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I Introduction

An Amnesty International delegation visited Yemen between 9 and 23 July 1994, to carry out research into allegations of human rights abuses, which were reported to have been committed since 4 May. The delegates interviewed over 60 prisoners of conscience and political detainees in Political Security detention centres in Sana'a and Ta'iz. They met with the families of some detainees, members of the Bar Association, human rights activists, members of Parliament and leading social and political figures. They also held discussions with senior officials, including the Ministers of Foreign Affairs, the Interior and Justice as well as the Director of Political Security. During their meetings with officials, Amnesty International delegates discussed the organization's concerns and the authorities gave assurances that these concerns will be seriously addressed. On 15 August, the organization sent a memorandum to President 'Ali Abdullah Saleh detailing its concerns about the continuing human rights violations in the country.

II Background

In May 1990, the former Yemen Arab Republic (YAR-north Yemen) and the former People's Democratic Republic of Yemen (PDRY-south Yemen) formally merged to form a new state: the Republic of Yemen. Expectations that human rights would be respected were raised in the wake of unification by a series of positive measures, including the release of many political prisoners and detainees. In December 1992, the Republic of Yemen became a state party to the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

However, relations between the two sides began to deteriorate a year after unification following disagreements over power-sharing arrangements and common economic policies. The deepening political crisis was accompanied by a marked deterioration in the human rights situation. In December 1992, for example, hundreds of people, among them prisoners of conscience, were arrested following anti-government riots in the north. Many were held incommunicado and tortured; at least 15 of them may have been extrajudicially executed. In 1993 and 1994 scores of suspected members of Islamic Jihad were arrested in the south in the wake of bomb attacks and attempted political assassinations. Most were held without trial and without access to defence counsel and family members.

Following Arab and Western mediation in late 1993 and early 1994, the two sides signed an agreement in February this year in the Jordanian capital, Amman. The agreement, known as "The Document of

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Commitment and Accord" (Wathiqat al-'Ahd wal-Ittifaq), laid down the principles governing their future relations. However, none of its 18 clauses were ever implemented. The fighting in 'Umran in April between units of the northern and southern armies pushed the protagonists further apart and on 4 May full scale war broke out.

Amnesty International expressed grave concern over human rights violations which were committed by both sides during the fighting. It held them responsible for carrying out indiscriminate and arbitrary arrests of suspected political opponents. Civilian prisoners on both sides were denied access to legal counsel, their families and independent medical attention. None of these detainees was brought before a judge and there was no judicial review of their detention. After the defeat of the southern forces in early July 1994, hundreds of suspected political opponents, among them prisoners of conscience, were arbitrarily arrested and are currently being held in Political Security (al-Amn al-Siyassi) detention centres and other locations throughout the Republic of Yemen without charge or trial. With very few exceptions, they are being held incommunicado, without access to lawyers, family members and independent medical supervision. According to information available to Amnesty International, the torture and ill-treatment of these detainees is widespread. In addition, many suspected political opponents, particularly in the southern and eastern provinces, have been detained by the armed militia of the Yemeni Grouping for Reform (Islah) which has carried out functions which should be exclusively performed by law enforcement officers.

III Amnesty International concerns during the conflict

Following the outbreak of fighting on 4 May, Amnesty International received numerous reports of the arbitrary arrest of civilians by both sides. In the north, those detained were suspected members or supporters of the Yemeni Socialist Party (YSP) as well as independent political activists deemed to be critical of President 'Ali 'Abdullah Saleh. Thousands of civilians were arrested in the first week of fighting in Sana'a, Ta'iz, al-Hudaida, Ibb and other cities and were believed to have been held in incommunicado detention. The authorities in Sana'a acknowledged that arrests had taken place, but provided no details as to the identities, numbers or whereabouts of those involved. However, among those alleged to have been arrested or to have gone missing was 'Abdul-Habib Salim, an independent member of parliament from Ta'iz.

The organization received reports that scores of suspected members or supporters of Islamic Jihad had also been arrested and that members or supporters of the General People's Congress (GPC) led by President 'Ali 'Abdullah Saleh, and the Yemeni Grouping for Reform (Islah), led by Sheikh Abdullah al-Ahmar, were at risk of arbitrary arrest in Aden, Hadhramaut, Dhali' and other cities.

