

UA 198/2007 **Incommunicado detention/Fear of torture/Medical concern**

YEMEN **Brigadier Nasser al-Nouba (m), aged in his 50s**
Shallal Ali Shaya' (m), aged about 35
Scores of others

Scores of people, including the two men named above, were reportedly arrested on 2 August after a sit-in protest in Liberty Square, in central Aden, staged by retired soldiers. All are reportedly held incommunicado, and they are at risk of torture or other ill-treatment. The security forces dispersed the protestors using teargas, water cannons, as well as live ammunition. Several were reportedly injured, and one protestor is feared to have been killed. Amnesty International is concerned that this may have resulted from an excessive use of force in violation of international law and standards, including the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

The protestors were complaining that their pension payments had not been made, or had been severely delayed. Retired soldiers from the south of Yemen have increasingly been voicing concern that they do not receive the same treatment in employment, salary and pensions as soldiers from the north of the country. The 2 August protest was intended to draw attention to their grievances. The government apparently told them to apply for permission for the sit-in. They reportedly refused, on the grounds that they were not intending to hold a demonstration, and so did not need permission.

Amnesty International is concerned that they may be prisoners of conscience, held solely for peacefully exercising their rights to freedom of expression and freedom of assembly.

BACKGROUND INFORMATION

Most of the retired soldiers are from the army of former People's Democratic Republic of Yemen (PDRY). Following the unification of the country in 1990, both armies of the PDRY (South Yemen) and the Yemen Arab Republic (YAR) (North Yemen), were merged into a single army force for the new Republic of Yemen. However, following the civil war of 1994, many of the soldiers of the former PDRY were dismissed from the army. These, as well as those who remained in the current army, complained of being subjected to discrimination when compared to soldiers originally from the North.

Basic Principle 9 of the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials states: "In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life." Principle 8 states: "exceptional circumstances such as internal political instability or any other public emergency may not be invoked to justify any departure from these basic principles."

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, English or your own language:

- urging the authorities to ensure that Brigadier Nasser al-Nouba, Shallal Ali Shaya' and others detained in connection with the 2 August protest in Aden are protected from torture and given regular access to lawyers of their choosing, their families and any medical treatment they may require;
- calling on the authorities to release them immediately and unconditionally if they are held solely for peacefully exercising their rights to freedom of expression and freedom of assembly;
- expressing concern at reports that at least one person has died after the security forces used live ammunition, and calling for a prompt and independent investigation;
- urging the authorities to ensure that security forces will adhere strictly to international standards, particularly 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.

APPEALS TO:

President

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COPIES TO: diplomatic representatives of Yemen accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 September 2007.*****