmed this account to Human Rights Watch. The family said it received unofficial information that the two men had been transferred to a Political Security prison in Sanaa, yet was unable to receive an official confirmation or contact their relatives in detention.⁴⁰

On February 26, 2011, at about 5:30 p.m., Central Security forces raided the apartment of Ali bin Ali Shukri, an engineer and Southern Movement activist, and arrested him and four of his

³⁹ Human Rights Watch interview, Aden, February 2011.

⁴⁰ Human Rights Watch interview, Aden, February 2011.

guests: doctors Abd al-Khaliq Salah Abd al-Qawi and Yahya Shayif al-Sunaibi; college professor 'Aidarus Muhsin al-Yahari; and Qasim 'Askar Jubran, a former ambassador to Mauritania of the previously independent PDRY. Shukri's family told Human Rights Watch that the security forces did not identify themselves or give a reason for the arrests, and took the five men to the Criminal Investigation Department (CID) in Aden, from where some of them managed to contact their families by phone the night of their arrest. Yet when the families visited the CID the next morning, officials informed them that the detainees were no longer there. Unofficially, the families received information that the authorities had transferred the detainees to Sanaa, but their efforts to get official information or contact the detainees proved futile. As of this writing, the fate and whereabouts of the five men remain unknown.⁴¹

The actual number of people detained in relation to the protests in Aden is likely to be much higher than the number of cases documented by Human Rights Watch. Representatives of the National Solidarity Council, a national institution providing a meeting space for tribes and intellectuals under tribal leader Shaikh Husain Abdullah al-Ahmar, told Human Rights Watch on February 27, 2011, that they believe 35 protesters are being held by the CID in Aden and about two dozen more in Aden's Shaikh 'Uthman police station, its Central Security jail, and in the Political Security jail.⁴² Human Rights Watch could not independently verify this information.

Media reports suggested that police arrested another 16 protesters in Aden on March 5, 2011.⁴³

Under international law, a government's refusal to acknowledge the detention of an individual or the person's whereabouts following detention or arrest by state forces is an enforced disappearance.⁴⁴ Yemen has not ratified the 2006 UN International Convention for the Protection of All Persons from Enforced Disappearance, which sets out specific standards on preventing and punishing "disappearances."

Although the specific law on enforced disappearances is relatively new, neither the practice nor the human rights principles that undergird the ban in international law are the least bit novel. The Declaration on Enforced Disappearances that the Convention is based on

⁴¹ Human Rights Watch interviews, Aden, February 2011.

⁴² Human Rights Watch interview, Aden, February 2011.

⁴³ "Yemen Police Arrest 16 Anti-regime Protesters," *Agence France Press*, March 5, 2011,

⁴⁴ International Convention for the Protection of All Persons from Enforced Disappearance (Convention against Enforced Disappearances), adopted September 23, 2005, E/CN.4/2005/WG.22/WP.1/Rev.4 (2005), art. 2. See also United Nations Declaration on the Protection of All Persons from Enforced Disappearances (Declaration against Enforced Disappearances), adopted December 18, 1992, G.A. res. 47/133, 47 U.N. GAOR Supp. (No. 49) at 207, U.N. Doc. A/47/49 (1992), preamble.

describes enforced disappearances as “a denial of the purposes of the Charter of the United Nations and as a grave and flagrant violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and reaffirmed and developed in international instruments in this field.”⁴⁵

Enforced disappearances often constitute “a multiple human rights violation.”⁴⁶ Enforced disappearances violate the rights of both the “disappeared” person and their families. Among the rights an enforced disappearance violate are the right to liberty and security of the person, the right to recognition as a person before the law, the right to a fair and public trial, and the prohibition on torture and cruel, inhuman, and degrading treatment. Enforced disappearances also often constitute a violation of, or a grave threat to the right to life, including when the “disappeared” do not get necessary medical care.

Yemen's Code of Criminal Procedures stipulates that individuals cannot be arrested unless apprehended in a criminal act or served with an arrest warrant. Detainees must be arraigned within 24 hours of arrest or be released. The law also states that a detainee may not be held longer than seven days without a court order. It prohibits incommunicado detention, provides detainees with the right to inform their families of their arrests, and to decline to answer questions without a lawyer present.⁴⁷

⁴⁵ Declaration on Enforced Disappearances, art. 1.