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At the outset of the conflict Amnesty International appealed to both sides in the conflict to respect human rights and to observe international humanitarian standards. The organization appealed for an end to arbitrary arrests of civilians, the humane treatment of all detainees and for their whereabouts to be made known. It also urged that detainees be given immediate and regular access to representatives of the International Committee of the Red Cross (ICRC).

Amnesty International welcomed the general amnesty announced by President 'Ali Abdullah Saleh on 23 May, which resulted in the release of thousands of suspected political opponents. However, the organization remains gravely concerned about the continued detention without charge or trial of hundreds of others, among them prisoners of conscience, as well as the torture and ill-treatment of such detainees and instances of alleged extrajudicial executions.

IV. After the conflict: Amnesty International's outstanding concerns

A. Detention of suspected political opponents

According to Amnesty International's information, hundreds of suspected political opponents of the government of President 'Ali Abdullah Saleh, among them prisoners of conscience, are being held in Political Security detention centres and at other locations throughout the Republic of Yemen. The vast majority of those arrested in the southern and eastern provinces were initially held at al-'Anad military base in Lahj province and at al-Hoban military garrison on the outskirts of Ta'iz. While some detainees were released within a few days of arrest, most were subsequently transferred to other places of detention in the northern provinces, where they remain held without charge or trial. With very few exceptions, these detainees have been denied access to legal counsel, their families and independent medical attention. None of them has been brought before a judge and there is no judicial review of their detention.

Between 17 and 18 July, over 15 journalists and professionals were arrested in Sana'a after attending a seminar organized by the "Yemen Times" newspaper, apparently because of their peaceful attempts to exercise their rights to freedom of expression, association and assembly guaranteed by Articles 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR). They were released shortly afterwards after international pressure had been brought to bear.

Amnesty International believes that some of those currently detained are prisoners of conscience, arrested solely on the basis of their region of origin or because of their real or perceived association with the YSP and its leaders. Amnesty International delegates interviewed some of these detainees during their visit, including a 61-year-old farmer from Lahj province, Fadhl Hashim Abu Bakr, who was arrested on 23

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June at a checkpoint and is currently held without charge or trial at the Political Security detention centre in Ta'iz. In another incident, three university students were arrested on 5 May while visiting relatives at the home of Dr. Yassin Sa'id Nu'man, former Speaker of Parliament and a leading figure in the YSP. The three, 'Ali 'Abdul-Wahid Yahya, Sadiq Nassir Salim and Muti' 'Abdullah Salim Hawash, were interviewed by the Amnesty International delegation at the Political Security detention centre in Sana'a where they are currently held. The names and details of these and other sample cases of prisoners of conscience, all of whom are civilians, are summarized in Appendix I. These detainees have been denied access to legal counsel, their families and independent medical attention. Again, none of these detainees has been brought before a judge and there is no judicial review of their detention.

Amnesty International has also documented numerous other cases of detainees arrested. They include both civilians and military personnel who are currently held in Political Security detention centres in the northern provinces. Among them is a group of nine security guards arrested at their posts outside the YSP's offices in Sana'a on 5 May (also see extrajudicial executions). All are being held in Sana'a. Another case is that of Ahmad Hussein Thabet, a 60-year-old taxi driver arrested on 5 May at the home of a prominent YSP member. He is currently held in Sana'a. The names and details of these and other sample cases of political detainees are summarized in Appendix II.

International standards, including the UN Standard Minimum Rules for the Treatment of Prisoners (UN Standard Minimum Rules), the UN Body of Principles for the Protection of All Prisoners under Any Form of Detention or Imprisonment (UN Body of Principles) and the UN Guidelines on the Role of Lawyers, oblige governments to ensure that all detainees receive prompt access to their lawyers, families and independent medical attention. These standards are intended to apply at all times and under all circumstances. Indeed, Principle 15 of the UN Body of Principles provides that even in exceptional cases access to lawyers and families may not be denied for more than a number of days. In addition, Articles 9(3) and 9(4) of the ICCPR, to which Yemen is a state party, require that detainees arrested or detained on a criminal charge be brought promptly before a judge and that all detainees have the right to a judicial review of the lawfulness of their detention.

