



مركز المعلومات والتأهيل لحقوق الإنسان

Human Rights Information & Training Center

Periodical Comprehensive Report on Human Rights Situation in Yemen

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Preface:

The Republic of Yemen has signed and ratified six of UN seven conventions on human rights namely; UN Conventions on Civil and Political Rights, and on Economic, Social and Cultural Rights (1987), UN Convention on Elimination of all Forms of Racial Discrimination (1972), International Convention on Elimination of all Forms of Discrimination against Women (1984), UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (1991), Child Right Convention (1991), and also ratified the Optional Protocol of the Child Right Convention, on Child Trafficking, Exploitation in Prostitution Pornography (2005).

Yemen has also joined in International Labor Organization eight conventions on human rights namely; Conventions (87) and (98) The Freedom of Association and Protection of the Right to Organize Convention, and Convention concerning the Promotion of Collective Bargaining, (1969, 1970), and Conventions (29) and (105) on Abolition of Forced Labor Convention (1969), and conventions (100) and (111) on the Elimination of Discrimination in Respect of Employment and Occupation (1969, 1976), and conventions (138) and (182) on Minimum Age and Worst Forms of Child Labor.

The Republic of Yemen has reserved on some of the conventions provisions as follows:

- ❖ UN Convention on Economic, Social and Cultural Rights: Yemen ratification of the Convention shall not be construed as recognition with Israel or entering in any relation with it.
- ❖ International Convention on Elimination of all Forms of Racial Discrimination: general reservation that ratification shall not be construed as recognition with Israel, and on article (22) on resolving disputes between state parties on implementing or interpreting the Convention. Yemen sees that all state parties consent shall be sought to refer any dispute to the International Court of Justice, and on articles (17, 18) on opening the Convention for signatory by any member state whereby Yemen sees that such provisions deprive many states from being a signatory to this Convention, which is considered as a discriminatory article and article (5) clauses d, f.
- ❖ International Convention on Elimination of all Forms of Discrimination against Women: article (29) on resolving disputes between state parties on implementing or interpreting the Convention.

Freedom of Press:

It is noted that freedom of press in Yemen has declined recently, as clearly seen in the daily life facts. Very rare detentions are made on the basis of official charges, and fewer on the basis of court convictions. One of the rare exceptions is the trial of journalist Abdulkarem Al-Khiwani, who has been sentenced by the Specialized Penal Court in June 2008, for 6 years imprisonment for writing critical articles on the Sa'ada war on 2007. President Saleh has pardoned Al-Khiwani on 25 September 2008.

Year 2007 has witnessed less instances of violations to freedom of expression (press freedoms), compared to year 2006, where (32) cases were monitored that tolled (56) journalists, while in 2006 the cases reached (57) violation instances. However the tense relation persisted between the authorities and press, where the Ministry of Information still refraining from issuing licenses to newspapers and the government impose censorship on war news and prevents journalists and aid workers from entering war zone in Sa'ada also disconnecting mobile phone service, except for few numbers, and intimidates journalists to deter them from writing on the conflict, detain those who report on the fight or interview the escapees from the conflict areas.

Combating Corruption:

The Supreme National Anti-Corruption Commission was formed in Yemen and was received with wide political acceptance at the national level and by the international donors. SNACC was formed through elections in the Parliament amid political differences that is attributed mainly to the significance role of the Commission. However since the establishment of the Commission by Republican Decree on 3 July 2007, no amendments were made on the valid legislations to comply with the UN Convention to Combat Corruption.

the annual report of Yemen Journalists Against Corruption (YEMJAC), on corruption, reflects the huge amount of money that wasted in 2007 due to corruption, the matter that shows corruption could not be addressed/reformed in light of individuals' regime that takes all country's revenues and resources, and hundreds of billions as bad debts for individuals, hundreds of billions of rials mainly from southern governorates resources are distributed as incentives and budgets for unreal or low standard projects.

