

A M N E S T Y I N T E R N A T I O N A L

A D E N R E P O R T

B Y

S. R A S T G E L D I

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Historical Background

Within two years a new independent state will become the fourteenth member of the Arab League. It will probably be called the Republic of South Arabia. It is still uncertain what will be its constitution, or even where its frontiers will be.

The future state of South Arabia will be composed of the former British colony of Aden, thirteen states of the Western Protectorate, which the British have tried to amalgamate to a federation since January 19th 1963 when the colony of Aden acceded the federation. This, with the states of the Eastern Protectorate, which are outside the Federation covers an area of 111,000 square miles. The islands of Perim, Kamaran, Socotra and the Kuria Muria come within the present protectorate. Also the whole territory at the southern end of the Arabian peninsula. It has frontiers with Yemen, Saudi Arabia and Oman, and 400 miles of coastline extending from the Red Sea to the Gulf of Aden.

With the exception of the fertile plateau in the highlands and the land lying on either side of the wadis, the country is largely made up of barren mountains and desert. The greater part of the population is composed of peasants, who live in the villages and are concentrated in the fertile and well-watered districts. In the desert areas, scattered nomadic and semi-nomadic communities have for generations relied on their livestock for a living.

Most of the inhabitants of the federation, except for the state of Aden, are organised on a tribal basis.

This area, where now the British have tried to create a federation, was largely inhabited by tribes which were either independent under their own leaders or loosely attached to the various rulers, many deeply divided by the rivalries of the tribes and their leaders. The nearest country with a strong military force was Yemen which claimed this territory and made the tribal leaders aware of how weak and divided they were. This weakness and disagreement still exists today and the British authorities are trying their best to unify the

traditional leaders. But this time Yemen is not the threatening power, a strong nationalistic movement with socialistic tendencies is the real threat to these traditional leaders.

The Imams of Yemen might have created some degree of unity in this area if they were not themselves periodically subdued by invaders who came from the north west of the Arabic peninsula, namely the Ottoman Turks.

Before the Imams of Yemen many nations attempted to capture Aden and use this important seaport for their own purposes. Among these nations were the Romans, Ethiopians and Persians.

In 1837, when members of the crew of the Indian vessel "Deria Dowlut" were maltreated by some Adenese, Britain found a pretext to occupy and control Aden. Captain Haines of the Royal Indian Navy, representing the British government, demanded compensation. The British refused the Sultan's offer to pay compensation and punish the responsible citizens. On the contrary, they demanded that Aden town be sold to them in order to use it as a coaling depot for British ships navigating between the Red Sea and India. Under these circumstances the Sultan accepted the British demand but asked to retain his jurisdiction as chieftain of the tribes in Aden and the adjacent area. The British refused his claim and prepared to coerce the Sultan. In January 1839 Aden was bombarded and taken, and the Sultan and his family fled to Lahej. The same year, 1839, Aden settlement was annexed as a dependency of the Bombay Residency and it remained so up till 1932, when it was established as a chief Commissionership - a province under the direct control of British India. When the government of India was re-organised in 1935, Article 228 of the Act of the Government of India separated Aden from India and envisaged the establishment of the Crown Colony of Aden under the direct operation of the Colonial Office in London. While holding Aden the British concluded treatiesm agreements or bonds with the humerous chieftains in the present South Arabia. Besides these treaties which of course aimed to keep the whole area under control, the British did not contribute much to the development of these puppet Sultanates until the Suez crisis and until Yemen joined Nasser's United Arab Republic.