In addition to these cases, Amnesty International has received the names of other political detainees whose current whereabouts are unknown or who are believed to be held in unacknowledged places of detention. Among them are Wazir 'Abdul-Rahman Salam and his brother Jamal, both YSP members, who were arrested in Sana'a in May. Another case is that of Wadi' Rashid, a leading member of the Sana'a Committee of the YSP, who was arrested by Political Security officers at his home in Sana'a on 5 July. The names and some details of these and other sample cases of political detainees who are being held incommunicado at unknown locations are summarized in Appendix III.

On 15 August 1994, 'Ali Muhammad Qassim al-Mefalhi, president of the Engineers Union in Ta'iz and a member of the Central Committee of the YSP in Ta'iz, was arrested by Political Security forces. He had been summoned by Political Security and questioned for several hours. He was allowed to leave, but it is believed he was intercepted on his way home by Political Security officials and taken to an unknown location. Amnesty International has urged the authorities to reveal his current whereabouts and fears he may be at risk of "disappearance".

B. Detention by armed militias

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Amnesty International is moreover gravely concerned about arrests being carried out by the armed militia of the Yemeni Grouping for Reform (Islah), particularly in the southern and eastern provinces. Members of this militia are present at government checkpoints and police stations, and have carried out functions which should be exclusively those of law enforcement officers. The organization has received reports that this militia has held detainees in secret places of detention where it is feared they are at serious risk of being tortured or killed. To Amnesty International's knowledge, no measures have been taken by the government to curb the activities of this militia, which is apparently operating openly with the tacit consent of senior government and military officials.

C.Torture and ill-treatment

Information obtained by Amnesty International prior to and during its delegates' visit to Yemen indicates that the torture and ill-treatment of both civilian and military detainees was widespread. The methods used include beatings all over the body with cables, electric shocks, actual or threatened rape, and "Kentucky Farruj" (suspension from a metal bar inserted between the hands and knees which are tied together).

Military personnel who were arrested during or after the armed conflict are said to have been routinely tortured in order to force them to divulge information of a military nature. One such victim was Colonel Muhammad Saleh al-Najjar, a member of the armed forces loyal to the YSP. He was arrested in June and held at the Political Security detention centre in Ta'iz. According to information received, he was tortured, as a result of which he was frequently vomiting blood and suffering from acute kidney pains. Amnesty International understands that one hour prior to a visit by its delegates to the detention centre on 18 July, Colonel al-Najjar was taken out of the solitary cell where he was being held and transferred to an unknown location. His fate and current whereabouts remain unknown.

Another detainee held for about one month at the same detention centre was Nabil 'Ali Ahmed al-Daudahi, a 27-year-old clothes vendor from Kila village in Lahj Province. He was arrested with his 66-year-old father at their home on 1 June by army personnel, apparently after his father refused to give false testimony that he had witnessed a killing which had taken place earlier that day. Both were held in solitary confinement where Nabil al-Daudahi was said to have been severely beaten. In mid-July he was transferred to an unknown location and his fate and current whereabouts remain unknown. Amnesty International understands that his father, who remains in detention, has been informed that his son had fallen ill and had been transferred to hospital.

Detainees held at other places of detention have also been subjected to torture or ill-treatment. On 20 July, Amnesty International's delegates met detainees held at the Political Security detention centre in Sana'a. While senior Political Security officials in Sana'a denied the existence of underground torture cells, detainees interviewed by the delegation consistently testified that they had been tortured in these cells.

The case of Yahya Ahmed Ahmed al-Jahari (see photograph), was brought to the attention of Amnesty International, a 40-year-old labourer and a YSP member from Sana'a, he was arrested at his work place on 20 June by army personnel. He was held in an underground solitary cell in the detention centre and was shackled for 18 days. The use of chains or irons to restrain or punish detainees is prohibited in all

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circumstances by Rule 33 of the UN Standard Minimum Rules. During interrogation, Yahya al-Jahari was said to have been beaten with cables on his wrists and legs, resulting in severe injuries.

