

AMNESTY INTERNATIONAL

Public Statement

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Yemen: Amnesty International warns against risk of grave human rights violations in Sa'da

Amnesty International has appealed to President 'Ali 'Abdullah Saleh to take all necessary measures in accordance with international law to protect human rights in Sa'da in north-west Yemen where armed clashes are taking place between government forces and followers of al-Huthi family from the Zaidi Shi'a community.

Dozens of people are reported to have been killed and at least 50 have been detained since the clashes began at the end of January 2007. However, full assessment of the human rights situation in Sa'da is not possible at this time as all communication with the area has been cut off and access by journalists is reported to have been banned. The deaths are said to have included both members of the security forces, and victims of excessive force and possible extrajudicial executions by security forces. Those detained are said to be held in incommunicado detention and are therefore at risk of torture. They are said to include Ibrahim al-Huthi, who was arrested on 1 February by security forces at the airport in Sana'a. He is reported to be held incommunicado at the Political Security Prison in Sana'a. He may be at greater risk of torture or other ill-treatment because he is the brother of Hussain Badr al-Din al-Huthi who was killed by security forces in a possible extrajudicial execution following similar clashes in Sa'da in 2004.

Amnesty International fears that the continued clashes will lead to grave human rights violations including unlawful killings by security forces as a result of excessive use of force in violation of UN Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. The clashes may also lead to mass arbitrary arrests, incommunicado detention and torture. The organization's concerns in this regard are heightened by grave human rights violations which occurred during similar clashes in Sa'da in 2004 and 2005 reportedly as a result of failure by security forces to adhere to international standards governing the use of force by law enforcement officials. These international standards specify that "law enforcement officials may use force only when strictly necessary and to the extent necessary for the performance of their duties" (Article 3 of the Code of Conduct for Law Enforcement Officials). The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials state: "In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life." (Basic Principle 9). And it notes that: "exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles" (Basic Principle 8).

In its letter, Amnesty International called on President 'Ali 'Abdullah Saleh to take all necessary measures to prevent the repetition of the grave human rights violations committed during the previous armed clashes in Sa'da by ensuring strict adherence by security forces to international law and standards. Specifically, Amnesty International urged the President to issue instructions to security forces ordering

them to adhere to the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials, making it clear that failure to abide by these principles would result in the prosecution of the offenders.

In addition, the organization urged that anyone arrested and detained should be charged with a recognizable criminal offence and given prompt and fair trial or released. Anyone held solely for the peaceful expression of their conscientiously held beliefs should be released without delay.

Background

Long-standing tensions between followers of the al-Huthi family from the Zaidi Shi'a community and the Yemeni government were heightened by the US-led invasion of Iraq in 2003. During and after the US-led invasion, followers of al-Huthi carried on the protests after Friday prayers every week outside mosques, particularly the Grand Mosque in Sana'a, during which they shouted anti-US and anti-Israel slogans. The protests were invariably followed by arrests and detentions. In June 2004 the government called on Hussain Badr al-Din al-Huthi, one of those leading the criticism of the US-led invasion, to hand himself over to the authorities. When he refused, tension between the two sides escalated into armed clashes. In September 2004, Hussain Badr al-Din al-Huthi was killed and this was followed by a truce, until March 2005 when the clashes erupted once again. In September 2005 the government issued a presidential amnesty for al-Huthi followers which was followed by the release in March 2006 of dozens of those detained during the clashes. Most of them had been held without charge or trial. The exact number of those who remained in detention is not known to Amnesty International but they include at least 37 who were convicted by the Specialised Criminal Court following proceedings which failed to meet basic international standards. They received sentences ranging from prison to death.