MODERN BRITISH POLICY IN SOUTHERN ARABIA

It was largely to counteract this threat that Britain persuaded six of the 20 West Aden Protectorate states to join in a federation in 1959 and to conclude a treaty of friendship and protection with the British government. The idea of a South Arabian State had been born. Subsequently more states joined the Federation, or to use another expression, more sultans were persuaded to join; this culminated in 1963 with accession of the former colony of Aden. At the present time the Federation is composed of 17 states. When the move towards unification began in 1958-1959 British officials found it impossible to abandon the paternalistic attitude they had found adequate for so long. Leaders of the South Arabian League, three Al-Jifry brothers, from Lahej were exiled as dangerous extremists although their political aims were the same that Britain now adopted, the establishment of a Union of South Arabia. Above all the British administrators in Aden rejected out of hand any suggestion from local leaders, whose collaboration they really needed, or any recommendation from the rest of the Arab world. Sultans, such as Aly Abdul Karik of Lahej who looked to Cairo for support, were deposed. It should be mentioned that 40% of Aden's university graduates are educated in Egypt. Leading opponents of British policies such as Abdullah Al Asnag, Secretary General of the Aden Trade Union Congress (TUC), were treated as suspicious agents of Cairo and Taiz. This is very unfortunate and a great loss for the peaceful settlement of many questions. After this failure Asnag was obliged to collaborate with the NLF (National Liberation Front) and later with FLOSY (Front for Liberation of South Yemen) which has now absorbed NLF and operates from headquarters in Cairo and Taiz.

TUC, one of the best organised trade unions in all Arabic countries, has been deprived of its rights to strike and to come to agreements with the British by other democratic means.

When Aden acceded to the British planned Federation in 1963 a new constitution came into effect in this state. It provided for a legislative council consisting of a speaker, as a rule a Briton, nominated by the High Commissioner,

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16 elected members, six members nominated by the High Commissioner, and the Attorney General. The High Commissioner is bound to appoint as chief Minister the member of the legislative council most likely to command the support of the majority of members of Legislative Council, which must nominate at least 7 ministers. When such a legislative council came into being in 1963 the members found they were completely powerless and in the hands of the High Commissioner.

After the failure of two consecutive legislative councils a third came to power in March 1965 headed by Mr. Abdel Qawee Mackawi. This happened nearly one and a half years after the proclamation of a State of Emergency. The immediate cause of putting Aden under emergency laws was a bomb incident which took place at the Aden Airport on December 10th 1963 killing one deputy high commissioner. This date marks the beginning of intensification of terrorism in Aden. The number of detainees at that time was about 70; according to the Adeni these people were not directly associated with any act of terrorism. Detention of those people without trial was protested against by Mr. Mackawi in his well-known speech on April 19th 1965. There was practically no creative collaborative work done by the Mackawi legislative council and by the end of September 1965 Mackawi groups were dismissed by the High Commissioner. This activity is partly directed against the British military forces in Aden and is partly guerilla fighting along the South Arabia/Yemeni border. FLOSY often uses hand-grenades against British military personnel. The unfortunate side-effect of this activity is the undeniable fact that many innocent people are injured or killed.

The British authorities admit that it is very difficult to catch terrorists when they strike here and there. More than one thousand soldiers are on watch every hour of the day. There are numerous military check-points in and around Aden searching minutely all vehicles and their passengers. Large areas are encircled by barbed wire and sand bags and cement blocks dominate the picture in many districts. Military vehicles, equipped with machine guns and radio, patrol the streets twenty four hours a day. Search-lights throw their piercing beam into all accessible dark places during the night.

Many innocent people have been arrested since the proclamation of the State of Emergency on the 10th December 1963. Their cases have not been brought to court. But this is not in contradiction to the British Constitutional Law. Once the State of Emergency for a certain area is established by order in council no application can be made to any higher order of justice in favour of the detainees. This is a part of the British Constitutional Law; the State of Emergency can be proclaimed and lifted by the British Parliament.

Emergency Laws have been previously used in India, Burma, Cyprus, Central African Federation, Ghana, British Guiana and Kenya, and many innocent people suffered under the Emergency Regulations for some length of time. Now it is the turn of a number of political detainees in Aden to suffer from these regulations. The State of Emergency has already been condemned by the following organisations:

1. International Labour Organisation
2. Arab League
3. United Nations on two occasions in 1963 and 1965
4. United Nations Committee on Colonialism
5. Arab Lawyers' Association.

The Emergency Laws provide that: "Whenever the High Commissioner (Governor) is satisfied that, for the purpose of maintain^{ing} public order, it is necessary to exercise control over any person, the High Commissioner (Governor) may make an order (hereinafter called "a detention order") against any such person directing that he be detained."

The present High Commissioner in South Arabia is Sir Richard Turnbull. Sir Richard joined the Colonial Service in 1931. He served many years in East Africa. He was appointed Defence Secretary and then Minister for Internal Security and Defence for Kenya in 1954. He was the chief responsible authority to deal with the Mau Mau activities.