Not only is such torture and ill-treatment absolutely prohibited by Article 7 of the ICCPR and the UN Convention against Torture, but these treaties require Yemen as a state party to conduct prompt and impartial investigations of all reports of torture and to ensure that victims receive compensation and rehabilitation. Amnesty International is also concerned that Yemen has failed to fulfil its responsibilities under the latter treaty by failing to submit its first report to the Committee against Torture as required under Article 19(1), and which was due on 5 December 1992. That article requires all state parties to submit "reports on the measures they have taken to give effect to their undertaking under the UN Convention against Torture. By failing to submit its first report, Yemen has not failed only to fulfil its responsibilities under the treaty, but it has missed an opportunity to begin a constructive dialogue with the Committee against Torture.

DDeath Penalty

Five men were executed on 29 July 1994 and the execution of a further nine is said to be imminent. The 14, all convicted of murder, were sentenced to death at different times in the mid and late 1980s in the YAR. Amnesty International is concerned that their trials may have been inconsistent with international standards for fair trial. According to the Unity Agreement the legal systems of the former YAR and PDRY remain separate pending an agreement on a common Penal Code and Criminal Procedures Code. To date these laws have not been promulgated by the Republic of Yemen. Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment as proclaimed by the Universal Declaration of Human Rights. In addition, Amnesty International considers the prolonged waiting for execution constitutes degrading and inhuman treatment. In 1988, the UN Special Rapporteur on torture observed in his report to the UN Commission on Human Rights that if "persons who have been sentenced to death have to wait for long periods before they know whether the sentence will be carried out or not" and "if the uncertainty.....lasts several years..... the psychological effect may be equated with severe mental suffering". The UN Special Rapporteur on extrajudicial, summary and arbitrary executions recently reached a similar conclusion when, in his 1994 annual report, he welcomed decisions by national courts finding that prolonged incarceration on death row constituted cruel and inhuman punishment.

E.Extrajudicial executions

Amnesty International is concerned about allegations it has received that scores of people, both civilians and military personnel, may have been extrajudicially executed. Given the circumstances in which such violations are said to have occurred, it is difficult at this stage to verify many of the allegations received. However, such violations appear to have taken place in at least two incidents involving the armed forces and members of the Islah militia carrying out law enforcement functions. In these cases international standards such as the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials appear to have been breached.

On 5 May, an army unit surrounded the offices of the Central Committee of the YSP in al-Safia district of Sana'a. According to eyewitness accounts given to Amnesty International, tanks and heavy weaponry

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were used to overpower a small number of lightly armed security guards stationed outside the offices. The guards were reportedly given no opportunity to give themselves up and as a result of this attack an unknown number of people, including bystanders, were killed. If these reports are confirmed, Amnesty International believes that these killings are tantamount to extrajudicial executions. Nine of the security guards were arrested and are currently being held in the Political Security detention centre in Sana'a, their details are in Appendix II.

In another incident in Aden on 11 or 12 July, a man said to have been in an advanced state of inebriation was shot dead at point blank range after an altercation at a checkpoint in the district of al-Ma'alla. The checkpoint was manned jointly by army personnel and members of the Islah militia and no attempt was made to arrest the victim. According to an eyewitness account given to Amnesty International, the victim was killed after making derogatory remarks about President 'Ali 'Abdullah Saleh.

The UN Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions require governments to conduct a "thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions". Amnesty International is not aware of any investigations set up by the government into these or other incidents.

Amnesty International concerns in Yemen prior to the recent conflict

A. Concerns prior to unification

A number of human rights issues, within Amnesty International's mandate, predating unification of Yemen, remain unresolved:

1) The continued imprisonment after unfair trials in the 1980s of 22 members of the former National Democratic Front (NDF) among them Mansur Rajih, a 34-year old writer and poet whom the organization considers to be a prisoner of conscience¹;

2) The enforced "disappearance" of hundreds of people since the early 1970s in both the former PDRY and YAR.