⁴⁶ United Nations Commission on Human Rights, “Report submitted January 8, 2002, by Mr. Manfred Nowak, independent expert charged with examining the existing international criminal and human rights framework for the protection of persons from enforced or involuntary disappearance, pursuant to paragraph 11 of Commission Resolution 2001/46,” (New York: United Nations, 2002), E/CN.4/2002/71, 36.

⁴⁷ *Republican Decree, By Law No. 13 for 1994, Concerning the Criminal Procedures* [Yemen]. No. 13 for 1994. 12 October 1994, available online in UNHCR Refworld at: <http://www.unhcr.org/refworld/docid/3fc4bc374.html>, (accessed February 9, 2009), arts. 7, 73, 76, 77, 176, 190.

VII. Incidents of Excessive Use of Force

Wednesday, February 16, 2011

Nineteen-year-old Wajdan, who preferred not to give his full name, told Human Rights Watch that on February 16, 2011, he participated in the protest near al-Ruwaishat bus station in the al-Mansura area, and witnessed two men shot and killed.⁴⁸ He said that at about 1:30 p.m. about 100 young male protesters sat down on the ground to have lunch and at that point two Central Security cars and a truck arrived. Without warning, the CS members, who got out of the vehicles, used teargas to disperse the protesters who ran away. According to Wajdan, the protesters returned and started throwing stones at the police in an effort to retake their position, but CS forces opened fire. Wajdan said that at that moment, a boy named Muhammad Ali Sha'in brought protestors some water to wash away the effects of teargas and, as he approached, a CS member shot him.⁴⁹ The bullet went through his wrist and into his abdomen. Some protesters took Sha'in to the hospital, where he died at around 3 p.m. The boy's relative, who participated in the protest, also told Human Rights Watch that a uniformed CS member shot the boy, who he said was 17 years old.⁵⁰

Wajdan said that later that afternoon, during a standoff between police and protesters, one of his friends, 20-year-old Yasin Ali Ahmad Naji al-Gerafi, approached a group of policemen (Wajdan was not sure whether these were member of CS s or of the general police). Wajdan recounted what happened next:

Yasin was talking to a group of about eight policemen, standing about three meters away from them. We heard him say: "I have no weapon, I approach you peacefully, are you going to shoot me?" And at that moment a policeman from another group that was about 40 meters away, fired at him. We heard automatic fire—three shots at once—and he fell on the ground. He had a wound in his side, and some friends rushed him to the hospital.⁵¹

Yasin's relative, who spoke to other witnesses at the scene, confirmed this account to Human Rights Watch and said that Yasin died shortly after he was delivered to the hospital.

⁴⁸ Human Rights Watch interview, Aden, February 2011.

⁴⁹ Ibid.

⁵⁰ Human Rights Watch interview, Aden, February 2011.

⁵¹ Human Rights Watch interview, Aden, February 2011.

Wajdan himself was wounded later during the same protest. He said that by 5:30 p.m. the protesters moved closer to the police station to continue the demonstration there. He said police used teargas, and protesters threw stones at them before running away, followed by police shooting at them. Wajdan said that he hid behind a restaurant. When the firing stopped, he stepped out. At that point, a bullet hit him in the stomach. He said it was fired by a sniper located on the roof of a nearby hotel.⁵² A doctor who treated Wajdan said that the angle at which the bullet entered Wajdan's body was consistent with this account.⁵³ At the time Human Rights Watch spoke with him, Wajdan remained at the al-Naqib hospital as a result of his injury; doctors had to remove his spleen.

Thursday, February 17, 2011

On February 17, 2011, over one thousand protesters gathered at the al-Ruwaishat bus station. One of the protesters, who only gave his first name, Salim, told Human Rights Watch that at around 5 p.m., about a hundred policemen arrived in several trucks.⁵⁴ Salim was not sure whether these were CS or general police. He said police used teargas, hot water, and live ammunition to disperse the crowd. Protesters ran away in different directions. Salim said that he was among the protesters who were throwing stones at the police from one of the places where they tried to hide from the police bullets when he was shot. He said he believed a sniper located on the roof of some of nearby building shot him, because, he said, police in the street could not see him. The bullet hit him in the left arm, shattering the bone.⁵⁵

Another protester, who also went only by his first name, Salah, told Human Rights Watch that he participated in the same demonstration:

After the security forces opened fire, I saw four injured protesters right next to me, and I was trying to take them away from the street and to the road where they could be picked up by a car. And at that moment I got a bullet myself—it hit me in the wrist.⁵⁶

⁵² Human Rights Watch interview, Aden, February 2011.