In 1964 case reports about detained political persons in Aden began coming to Amnesty International, London.

In many of these case reports the local British authorities were accused of using physical torture, at least during interrogation, as a means of extorting a confession. This, of course, aggravated the situation and considering partly the number of reported detainees and partly existence of torture, the International Secretariat decided to send an Amnesty Observer to Aden, Dr. S. Rastgeldi, a member of the executive committee of the Swedish Section.

Rastgeldi was invited to London on July 18th, 1966, and introduced to people in close connection with the situation in Aden. During his five day's stay in London he visited Mr. C. R. Roberts at the Foreign Office on July 20, 1966. I told Mr. Roberts that the main reason for my visit to Aden was to examine the rumours about torture at the British Interrogation Centres. The General Secretary of Amnesty International, Mr. Robert Swann, was using all his influence to persuade the Foreign Office to allow me to visit some of the British Detention Centres. The Foreign Office found it difficult to allow the Amnesty Observer to make an investigation about the detainees because this ACQUIRED THE CHARACTER OF A JUDICIAL ENQUIRY INTO THE ACTIONS OF THE HIGH COMMISSIONER AS THE RESPONSIBLE AUTHORITY. In a letter from Walter Padley, Minister of State, IT WAS PROMISED THAT THE AUTHORITIES IN ADEN WOULD EXPLAIN TO ME THE REASONS FOR INDIVIDUAL CASES OF DETENTION. The Foreign Office did not deviate from its original decision of not allowing the Amnesty Observer to visit the detention centres or interview the detainees.

The same day, July 20, 1966, I visited the office of the Arab League in London together with Mr. Robert Swann, who introduced me to Mr. Talel Shabib and Mr. Tahseen Basheer, and asked them to give me a letter of introduction to the Acting Secretary General of the Arab League in Cairo, Dr. Sayed Nofal. The letter was delivered the next day to the Amnesty office in London.

I visited Dr. Sayed Nofal at the Arab League Hq in Cairo on July 25, 1966.

Finally I arrived at Aden Airport at 2 p.m. on July 28, 1966. After several calls I was finally received by the High Commissioner at 12 o'clock midday on Saturday, July 30, 1966.

After visiting the Swedish Consul in Aden, Captain T. V. Raethinge and Mr. Fuad Mahfood Khalifa, the president of the Aden Municipal Council I was taken to the High Commissioner's office. When the High Commissioner asked the purpose of my visit, I made a short introduction about my mission on behalf of Amnesty International and told His Excellency that there were some rumours in Great Britain and Sweden about a number of political detainees in Aden. Upon mentioning the word political detainees the High Commissioner answered "THERE ARE NO POLITICAL DETAINEES IN ADEN". I produced a list of 164 prisoners with the dates of their arrests which I had been supplied with in Cairo and asked the High Commissioner if all these prisoners, without exception, were terrorists. Then came the next remarkable answer: "HOW CAN WE KNOW? WE CANNOT PRODUCE ANY EVIDENCE AGAINST THESE PEOPLE AS NO ONE IS WILLING TO WITNESS AGAINST THEM".

I reminded the High Commissioner of the letter to Amnesty International from the Foreign Office and asked if the British Authorities could supply me with reasonable evidence of terrorism by individual detainees. His answer was categorical: "ALL THESE PEOPLE ARE EITHER TERRORISTS OR ASSOCIATED WITH TERRORISM AS COURIERS, SUPPLIERS OF WEAPONS ETC, OR THEY ARE EDUCATED AND PREPARED AS TERRORISTS".

According to the emergency regulations in Aden a suspect can be arrested and held up to seven days, and then held another 21 days, altogether 28 days, once a specific order is made. After that they can be held indefinitely subject to review each six months by a special tribunal. According to official sources the number of detainees held at one time has averaged 90 to 100 during the past year.

The High Commissioner insisted just as the Foreign Office, that Amnesty should not concern itself since the Adeni prisoners were not political prisoners. We cannot agree with the Foreign Office on this point about leaving people under British Emergency Laws which are a violation of the U.N. Declaration of Human Rights.