3) The widespread and continued use of the death penalty

4) The persistent and widespread use of torture and ill-treatment of political and common-law prisoners

Amnesty International has repeatedly urged the government to release immediately and unconditionally Mansur Rajih, a prisoner of conscience, and to undertake a full judicial review of the cases of other NDF prisoners with a view to bringing about their fair re-trial or release. Over the years, the organization has also urged the Government of the Republic of Yemen to establish a commission of inquiry to carry out an

¹ For further information, see Yemen: Mansur Rajih: Prisoner of Conscience under sentence of death (AI Index: MDE 31/03/92); Yemen: Unlawful detention and unfair trials of members of the former National Democratic Front (AI Index: MDE 31/04/93)
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immediate, thorough, impartial and independent investigation into all reports of enforced "disappearance", in order to account fully for the fate of the victims, as required by the UN Declaration on the Prohibition of All Persons from Enforced Disappearance and as recommended by Amnesty International in its 14-Point Program for the Prevention of "Disappearances".

Amnesty International remains deeply concerned about the large number of offences which carry the death penalty in Yemen. In addition it has grave concerns that trials have not met international standards for fair trials. The United Nations Special Rapporteur on summary or arbitrary executions has said that trials in which the defendant could face the death penalty "should conform to the highest standards of independence, competence, objectivity and impartiality of the judges, and all safeguards and guarantees for a fair trial must be fully respected, in particular to the right to defence and the right to appeal and to seek pardon or commutation of the sentence" (UN DOC E/CN.4.1993/46, para. 680). The organization is gravely concerned that in many cases such standards have not been met. Amnesty International received numerous reports of the torture and ill-treatment of both political and common law detainees prior to unification and has raised these concerns with the government. Amnesty International regrets that none of these concerns has been seriously addressed by the government.

B. Concerns since unification

Amnesty International continued to document serious human rights violations after unification. These included the prolonged detention without trial of suspected political opponents; procedural irregularities during the trials of political detainees; the torture or ill-treatment of both political and common law detainees; the increased use of the death penalty; and alleged extrajudicial executions. Amnesty International had repeatedly raised its concerns about the human rights situation in the country with the government and in January 1994 a comprehensive memorandum was sent to the government detailing the organization's concerns in this regard. The memorandum contained a series of recommendations aimed at improving the human rights situation in the country, but to date no response to this communication has been received and neither have steps been taken to address the concerns it raised. Below is a summary of the concerns raised in Amnesty International's January 1994 memorandum:

(i) Torture and ill-treatment

Amnesty International has continued to document numerous cases of the routine and widespread torture and ill-treatment of both political and common law detainees since unification and has brought these cases to the attention of the Yemeni government. In December 1992, over 1,000 people, including prisoners of conscience, were arrested following anti-government demonstrations in Ta'iz, al-Hudaida and Sana'a. Many of the detainees were reportedly tortured while in custody. Among them were Muhammad Yahya al-Sabri and Sarhan al-Muhayya, both officers in the air force. They were reportedly subjected to beatings and electric shocks while held in incommunicado detention. They were released without charges in January 1993.

On 10 December 1992, Fuad Muhammad Ghalib al-Faqih, an employee of the naval forces in al-Hudaida, was held incommunicado for two weeks at Military Intelligence Headquarters detention centre in Sala, in the city of Ta'iz, and reportedly subjected to electric shocks as punishment for having written and distributed a leaflet calling for lower prices for basic commodities.

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Several members or supporters of Islamic Jihad were arrested in 1993 following bomb attacks, killings and attempted assassinations in the southern provinces. Most were released shortly afterwards, but others continued to be held without trial in Aden and Abyan provinces. These detainees were reportedly subjected to torture and ill-treatment. 'Ali Muhammad 'Umar 'Abdullah al-Kurdi, an electrician, was reportedly beaten in front of other detainees in al-Mansura Prison. Other Islamic Jihad suspects were also reportedly threatened with rape, and two of those held in Hadhramaut were allegedly raped. None of these allegations are known to have been investigated by the authorities.

Even though the Republic of Yemen is a state party to the UN Convention against Torture, the government has taken no practical steps towards implementing its provisions. In particular, it has violated its treaty obligations under Articles 12 and 13 of that treaty by failing to seriously investigate any torture allegations including those submitted by Amnesty International. Article 12 of the UN Convention against Torture requires each state party to "ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction". Article 13 requires each state party to "ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to and have his case promptly and impartially examined....".