⁵³ Human Rights Watch interview, Aden, February 2011.

⁵⁴ Human Rights Watch interview, Aden, February 2011.

⁵⁵ Ibid.

⁵⁶ Human Rights Watch interview, Aden, February 2011.

Friday, February 18, 2011

Human Rights Watch documented the killings of two protesters on February 18, 2011. Many more were injured.

That Friday about one thousand protesters gathered in al-Mansura district and marched toward Shaikh 'Uthman area. One protester, Muhammad, who did not give his full name, told Human Rights Watch that at first the demonstration was peaceful.⁵⁷ Then, he said, uniformed CS members fired teargas at the crowd and immediately thereafter started firing live ammunition. In response, he said, protesters threw stones at police. Muhammad said that police also positioned snipers on the roof of a building that used to be a police station, and on the roof of a hotel. Muhammad said:

They gave us no warning. Instead, they were shouting, “We will kill you; we will blow your heads off.” We started running, and the police were chasing us along the streets in the neighborhood. They were shooting, and one of the bullets hit me in the wrist. Some friends were trying to come and help me, but the police did not allow them to approach. They only got me to the hospital later, after the shooting stopped.⁵⁸

Another protest, by unemployed persons, took place that Friday afternoon near the Sunshine Hotel. Seven witnesses told Human Rights Watch that by the time their group of between three and four hundred protesters came to the area, CS forces were already there and immediately fired teargas, rubber bullets, and live ammunition at protesters as they approached. Witnesses said the protest was entirely peaceful: the protesters, they said, just held hands and chanted, “No to corruption.”⁵⁹

The shooting dispersed the crowd, but protesters returned and more security forces arrived in the area. Witnesses said they recognized uniformed CS, a police emergency unit, officials from the National Security Bureau, and soldiers. They said they saw three military vehicles, two armored jeeps mounted with machine guns, four emergency unit police cars, four armored CS jeeps, and one water cannon vehicle. One of the witnesses, a 15-year-old boy,

⁵⁷ Human Rights Watch interview, Aden, February 2011.

⁵⁸ Ibid.

⁵⁹ Human Rights Watch interviews, Aden, February 2011.

told Human Rights Watch that when the army arrived at around 4 p.m., the soldiers told the protesters to disperse, calling them “sons of a bitch.”⁶⁰ The boy said:

We were very angry when they started cursing us, and told them we would not disperse because we were peaceful and didn’t do anything wrong. Then a man in civilian clothes, who looked like he was from the north, stepped out of one of the military vehicles, and again told us to leave, saying the army wouldn’t do anything to us. He even took his scarf off and waved it—it’s a local sign that a person means no harm. We thought it would be just like in Egypt; that the army would be with the people, not against us. But they just started shooting.

Other witnesses confirmed that after protesters refused the soldiers’ orders to disperse, security forces opened intensive fire on the crowd from their Kalashnikovs and, according to the witnesses, from machine guns mounted on top of the vehicles. As the protesters tried to run away and hide behind a building, security forces followed them. One protester, who asked to be identified only by his first name, ‘Awadh, described to Human Rights Watch how a CS officer wounded him and killed his cousin, 21-year-old Muqbil Ahmad Muhammad al-Kazimi:

I ran away and hid behind a house with a group of friends. Suddenly, a policeman from Central Security, one of those who were running after us, got there. I didn’t see him approaching. I turned around and saw him in front of me, some 20 meters away. He stopped, pointed his gun at me—it was either a Chinese Kalashnikov or a G-3 rifle—and fired. He missed the first time, and then shot again immediately, this time hitting me in the left knee. He looked like he was from the counterterrorism unit, judging by his gear—he had a helmet and body armor all over.

My cousin Muqbil, who saw that I was shot, ran toward me, trying to rescue me from there, but the same officer shot him as well—the bullet went right through his chest.⁶¹

‘Awadh said that a group of friends carried him away once the shooting stopped—they were afraid to go to the government hospital out of fear of being arrested, and first tried a private

⁶⁰ Human Rights Watch interview, Aden, February 2011.