I then pointed out that Amnesty had received many case reports in which the detainees were subjected to torture. The High Commissioner categorically denied the existence of ill-treatment and torture in the British Interrogation Centres in Aden. I asked if I could visit a prison where simple criminals and terrorists were kept. The High Commissioner would not allow me to visit any prisons.

These definite and categorical answers and lack of the slightest degree of collaboration with Amnesty International did not leave much ground for further talk. I told the High Commissioner that I had already contacted a number of ex-detainees and relatives of the present detainees and was going to use the rest of my time in Aden collecting further information. Sir Richard Turnbull knew what kind of information I would gather in Aden. After saying goodbye I was driven to my hotel by a car carrying Royal Emblems. I was asked to sit beside the Arab driver in the front. A soldier holding a machine gun was placed in the rear to defend me against the terrorists who could give me "a shot in my neck".

At 1 a.m. I visited again the Swedish Consul and told him about my experience with the High Commissioner and asked him to use all his influence to create some kind of collaboration with the British Authorities, but his efforts failed. Amnesty was completely given the cold shoulder.

During my stay in Aden I contacted several members of the former Aden Legislative Councils some of which were Ministers. They complained that on several occasions they were insulted and ill-treated at the military check points and during controls.

One of the best illustrated examples of military control is the case of Fuad Mahfood Khalifa, the president of the Municipal Council in Aden. Mr. Fuad Khalifa who is a progressive intelligent young man chosen through free election by the Adeni citizens, carries two identification cards, one presents him as the Mayor of the city of Aden and the other issued for him by the High Commissioner. These two identification cards have not protected

him from being subjected to what he says is harsh military control. On one occasion, he said, he was asked to stand under the hot sun for more than one hour before he was allowed to move.

The military authorities in Aden have not caught many terrorists throwing handgrenades or in short duels with the military. The majority of those now detained are arrested in the following way:

The house is encircled in the early morning hours when the military are convinced that their suspects are sleeping inside. They break in the door, or a window, and enter the house, immediately arresting and taking away the man whom they are looking for and search the house, it is said, without consideration for the furniture and other belongings of the family; they often leave the house in a mess. The arrested man is allowed no contact with the outside world for an indefinite period of time. After interrogation, which in many cases has taken more than 28 days, he is moved to a detention centre and can be visited by his family and relatives. The exact number of these detainees is unknown but may lie between 200 and 500 persons, according to the Adeni sources.

On July 25, 1966, Amnesty International received the names of 164 Adeni citizens who were arrested under similar conditions mentioned above.

Organisations such as Amnesty International or the International Red Cross Committee are more or less helpless against the British Emergency Laws.

It is clear that a State of Emergency, like the one proclaimed in Aden, is a violation of the United Nations Declaration of Human Rights and must be protested against by Amnesty International just as by so many organisations before.

Next comes the question of ill-treatment and torture practised as a method of interrogation. The very fact that a neutral organisation such as Amnesty International is not allowed to interview the detainees increases the suspicion of practice of torture at the interrogation centres. The ex-detainees, the relatives of the present detainees (see Appendix I), whom I interviewed in Aden and other sources complained of the following forms of torture:

1. Undressing the detainees and making them stand naked during interrogation.
2. Keeping the detainees naked in super-cooled cells with air conditioners and fans running at the highest speed.
3. Keeping the detainees awake by irritating them until they are exhausted.
4. Offering food to hungry detainees and removing it just as they start eating.
5. Forcing the detainees to sit on poles directed towards their anus.
6. Hitting and twisting their genital organs.
7. Extinguishing cigarettes on their skin.
8. Forcing them to run in circles until they are exhausted.
9. Banning visits to lavatories so that they soil their cells with faeces and urine.
10. Keeping them in filthy toilets with the floor covered with urine and faeces.

Other forms of ill-treatment can be read in individual case reports.

Three days after my arrival in Aden I succeeded in getting copies of affidavits (see Appendix II), sworn by detainees before Ashraf Khan, the Commissioner of Oaths, and Mr. Crouch, a representative of the High Commissioner. I have met Ashraf Khan in Aden and discussed the circumstances supporting these affidavits thoroughly with him. These affidavits are a part of a memorandum from the Civil Servants Association of South Arabia, are very strong allegations of torture. Amnesty International was not informed by the Foreign Office that the group of interrogators responsible for the treatment of this group were later transferred outside Aden.