Sa'ada War:

Armed conflicts are frequent with the Houthi rebels since 2004 in Sa'ada

governorate southern Yemen. Security forces have detained hundreds arbitrarily and many persons are forcibly disappeared. Since 2007 and particularly on fist half of 2008, cases of arbitrary detention and forcible disappearance cases escalated, and detention expanded to include people who covers impact of war on civilians.

The armed conflict started between government forces and Houthi insurgents in 2004. Hussein Al-Houthi has formed the "Youth Believers" organization in the nineties to revive the Zaidi sect, which is branch of Shiite group prevails in Yemen to face the Sunni fundamentalism that that is taking ground in the northern governorate where majority are Shiite. That conflict started with isolated confrontations between the Youth Believers and the army in Sa'ada. Followed by demonstrations against Israel and US in Sana'a that embraced the government which is cooperating with the US government in its efforts to combat terrorism, consequently more of Houthis were detained and confrontations increased.

Since the confrontations in 2004, five rounds of fights between Houthis and the government have erupted, mostly in the rural areas, however in June 2008, violence escalated to reach the outskirts of Sana'a, and number of displaced reached to 130 thousand people; however some of them returned to their houses as of July 2008.

Human Rights Watch has identified 62 cases of arbitrary detention and disappearances related to Houthis rebellion. None of the officials responsible for the detention has identified himself or notified the detainee/s or his family with the reason of his detention or his/her whereabouts. Further, families of the forcibly disappeared persons (for weeks and some for months) were not aware of the place of their detained/disappeared relatives, or whether they are dead or alive, or identity of party holding them, and some are still unaware of that.

Eventually most of the detainees turned to be in the Political Security custody, which is a security and intelligence bureau that is directly connected to President Saleh office, following their undeclared weeks and months of disappearance, and some of them are still missing. One of the longest forced disappearance case that HRW has investigated is dated back to June 2007. the arbitrarily disappeared persons include wide spectrum of people, including noncombatant and could be divided into three groups:

1. some of them were taken as hostages to pressure families of wanted persons to surrender or refrain from their activities in human rights;
2. followers of Zaidi sect from Hashemite lineage, whose security

forces have targeted for their religious activities;

3. security forces have also detained members of Zaidi sect for the only reason of traveling to and from the conflict areas or for suspicious of being Houthi sympathizers.

Government has practiced strict censorship on conflict news in 2008, by banning journalists and aids workers from entering conflicts zones, and disconnected mobile phone services, except for few numbers, also intimidates journalists to deter them from writing on the conflict, detain those who report on the fight or interview the escapees form the conflict areas to extract news on the situation.

Furthermore, the government was hypersensitive for video records and photographs on the war. The Political Security has detained a 13 years child at the airport for possessing a CD on the Houthis, and remained in solitary for about 45 days and finally was released after seven months of detention.

Economic and Social Rights:

Disparities in economic and social levels of the citizens has mounted in the recent years, the matter that pushes wide categories of marginalized and poor into the lowest step in the social ladder, and deprives them from basic services. Poverty rate in Yemen has reached 33 percent, according to recent estimations, and government programs to alleviate poverty proved its inefficiency and failure to achieve any tangible progress, indicating that government policies adopted since mid nineties for economic reforms have failed, and also indicates that the government has failed to invest the enormous increase of oil prices that brought additional revenues to the state treasury. In 2007 commodities prices increased to the highest rates and some goods increased by 100 percent, whereas monthly wages, particularly for public sector employees, remained unchanged the matter that impacted their ability for decent livelihood and undermined economic, social and cultural rights.

Unlike civil and political rights, economic rights was less monitored as figures indicate, this is attributed mainly to the fact that civil and political rights are normally individual cases that could easily be monitored and traced, whereas economic, social and cultural rights needs more accurate and comprehensive investigation and monitoring, and to analytical studies to conclude into indicators closer to the real situation and shows access to such rights. Although the detected violations to economic rights do not reflect the mount of the real violations, yet victims of such violations surpasses number of victims in civil and political rights violations cases.