⁶¹ Ibid.

clinic. But his wound was too serious, and they had to take him to the hospital in the end. When he arrived by 7 p.m. that night, he learned that Muqbil was already dead.⁶²

Witnesses who brought Muqbil to the hospital told Human Rights Watch that it took them more than an hour to get him there, because they could not find a car and were unable to approach the police ambulance that was on the scene as long as the shooting continued. They believed the delay might have aggravated Muqbi's condition as the doctors said that he died from massive blood loss.

On Friday evening another gathering of about 60 people took place at al-Ahmadi neighborhood in Aden. Four men who participated said that "it was not even a protest," just a mourning and prayer for those killed in earlier protesters. Witnesses told Human Rights Watch that first some soldiers arrived in an army vehicle, but the demonstrators explained that they were simply praying for the dead, and the soldiers said they could continue as long as they were peaceful. But then, they said, about half an hour later, CS officers arrived in a truck and several police vehicles and, without warning, opened fire at the demonstrators. Witnesses said that police were shooting Kalashnikovs as well as a machine gun mounted on an armored Humvee vehicle. They said they could distinguish the sound of the Kalashnikov from the machine gun fire.

Hasan, who was at the demonstration together with his two brothers, told Human Rights Watch one of his brothers, 28-year-old Hani Muhammad Haitham, was killed:

When we heard machine-gun fire, protesters hit the ground and then started running. I saw that one person next to me was hit in the arm. I ran to the neighborhood, and hid in one of the buildings to check on my own arm—I was scratched by a bullet. I thought my brother, Hani Muhammad, was running away with the rest of us but suddenly I realized he was not there. The shooting continued, and I tried to walk back carefully, and then I saw several people carrying my brother—he was shot in the neck. I thought he was still alive and we rushed him to the hospital. I left him there and went to get our father—but when we arrived, my brother's body was already in the morgue. The doctors said they couldn't do anything to save him.⁶³

⁶² Ibid.

⁶³ Human Rights Watch interview, Aden, February 2011.

At least three people—two of them boys, who, according to witnesses, did not participate in the protests but happened to be in the areas where the shooting took place—were also injured by the police on Friday, February 18, and two of them died. Fifteen-year-old Mu’ammam was injured in the leg; 16-year-old Muhammad Munir Muhammad Abdullah sustained a head injury and died in the hospital a week later. Another man, whose name Human Rights Watch was not able to confirm, reportedly died on the spot.

Muhammad Abdullah’s father told Human Rights Watch that his son was not participating in the protests. He was out in the street with his friend, when suddenly, at around 7 p.m., protesters started running through their neighborhood, ‘Umar Ba-Mukhtar, as the police chased them.⁶⁴ The father, who spoke to eyewitnesses, said that Muhammad and his friend heard the shooting and tried to run away and hide in an abandoned building. His friend managed to get inside, but Muhammad hid behind a car. When he stood up and was about to run again, a bullet hit him in the head. Another man, whose name Muhammad’s father did not know, ran to rescue him, and also was shot in the head. Witnesses told the father that this man died on the spot. Muhammad’s father said that nobody could approach his son for some 20 minutes, and only afterwards his older son managed to get him to the hospital. Muhammad remained in a coma and died in the hospital a week later.⁶⁵

Another boy, 15-year-old Mu’ammam, told Human Rights Watch that on that Friday he came to Aden from the countryside, together with his mother, to visit his uncle. He said that around 5 p.m. their car had to stop near the Sunshine Hotel because there were many protesters on the road and many security forces in front of the crowd. Mu’ammam said that as soon as they realized they were behind the protesters, they got out of the car and started walking away from the protest when they heard shooting. Together with his mother, he tried to run and hide behind a building, but was hit by a bullet in his right leg. His mother fainted, and some men brought him to the hospital.⁶⁶

Sunday, February 20, 2011

On Sunday, February 20, 2011, security forces shot and killed 21-year-old Aiman Ali Hasan al-Naqib, who witnesses said was not participating in the protests. Al-Naqib’s family told Human Rights Watch that al-Naqib had never been politically active, and on that day at

⁶⁴ Human Rights Watch interview, Aden, February 2011.

⁶⁵ Ibid.

⁶⁶ Human Rights Watch interview, Aden, February 2011.

around 8 p.m. he was coming home from a shop.⁶⁷ Witnesses later told the family that at Cairo roundabout al-Naqib saw a group of about 10 friends, whom he approached. The witnesses said that this group of teenagers was making loud noises and banging on a metal barrel, and apparently attracted the attention of security forces.

