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Yemen: United against rights : Human rights violations by Yemeni and US security forces.

In a report published today , Amnesty International called on the governments of Yemen and the United States to stop committing human rights violations in the name of security and "fighting terrorism".

The report, *The rule of law sidelined in the name of security*, details patterns of human rights violations committed in Yemen in the wake of 11 September 2001 attacks on the US which the organisation condemned unreservedly.

"At times of security crises such as the one brought on by the 11 September events, human rights need more, not less, protection," Amnesty International stressed. "It is urgent for the rule of law and respect for Yemen's international human rights obligations to be restored."

Security forces in Yemen embarked on mass arbitrary arrests, detentions and deportations of foreign nationals in the immediate aftermath of the 11 September 2001 attacks. Those arrested included women and children as young as 12. The arrests were carried out without the judicial supervision required by law and those detained were invariably subjected to lengthy incommunicado detention and interrogation, during which some claimed that they were tortured or ill-treated.

Meanwhile, the US government continues to hold scores of Yemeni nationals in Guantánamo Bay with total disregard of their fundamental human rights, and has turned a blind eye to the similar practices carried out by the Yemeni authorities in their own country, as elsewhere.

"The US must take immediate steps to restore the rights of Yemeni and other nationals held in Guantánamo Bay and urge the Yemeni Government to do likewise for those held under similar circumstances in Yemen," Amnesty International stressed.

A special commission of inquiry set up by the Yemeni parliament in September 2002 to look into the conditions of detainees held in connection with the attack on the USS Cole on 12 October 2000, and those held in the wake of the 11 September 2001 event observed: "Some detainees said that they were shackled, and subjected to insults and verbal abuse. Others said they were threatened with the imprisonment of their female relatives if they did not confess."

The organization urged the US to investigate the apparent extrajudicial killing on 3 November

2002 of six alleged suspected members of *al-Qa'ida*, and bring to justice anyone suspected of having been responsible for these killings.

Amnesty International delegates visited Yemen twice in 2002 and held talks with government authorities on the deteriorating human rights situation in the country. The authorities, while recognizing that they were in breach of their international human rights obligations and their own laws, argued that this was because they had to "fight terrorism" and avert the risks of a military action against Yemen by the US in the wake of 11 September events.

The authorities said that they had "no option" but to continue the practice of detention without charge or trial of those held contrary to their laws and international obligations, and that they had no plans to offer them an opportunity of access to lawyers or the judiciary to challenge the legality of their detention.

"The Yemeni and US governments must ensure that their security cooperation is not purchased at the expense of human rights and take immediate steps to restore the rule of law and the human rights of the detainees held both in Yemen and in Guantánamo Bay," Amnesty International said.

Freedom of the press is guaranteed under the Yemeni Constitution. In reality, however, the margin of freedom of the press is expanded and restricted in accordance with the political circumstances of the day. Seen in this context, freedom of journalists has narrowed in the wake of the 11 September events.

"Government political discourse, coupled with security forces acting beyond judicial control and with total impunity, generated a climate of fear among civil society which had been progressively developing into a vibrant agency for positive human rights changes," Amnesty International said.

Deportations are continuing. In July 2003, seven Saudi Arabian nationals were said to have been handed over to the Saudi Arabian government in exchange for eight Yemeni nationals who had been detained in Saudi Arabia. Other deportees have included nationals from Algeria, Egypt, Libya, Pakistan, Sudan, Saudi Arabia, Indonesia, Somalia, the US, UK and France.

Amnesty International remains concerned about the fate and whereabouts of those deported in the light of the secrecy surrounding their deportation and the human rights records of many of the countries to which they have been sent. The organization urged the Yemeni government "to halt the expulsion of foreign nationals to countries where they would face serious human rights violations such as torture or execution, and ensure that the rights of refugees and asylum seekers are preserved."

"The Yemeni authorities must release anyone held solely for the non-violent expression of their conscientiously held beliefs, and ensure that all detainees without exception are given prompt access to lawyers," Amnesty International said.

"The government of Yemen must make sure that the fear of "terrorism" does not become a source of abuse," Amnesty International said. "Sacrificing human rights can and must never be the solution."

For a full copy of the report please see: **(AI Index: MDE 31/006/2003)**

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