In raising its concerns directly with the Yemeni Government, Amnesty International has submitted detailed proposals on preventative measures and safeguards against torture and ill-treatment.

Amnesty International remains concerned about conditions of detention for both political and common law detainees, particularly in the northern provinces. These include the lack of medical facilities and care, severe overcrowding and unhygienic conditions. In some cases such conditions are tantamount to cruel, inhuman or degrading treatment and have resulted in the deaths of some prisoners².

(ii)Cruel and Inhuman judicial punishments

The continued imposition of the judicial punishments of flogging and amputation, which Amnesty International considers to be a form of cruel, inhuman or degrading punishment, remains a source of concern. The Human Rights Committee, which monitors the implementation of the International Covenant on Civil and Political Rights, (ICCPR), has made it clear that the prohibition in Article 7 of that treaty extends to corporal punishment. The UN Special Rapporteur on torture also considers that corporal punishment is prohibited under international standards.

Amnesty International welcomed the fact that no judicial punishments of amputation were carried out in the first year following unification, but was dismayed when this practice resumed in August 1991. Moreover, the organization is concerned about the sharp increase since 1993 in the imposition of the judicial punishment of flogging. In Sana'a alone in 1993, 865 people were flogged, whereas the number of people flogged in 1992 in both Sana'a and Dhamar was said to be 77.

(iii)Death penalty

There are reportedly hundreds, and possibly as many as 1,000 death sentences currently at various stages

²For more information see Death in custody and prison conditions in the Republic of Yemen, AI Index: MDE 31/06/92

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in the appeals process. In addition to its opposition to the death penalty, Amnesty International is concerned that in many cases the trials may have been inconsistent with international standards for fair trial. In the former YAR the use of false testimony and statements extracted under torture to convict people in court was widespread. This is most apparent in the cases of 15 former NDF members whose sentences are currently at different stages of appeal. Many of them were convicted on the basis of "confessions" which they claimed were extracted under torture. They were denied access to defence counsel until shortly before their trial. Furthermore, there were reports that some prosecution witnesses were politically, financially or otherwise motivated to testify against the defendants. In the case of Mansur Rajih (referred to in V. (A) Concerns prior to unification), tried on murder charges in Ta'iz, the three prosecution "eye-witnesses" gave contradictory accounts of the events in question. When two of them failed to identify him in court the judge ruled that this was because of the confusion and their "poor eyesight". In addition, defence witnesses, among them relatives of the murdered victim, asserted that the prosecution witnesses were not present at the scene of the crime. The judge ruled that these defence witnesses were "mentally ill", and hence their testimonies were inadmissible. Two other witnesses also testified that they were elsewhere with the accused at the time of the murder, thus providing him with an alibi. One of them was threatened in order to force him to alter his testimony. When he refused, he was imprisoned for six months without charge or trial. Amnesty International believes that the charges against Mansur Rajih were fabricated and that a decision to convict him, because of his political affiliation, had been taken beforehand.

Amnesty International is also gravely concerned that hundreds of common law prisoners are currently on death row, the vast majority of whom were convicted in the former YAR. There are fears that in numerous cases defendants were unfairly convicted. For example, in the case of Hassan Yusif 'Abdullah al-Bishri, a soldier convicted of murder in 1986, Amnesty International received reports that the principal prosecution witness was not allowed to retract the statement he had made against the defendant. In the first week of November 1990 the family of the prisoner was notified that he would be executed four days later. His execution was postponed, but he still remains on death row in al-Hudaida Central Prison. The organization believes there are grounds for setting up a judicial review of the legal proceedings followed in his case.

Amnesty International was dismayed by the sharp increase in the number of executions in 1993. Since January 1993, over 30 prisoners convicted of murder and highway robbery have been executed as compared with five reported executions in 1992. Among those executed in 1993 was Nasser Munir Nasser al-Kirbi, 13 years' old, who was publicly executed with three others in Sana'a on 21 July. All four were convicted of murder and highway robbery. His execution as a minor violated Yemen's obligations under Article 6(5) of the ICCPR, which states that the death sentence may not be imposed "for crimes committed by persons below eighteen years of age". Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment as proclaimed by the Universal Declaration of Human Rights.

