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AI INDEX: MDE 31/03/97

Embargoed Until 0001 HRS GMT 27 March 1997

YEMEN: GOVERNMENT FAILS TO DELIVER ON PAPER PROMISES ON HUMAN RIGHTS

In theory, Yemen has made encouraging progress in the field of human rights, ratifying the major human rights treaties, but in practice, the Yemeni Government remains a major violator of the rights protected by these treaties, Amnesty International said in a report issued today.

In its 52 page report, published after substantive discussions with the Yemeni Government in July 1996, the worldwide organization documents gross human rights violations committed in Yemen since the country became a party to main human rights treaties. The violations range from political arbitrary arrest to unlawful executions and "disappearances", as well as discrimination against women.

"In July 1996, the government gave undertakings to immediately tackle some of the patterns of human rights violations raised by Amnesty International, but so far, no effective measures have been put into practice", the organization said.

In the absence of the government's resolve to uphold its international human rights obligations and enforce related domestic laws, Yemeni citizens remain easy targets for human rights violations at the hands of the security forces -- acting with total impunity -- or as a direct result of laws which contravene international human rights standards.

"The rights of freedom of expression and association are guaranteed by the Yemeni Constitution, but in practice the exercise of these rights is severely curtailed", Amnesty International said.

Government critics and non-violent political dissidents are often subjected to arbitrary arrest and detention without trial or imprisonment after unfair trial, and even those who escape this pattern of human rights violations can expect other forms of reprisal such as abduction and beating.

Facilitated by arbitrary arrest and incommunicado detention, torture has been used by members of different security forces against political suspects as well as common law prisoners, invariably to obtain confessions or as a means of punishment.

The methods used include beatings with cables and sticks, rape and threat of rape of the victims or their relatives in the victim's presence, electric shocks, "Kentucky Farruj" -- suspension from a metal bar inserted between the hands and the knees which are tied together -- beating on the soles of the feet (*falaqa*), sleep deprivation and other forms of cruel treatment.

According to one victim, Muhammad ‘Abdullah al-Hayd, he and dozens of other detainees held in Si‘un Prison in 1995 were beaten with iron bars while their legs were shackled and their hands tied behind them. They were urinated on and walked on by soldiers or guards while forced to lie naked on slabs of concrete. After his release, Muhammad ‘Abdullah al-Hayd reportedly bore visible marks of the torture on his genitals and other parts of his body. In other cases, people have died, allegedly as a result of torture inflicted during their detention.

Following enactment of a new penal code in October 1994, the punishment of flogging and amputation -- previously limited to the former Yemen Arab Republic -- became applicable to the whole of unified Yemen. One other form of bodily mutilation, gouging of eyes, was passed as a sentence by a court in 1995, on a prisoner also sentenced to cross amputation, crucifixion and death by starvation. The sentence is believed to be pending appeal. The Attorney General confirmed in July 1996 that gouging out of eyes is not prescribed in Yemeni penal laws.

“Disappearance” and extrajudicial execution have been used over the years as tools in political struggles, and have affected the lives of hundreds of people. It is a pattern largely perpetuated by the reluctance of successive governments to stamp them out by effective measures of redress and prevention.

"Protection of refugees in Yemen is guaranteed, in theory, by the 1951 Convention relating to the Status of Refugees and by the country's Constitution," Amnesty International said. Still, government policy and practice have often violated the standards set by both instruments, with large scale deportations which included people under the protection of the UN High Commissioner for Refugees, and the denial of access to fair and satisfactory asylum procedures for other asylum seekers.

Women have fallen victim to various patterns of human rights violations, some similar to those suffered by men, others specific to women and based on sexual discrimination and the status of women as a vulnerable group in society. Such violations are contrary to Yemen's obligations under the Convention on the Elimination of All Forms of Discrimination against Women. They are also contrary to its Constitution and other domestic laws.

"The Government of Yemen should implement the recommendations contained in the report without further delay," Amnesty International said. "It should also take a leading role in the promotion and protection of human rights in the Middle East."

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