Al-Naqib's family told Human Rights Watch that, according to eye witnesses, soon after al-Naqib approached the group, a police four-wheel drive appeared in the street, with officers shooting in the air. The youth ran away. Al-Naqib hid behind a street lamp, but a sniper, who the witnesses believed was positioned on top of the nearby hotel, shot him in the neck.⁶⁸

Witnesses told the family that security forces at a nearby checkpoint did not allow anybody to approach the wounded al-Naqib. "People who tried to rescue him said that the soldiers told them, 'Let the dog die,'" al-Naqib's relative told Human Rights Watch. When some people finally tried to carry al-Naqib away, the shooting continued, and one rescuer was shot in the arm.⁶⁹

The family said al-Naqib was still alive when they brought him to the hospital, but the bullet hit his aorta and the doctors could not save him. The family did not receive a forensic report but said the doctors told them that al-Naqib had been likely shot from above, judging by the angle at which the bullet entered the body. They also said that the morgue in al-Jumhuri hospital initially refused to accept the body and a morgue worker unofficially told the family they had "higher orders" not to receive the bodies of people killed in the protests. The family said they had to bribe morgue officials to leave the body in the morgue.

Friday, February 25, 2011

On February 25, 2011, Yemeni security forces opened fire on peaceful anti-government protesters in several areas of Aden, killing at least two, and possibly up to six, demonstrators and wounding dozens of others.

Security forces opened fire in the early afternoon in the al-Mu'alla district as more than 1,000 protesters, chanting "peaceful, peaceful" and carrying posters reading "peaceful," stopped

⁶⁷ Human Rights Watch interview, Aden, February 2011.

⁶⁸ Ibid.

⁶⁹ Ibid.

about 100 meters from a line of approximately one hundred military, police, and other security forces, witnesses told Human Rights Watch.⁷⁰

One of the witnesses, Ali, said that at around 2 p.m., one security officer, who wore the light beige uniform of the National Security Bureau, stepped out and opened fire with an automatic weapon, without warning. Police, who stood behind him, then also opened fire, shooting both into the air and straight at the crowd. The police also fired teargas at the protesters, the witness said.⁷¹

Ali said he suddenly heard screams, turned around, and saw two men on the ground, one of them shot in the head and lying motionless in a pool of blood and the other hit in the shoulder.⁷²

Security forces that day also opened fire without warning on another peaceful demonstration in Aden's al-'Arish area, a human rights activist at the scene told Human Rights Watch. The activist said he saw at least five people fall to the ground after being hit by bullets, mostly in the legs.⁷³

Another witness told Human Rights Watch that at about 7 p.m., security forces shot randomly and fired teargas at several hundred people who began protesting in the Crater area after police dispersed a crowd near the Aden Hotel. Protesters there set a police station on fire.⁷⁴

Witnesses told Human Rights Watch that in the evening the protest continued on the main street in al-Mu'alla. They said that about a hundred security forces encountered protesters on the street, and that there were also snipers on the governor's building and on the adjacent buildings. Witnesses said that initially the army secured the area, and protesters talked to the soldiers, assuring them that the protest was peaceful. For about 30 minutes the protesters were allowed to continue, but then reinforcements arrived, including two buses full of security forces in camouflage uniforms, a truck with a water cannon, and three four-wheel drive vehicles mounted with machine guns. Witnesses said that they were sitting on

⁷⁰ Human Rights Watch interviews, Aden, February 2011.

⁷¹ Human Rights Watch interview, Aden, February 2011.

⁷² Ibid.

⁷³ Human Rights Watch interview, Aden, February 2011.

⁷⁴ Human Rights Watch interview, Aden, February 2011.

the ground at that time, chanting slogans, but that the additional security forces opened fire without warning as soon as they arrived.⁷⁵

Protesters ran away but then returned, the witnesses said, this time throwing stones at security forces. Shooting intensified after 6 p.m. and continued until about 2:30 a.m. One witness told Human Rights Watch that he saw at least 20 injured people, and three people whom he believed were already dead. He said that the security forces did not allow the ambulances to pick up the wounded until 2 a.m., and that security forces took some of the injured and killed away themselves. The witness said that he was injured when a bullet fired from a machine gun ricocheted from a wall next to him. He was initially taken to the hospital, but then had to flee, fearing arrest. He said:

I arrived to al-Jumhuri hospital around 2.15 a.m.; many other injured people were brought there at the same time, and a young boy who was already dead, shot in the head. I got my X-rays and was sitting with an IV in my arm when a doctor came and told me I should leave. He said that police were in the hospital, arresting the injured protesters who could walk. I covered the blood on my body with bandages, and held the X-ray film to hide the blood on my shirt, and walked out. As I was leaving, I saw men in camouflage uniforms in the hospital yard.⁷⁶

Human Rights Watch was able to confirm the names of two people killed by the security forces on February 25, both of them bystanders. One of them was Salim Ba-Shatah, an employee at the state electricity company who was standing near the window in his house in al-Mu'alla observing the protest, and was hit in the head by what doctors believed was a machine gun bullet (see above).

Security forces also killed 17-year-old secondary-school student Ha'il Walid Ha'il Ghalib An'am. His mother told Human Rights Watch that on Friday afternoon An'am was out with his friends on the main street in al-Mu'alla. He had never been politically active and was not taking part in any protests, she said. An'am's mother told Human Rights Watch:

I could see the street from my window, but I didn't see him. Suddenly, a Land Cruiser drove into the street and started shooting—there was a soldier on top, firing from a big weapon. They were firing at the houses as well, so I had to

⁷⁵ Human Rights Watch interviews, Aden, February 2011.

⁷⁶ Human Rights Watch interview, Aden, February 2011.

hide. Later on, I ran out and Ha'il's friends told me that he hid behind the bus and was hit by a bullet. They didn't tell me he died. I rushed to al-Jumhuri hospital and couldn't find him. I kept running around, asking, "Where is my son? Where is my son?" and then they told me he died. I went to the morgue and was terrified to see his body, all covered in blood—on the floor! I yelled at the officials to put the body away, and in front of my eyes they just piled him on top of other bodies in the refrigerator.⁷⁷

An'am's mother said that when she later talked to her sons' friends they said that a bullet hit him in the head and that they could not immediately rescue him because of the continuing shooting.

The mother also said that the family refused to take the body from the morgue because they wanted to organize a big funeral. She said that the authorities tried to convince them to just bury the body. She said, "A woman from a government office came and tried to persuade us to take the body from the morgue and bury him. She first offered us 3 million Yemeni Rials [about US \$14,000], a plot of land, and 35,000 Yemeni Rials [about US \$163] monthly subsidy. Then she raised the offer to 10 million Rials [about US \$46,000]. But we refused."⁷⁸

The next day after the protest, one doctor told Human Rights Watch that the hospital where he worked treated 31 protesters wounded during the Friday attacks, and that one person was delivered to the hospital dead. The doctor said that two patients suffered bullet wounds in the legs, but some were also injured in the head and chest. Two patients remained in critical condition. According to the doctor, one of them was hit with a machine gun bullet in the chest.⁷⁹

The doctor said that he knew of at least nine other injured protesters who were delivered to two other civilian hospitals, and that one of the hospitals received two other protesters who were killed. He added that, according to his source in the military hospital, that hospital received seven injured protesters and had three bodies delivered to the morgue after the Friday shooting.⁸⁰

⁷⁷ Human Rights Watch interview, Aden, February 2011.

⁷⁸ Human Rights Watch interview, Aden, February 2011.

⁷⁹ Human Rights Watch interview, Aden, February 2011.

⁸⁰ Human Rights Watch interview, Aden, February 2011.

Recommendations

To the Government of Yemen

- Ensure that state security forces abide by international policing standards, including the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, when responding to protests, and in particular restrict the use of firearms to situations of imminent threat of death or serious injury, or the equivalent;
- Establish an independent commission of inquiry with full authority to investigate the use of excessive force by the state security services against protesters which should report speedily;
- Ensure that the responsible prosecutorial and other authorities investigate and hold accountable, through prosecutions, disciplinary proceedings, and other measures, security officials who have engaged in, or ordered the use of, excessive force against unarmed protests;
- End the arbitrary detention of protesters, and release those who remain in detention without charge. Any remaining detainees should be speedily brought before an independent judicial body with the power to review their detention and order their immediate release;
- Ensure that all security forces act within the limits of the law when arresting and detaining persons, and that the detainees are held only in official places of detention and fully enjoy due process guarantees, and that children are arrested and detained only as a measure of last resort and for the shortest appropriate period of time;
- Respect and protect the right of all persons to peacefully assemble and to associate with others. Any limitation on these rights should be strictly minimal, that is, it must not be arbitrary and be clearly based in law; it can only be for a legitimate reason; and the restriction should only be to the minimum extent necessary to meet the aim;
- Thoroughly review—and revise as necessary—training curriculum for security forces to ensure comprehensive training on human rights issues, including respect for the right to freedom of assembly, association, and freedom of expression, and nonlethal forms of crowd control.