Hashim Jawee:

Elect member of the Municipal Council of the City of Aden. Profession clerk. About 25 years. I spoke to this ex detainee in a private house in Aden on July 29, 1966. He gave me some information spontaneously but I had to ask some questions in order to get a detailed record of his interrogation at Fort Morbut. He seemed to be deeply shaken by the interrogation and showed some feelings of shame for the humiliating treatment to which he had been subjected. There was no doubt about the truth of his description of his arrest and interrogation. I read to him what I had written about his case; he approved the report and had no objection to the publication of his case report by Amnesty International. Hashim Jawee spoke to me in fluent English.

Two hours after midnight July 6th, 1966, the entrance door to his house was broken, and the house searched by a number of soldiers. He was taken to Fort Morbut and thrown into an isolated cell. The iron door was banged by kicking at half-hour intervals. Later on his clothes were taken off and he was left naked for a while before the interrogation began, by British Military personnel. His buttocks and genital organs were examined in order to humiliate him. The examiner was not a physician and the examination was not a medical health examination. After this examination they asked for his address which they already knew and he was sent back to his cell and his clothes were returned. During the first three days the barrel of a gun was pointed at him through the cell window and Jawee was told that he was going to be shot within a short time. The cell had a temperature of nearly 100° F (37° C) which is not unusual in this climate. He was not allowed to take a cold shower. On the third day he was asked about a list of names which the interrogators suspected that he was in contact with. On one occasion he was drawn by his hair and on another occasion he was kicked. He was not allowed to receive visitors or to confer with a lawyer.

On several occasions he was taken out of his cell at night and ordered to run round the courtyard until he was exhausted. Then asking for a glass of water he was spat upon in the face. Inventories of the cell consisted of an iron bed covered by a hard brushy clothing and a dirty blanket which was soaked in sweat. The food he received was inedible. He was asked to clean the lavatories several times. He was released after nearly two weeks without a charge.

Hussein Abdulkerim Jawee:

Profession: Chief police officer in charge of the Crater District in Aden. Born and raised in Aden. Information about Hussein Abdulkerim Jawee was given to me by his younger brother Hashim Jawee, who was allowed to visit his brother at the Al Mansora Detention Center. Hussein Abdulkerim Jawee was still detained when I spoke to his brother on July 29th 1966. I repeated the contents of this case report to Hashim Jawee who had no objection to the publication of the information about his brother by Amnesty International.

Hussein A. Jawee's house was searched at 9 p.m. on June 23rd, 1966, and he was taken to the Fort Morbut interrogation centre. On several occasions he was taken to a beach at night on the suggestion that he was going to be shot and was also assaulted and threatened with death by British Military personnel. This treatment continued for

15 days before he was removed to Al-Mansoura prison, one of the main detention centres in Aden. This man has been detained since June 23rd, 1966.

Aden police organization protested his detention by proclaiming a one hour strike which was supported by most of the shops in Aden.

Two newspapers which reported this one hour strike were closed for an indefinite time. One of them has been allowed to re-open but the other one, Herald, published in English, is still closed.

Muhammed Said Basharain:

23 years old. Born and raised in Aden. Ex-detainee. Arrested twice; in 1963 and 1964. I met this man on July 29th, 1966. He spoke English fluently. He gave an open and reliable account about his arrests. I read up his case story which he accepted and had no objection that the information which he gave to Amnesty International was published.

First arrest, 1963. Mr. Basharain was arrested together with 58 trade union leaders including Mr. Abdullah Al Asnag and people belonging to P.S.P. (Peoples Socialist Party). They were all arrested in the early hours of the morning. This happened after the bomb incident at Aden airport on December 10, 1963, and immediately after the proclamation of the State of Emergency. All the prisoners were taken to the capital of the Fadhly Federal State and imprisoned there for 62 days. They proclaimed a hunger strike in protest of the inhuman treatment to which they were subjected. They were released after 62 days of detention. All of them were interrogated several times and no evidence could be produced against them for their participation in the bomb incident.

