



## Yemen: Ensure accountability and remedy for human rights violations. Oral intervention at the 21<sup>st</sup> session of the UN Human Rights Council (10-28 September)

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### Item 10<sup>1</sup>: General Debate *Oral statement on the human rights situation in Yemen*<sup>2</sup>

Madam President,

Yemen is at a critical juncture: either the authorities act now to end persistent human rights violations and address accountability for past violations, or Yemen risks further instability that could compromise its future.

Today, Amnesty International is publishing an 11-point agenda for human rights change in Yemen.<sup>3</sup> Here we will address two elements of the current situation.

Human rights violations have been committed by military and security forces against protesters, journalists, and individuals suspected of being members of al-Qa'ida and al-Huthi. Amnesty International continues to receive reports of human rights violations against those who have been active in or supported protests, or those connected to the Southern Movement. Violations include unlawful arrests, incommunicado detention, arbitrary detention, torture and other ill-treatment, and enforced disappearance.

Despite the commitment of the President Abd Rabbu Mansour Hadi to restructuring the security apparatus, including the Political and National Security forces, no concrete steps have been taken to date. Amnesty International urges the Government of Yemen to reform security and law enforcement agencies now and end the climate of impunity in which they operate.

Amnesty International is also concerned about two recent legislative acts that fall short of ensuring accountability and remedy for human rights violations and crimes under international law.

The *Law on the Granting of Immunity from Legal and Judicial Prosecution* (the Immunity Law) adopted in January 2012 grants former President Ali Abdullah Saleh complete immunity and his associates immunity from criminal prosecution for “politically motivated acts or decisions” carried out while in office.

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<sup>1</sup> Item 10 on the agenda of the Human Rights Council: *Technical assistance and capacity-building*.

<sup>2</sup> See also Amnesty International written statement to the 21<sup>st</sup> session of the Human Rights Council, *Yemen can no longer delay taking concrete steps to improve its human rights situation* (Index: MDE 31/011/2012), available at <http://www.amnesty.org/en/library/info/MDE31/011/2012/en>

<sup>3</sup> Amnesty International press release, *Yemen's future stability requires human rights action plan* (Index: PRE 01/454/2012), available at <http://www.amnesty.org/en/for-media/press-releases/yemen-s-future-stability-requires-human-rights-action-plan-2012-09-25>

Shortcomings in the draft law on transitional justice and national reconciliation will undermine its laudable objectives. The draft transitional justice law does not provide for criminal accountability or concrete measures of redress and reparation for victims. Moreover, its applicability is limited by a provision whereby violations committed prior to 1990 will not come automatically within the ambit of the law.

Accountability for past human rights violations is necessary for justice, truth and reparation for victims and serves as a deterrent to potential perpetrators of future violations. To ensure accountability for violations and combat long-standing impunity, Amnesty International urges the Human Rights Council to call on the Yemeni authorities to repeal the January 2012 Immunity Law and amend the draft transitional justice law.

Thank you Madam President.