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According to monitoring indicators in year 2007, (228) cases of violations to economic, social and cultural rights were detected. Right of ownership, right of wage and right of work were the most violated rights. Also 17 cases of depriving from the right of education that impacted (4776) victims were detected. The highest rate of violation to the right of ownership was reported in Aden governorate with (24) violations out of (82) violations in all governorates. Also the right of wage Aden recorded the highest number with (12) cases out of (59) detected cases.

Depriving of health services also represent the highest rates, where official statistics shows that infant mortality rate is 365 out of each 100 thousand births and 50 percent of the children have access to health services. Tuberculosis cases in Yemen reached (17107) cases, and (7691) get infected annually with lungs tuberculosis and (9466) with other types of tuberculosis, according to WHO reports. In a press statement by Dr. Yassin Al-Absi, Director of TB Combating Programme, he confirmed that infections rate among population is estimated at (48) for each (1000) people, and (2500) people died annually due to TB infection. Also in spite of the availability of multiple funding sources to combat AIDS, yet the possibility of safe and free diagnosis and treatment is still limited, and HIV-positive patients are stigmatized and face difficulties in receiving medication and care. Infection with AIDS is social stigma in Yemen that impacted the patient and his family. Official statistics estimates HIV-positive cases at (1850) cases however other estimation indicate that the number is higher than that, where WHO criteria consider that behind each declared case there are other ten undeclared infections.

In the recent years Yemen become an open market for pesticides used in agriculture, including 50 types that are internationally prohibited, yet are available in Yemeni market without any control, in addition to phony and smuggled medicines that have great portion of the market due to the high price of medicines. These smuggled and faked medicine resulted in high rate of all type of cancers, where reports indicated that cancer cases in Yemen reached to (15000) cases. Furthermore, cancer patients lack medication, noting that there is only one center for cancer treatment in the country, rendering such treatment very expensive, and majority of the patient can not afford to travel abroad for treatment.

Right of education also declined, where rate of enrolment in basic and high education remained low among wide group of poor population, particularly in the rural areas. World Bank report has indicated that illiteracy rate in Yemen reaches 50 percent, and 40 percent according to the Ministry of Education. In related statement by Mr. Ahmed Al-Aozali, Chairman of

Literacy Authority, he revealed that number of illiterates in Yemen is likely to increase to 7 million from the present 5.445 million illiterates, in the coming five years. According to official statistics illiteracy rate in Al-Gouf, Sa'ada, Hajjah, and Raima, governorates reaches to 50 percent out of the total population, and 40 percent in Amran, Al-Mahweet, Dhamar, and Hodiedah governorates; and 30-39 percent in Ibb, Lahej, Sana'a, Shabwa, Taiz, Al-Baidha, Addalie, Mareb and Al-Mahara governorates. Literacy Authority indicates that rate of students enrolled at schools of the 6-14 years age group is ranging between 60-70 percent, while rate of dropouts and failure at basic education reaches 42 percent out of total number of enrolled students.

Civilian Movement in the South:

One of the most significant features of human rights and political scene in Yemen in year 2007/2008 is the escalation of civilian movements compared to last years, where 140 events were detected that included most of the governorates, yet Lahej, Sana'a municipality, Addalie, Abyan, Shabwa, Taiz, Hadramout and Aden governorates witnessed the highest numbers of protests with 120 events.

Security apparatuses and authorities has practiced practices that prevent people from practicing their rights of peaceful gathering/association, such as changing places of the events, deployment of forces and blocking of roads leading to such events. The more events take place, the more the governments become sensitive in handling these activities, at certain instance to the level of using bullets, and tear gas to scatter the demonstrators, the mater that led to the killing of 7 citizens and injuring 39 others, in addition to detaining 441 persons, including politicians, unionists, and human rights activists.

References:

- Monitoring and Documentation Unit, Human Rights Information and Training Center;
- Annual Human Rights Report, Yemeni Observatory for Human Rights;
- Annual Report, Human Rights Watch;
- Reports, Announcements, Amnesty International;
- Poverty Alleviation Unit, Ministry of Planning and International Cooperation;
- Local and International Media Outlets;
- Central Authority for Statistics.