(iv) Extrajudicial executions

After unification, Amnesty International continued to receive reports of widespread politically motivated killings. The vast majority of the victims were members of the YSP, with senior members of the military and security apparatus alleged to have recruited members of Islamic Jihad to carry out these attacks. In 1991, Hassan al-Huraibi was assassinated while in the company of 'Omar al-Jawi, former head of the

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Union of Yemeni Writers, who may have been the intended target. Factions within the military and security forces were allegedly responsible for the attack and although the government announced an investigation into the incident, no one has been brought to trial to date. In another case, Colonel Majid Murshid Sayf, a member of the YSP Central Committee, was wounded after resisting attempts to abduct him at a military checkpoint in Sana'a in June 1992. He was allegedly taken to the headquarters of Central Security (al-Amn al-Markazi) in the city and killed. As far as Amnesty International is aware no thorough investigation was carried out into the circumstances of his death. At least 15 people were killed in December 1992, in Ta'iz and Sana'a during demonstrations held in protest against the government's economic policies. According to reports received by the organization, military and security forces brought in to disperse the demonstration resorted to excessive use of force, including the firing of anti-aircraft guns and heavy weaponry at the demonstrators. The government subsequently announced the names of 12 people said to have been killed, but Amnesty International believes the actual number to be higher. A parliamentary inquiry which was set up into the killings was concluded in January 1993. It did not find the military and security responsible for the killings; however, it urged the authorities to give financial compensation to the families of the victims. While welcoming the setting up of this inquiry, Amnesty International remains seriously concerned that no judicial investigation was initiated by the government. The organization is concerned that some of these killings may amount to extrajudicial executions and that, to date, no one has been brought to justice. Amnesty International fears that this apparent exemption from criminal prosecution may have encouraged those responsible to continue to carry out such killings with impunity.

RECOMMENDATIONS

Amnesty International believes it is the government's responsibility to uphold international standards in the field of human rights, including in the current difficult political situation, and to take urgent measures to put an end to the violations detailed in this document. Amnesty International urges the Government of Yemen to:

- Put an immediate end to the arbitrary arrest of individuals on the basis of their political affiliation or their region of origin.

- Immediately and unconditionally release all prisoners of conscience, including those named in Appendix I.

- All other political detainees, among them those named in Appendix II, currently held since the armed conflict should also be released unless they are to be charged with a recognizably criminal offence and promptly brought to trial in accordance with internationally recognized standards for fair trials.

- Ensure that all prisoners are granted immediate access to lawyers, family members and independent medical attention. They should be brought promptly before a judge and their detention must be subject to judicial supervision.

- Ensure that all detainees are protected against torture or ill-treatment while in custody, and that independent and thorough investigations are carried out into any reports or complaints of torture or ill-treatment. If the allegations are confirmed, those found to be responsible should be brought to justice, the victims compensated and rehabilitated and effective steps taken consistent with the requirements of the Convention against Torture to prevent the recurrence of such practices.

- Carry out thorough, prompt and impartial investigations into all incidents of alleged extrajudicial executions and anyone found responsible for perpetrating such violations should be brought to justice.

- Make known the whereabouts of all those who are being held incommunicado in all unacknowledged places of detention.

- Take urgent measures to prevent armed militias from carrying out any law enforcement functions, and to put an end to the arbitrary arrests carried out by their members.

- Bring to justice all members of armed militias found to have committed human rights violations.

- Immediately transfer, as a matter of urgency, all detainees currently in the custody of these militias to recognized places of detention.

- Close down all secret or unacknowledged places of detention.

- Commute all outstanding death penalty sentences and in line with UN General Assembly resolution 32/61 of 8 December 1977, work towards reducing the number of offences for which the death penalty may be passed, with a view to abolishing this punishment.

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-Replace all cruel and inhuman punishments with judicial punishments consistent with the ICCPR and the Convention against Torture.