To Yemen's international counterparts

- Publicly condemn human rights abuses committed by the Yemeni security forces, in particular the use of excessive force against peaceful protesters, including children;
- Call for the release of all persons held arbitrarily, and for the Yemeni authorities to clarify immediately the whereabouts of “disappeared” individuals believed to be held in secret, incommunicado detention;
- Call on Yemeni authorities to investigate abuses committed by security forces and prosecute those found to be responsible;
- Make it clear to the Yemeni authorities that international assistance, including financial, military, and diplomatic support, will be contingent upon improvements in Yemen's human rights conduct, and develop clear benchmarks with which to monitor Yemen's human rights record. Ensure that all forms of assistance to Yemen are carefully monitored so that they do not contribute to human rights abuses committed by security forces;
- Investigate whether the use of US-manufactured nonlethal means of crowd control, such as teargas, was lawful and justified, and in accordance with international standards;
- Strengthen assistance programs to Yemen that focus on educating and monitoring security forces in nonlethal crowd control and respect for international human rights standards;
- Ensure that nonlethal crowd control assistance programs are not abused by the Yemeni authorities to restrict the exercise of rights to freedom of association, assembly, and expression.

Acknowledgments

This report was researched and written by a team of Human Rights Watch researchers.

Joe Stork, deputy director of the Middle East and North Africa division of Human Rights Watch, Zama Coursen-Neff, deputy director of the children's rights division, Clive Baldwin, senior legal advisor, and Tom Porteous, deputy program director, reviewed the report. Human Rights Watch intern Aymane Saidi provided additional research assistance. This report was prepared for production by Vikram Shah, associate in the emergencies division; Grace Choi, publications director; Anna Lopriore, creative manager; and Fitzroy Hepkins, production manager. Rola Awada and Amr Khairy coordinated Arabic translation and provided production assistance.

We are grateful to the individuals who shared their personal stories, as well as health professionals and activists who agreed to be interviewed, despite concern that they might face repercussions from the authorities. We thank all of the organizations and individuals who supported this work, facilitated interviews, and provided invaluable insight, in particular Radhia al-Mutawakel and Abd al-Rashid al-Faqih of the Dialogue (Hewar) Forum.

HUMAN RIGHTS WATCH
350 Fifth Avenue, 34th Floor
New York, NY 10118-3299

www.hrw.org

Front: Yemeni anti-government protesters call for the ouster of President Ali Abdullah Saleh during a demonstration in the Red Sea port city of Aden on February 21, 2011.
© 2011 Getty Images

Below: A mother holds a picture of her 17-year-old son Ha'il Walid Ha'il Ghalib An'am, who was killed by Yemeni security forces in Aden on February 25, 2011.
© 2011 Human Rights Watch

HUMAN
RIGHTS
WATCH



In February 2011, Yemeni security forces repeatedly used excessive, deadly force on largely peaceful protesters in the southern city of Aden, killing at least nine and possibly twice that number, and injuring more than 150, some of them children.

Days of Bloodshed in Aden provides detailed accounts of incidents where Yemeni police and military forces fired on protesters with assault rifles and machine guns, even as they tried to flee. The protesters, like their counterparts elsewhere in Yemen, were calling for the resignation of President Ali Abdullah Saleh. Many southern protesters are also seeking secession for the south.

The forces prevented doctors and ambulances from reaching protest sites, fired at people who tried to rescue victims, and removed evidence of the shootings. They detained at least eight activists of the Southern Movement—a coalition that the Yemeni authorities blamed for the bloodshed—who have subsequently “disappeared.”

The report is based on more than 50 interviews in Aden with protesters and their relatives, as well as doctors and human rights activists. Human Rights Watch also analyzed videos and photos of the protests, hospital records, and ballistic evidence.

Days of Bloodshed in Aden calls on the Yemeni government to promptly conduct impartial investigations into the use of excessive force and hold those responsible to account. It asks Yemen’s neighbors and donors to make clear that international assistance to Yemen will be contingent upon improvements in its human rights conduct.