Second arrest, October 1964. After the burning of a newspaper house he was arrested at noontime and taken to Fort Morbut. His clothes were removed except for underpants before he was interrogated by British Military personnel. He was left in a toilet for 12 hours lying on the floor covered by urine and faeces. He proclaimed a hunger strike which drew attention after 24 hours. He was then removed to a separate cell. After seven days of interrogation he was released for lack of evidence.

Gemil Mahfod Khalifa:

Gemil Mahfod Khalifa is a 16 year old high school boy and the brother of Fuad Mahfod Khalifa, President of the Municipal Council of the City of Aden who related this case report. Gemil Mahfod Khalifa was arrested and detained with several other minors and this has been protested at the Arab League and the U.N. according to information gathered in Aden these young school boys have been interrogated and detained in the same way as elder prisoners.

At 1 o'clock after midnight one day in February, 1966, the house where he lived was surrounded by eight military vehicles and about twenty soldiers entered the house by breaking two entrance doors. He was taken to Fort Morbut. His elder brother, Mr. Fuad Mahfod Khalifa complained to the High Commissioner about the arrest of his 16 year old brother, but in vain. The young prisoner can be visited twice a month by special permission from the Labour and Welfare Office. This

Student was kept at the detention centre, Fort Morbut, and according to reports given by several people, his right hand has been injured during interrogation. A fracture was diagnosed by x-ray examination and treated surgically.

Muhammed Shamshir:

Profession: Petroleum Engineer. 29 years old. Married. 4 children. This detention case is reported by the following members of the Graduates' Congress:

- Nedim Hussein Ali
- Shekib Mahfod Khalifa
- Abdurrahman Ugba
- Abdurrahman Youssef

and the wife of the detainee, Mrs. Saïd Shamshir, 25 years old.

Muhammed Shamshir was arrested after the searching and partial damaging of his house at 3. a.m. on July 23, 1966. There were no contacts with this detainee until August 1, 1966, when his case was reported to me at the Aden Rock Hotel.

According to reports to Amnesty International, London, this man was kept at an unknown interrogation centre 53 days instead of the maximum 28 days before he was delivered to Al Mansora Detention Centre on October 16, 1966.

Hisham Hamid Khalifa:

Profession: Mechanic at Aden Airways. 22 years old. Unmarried. This case story is related by the mother of the detainee, Mrs. Kaltoom Muhammed Saïd Khalifa, a widow around 37, who visited me at the Aden Rock Hotel on August 1st, 1966.

At 11.30 p.m one day in February, 1966, some soldiers outside were looking for the house of Mr. Hisham Khalifa. By mistake, the soldiers broke the door of the neighbours' house before they came to the right address. They began kicking the door and threatened to break it if it was not opened immediately. Mr. Wahib Khalifa, a younger brother of the detainee, looked out through the window and said that he would open the door. The door was finally opened and six soldiers entered the house, not in civilian clothes. The room where Mr. Hisham lived was thoroughly searched. All together 17 individuals were living in this house. Among them Mr. Hisham Khalifa alone was arrested and taken to an unknown interrogation centre. His mother was not allowed to see her son for 16 days and when she did see him was not allowed to speak long with him and thus is not able to say definitely whether or not her son has been tortured. Mr. Hisham Hamid Khalifa is detained at the Al-Mansoura prison since the end of February 1966.

Radiya Insan:

Miss Radiya Insan is the general secretary of the Arab Women's Society in Aden. This case is taken to exemplify that people can be arrested in Aden for purely political

reasons. Miss Ihsan who is 32 years old, has been arrested twice.

First arrest: In December 1962 she was accused of participating in demonstrations against the union of Aden with the South Arabian Federation. She was kept in prison 10 weeks. During this period another charge was brought against her and she was fined for a small sum of money. On one occasion she was kept in the same room with a number of psychiatric patients.

Second arrest: In December 1963, she was arrested once more, this time under the emergency laws. She spent one week in a cell at a police station followed by 8 weeks in Aden prison. The reason for this detention was, she says, to cut off her contacts with some journalists who were visiting Aden. The Arab Woman's Society demonstrated in favour of Miss Ihsan. This case is well-known in Aden.