

Yemen

For 33 years, Yemen was ruled by the regime of President Ali Abdullah Saleh, who cemented his absolute rule through alliances with the military elite and, to varying degrees, Islamists, as well as by exploiting tribal loyalties and conflicts. To retain his hold on power, Saleh pursued draconian policies against his opponents and critics, often resorting to repressive security measures and fostering internal conflicts, despite the fact that these conflicts threaten to divide the country. Such policies have led to strong discontent not only among the Houthis in the north but also among the population in the south, which has been long subjected to discrimination and to political, economic, and social marginalization and whose wealth and resources have been looted by the regime. The last years of the Saleh regime saw widespread violations of public rights and liberties and a growing hostility on the part of the government towards human rights defenders.

Despite the brutal suppression it faced, the popular uprising of 2011 did succeed in forcing President Saleh to step down. However, the political solution, based on the Gulf Initiative, linked Saleh's forfeit of power to immunity for himself and his aides from prosecution for their crimes against the Yemeni people. Although the initiative temporarily defused the imminent possibility of civil war, the specter of war still looms, as the initiative disregarded the interests and aspirations of broad segments of those involved in the uprising, particularly southern factions and Houthis in the

north. As a result, 2012 saw an escalation in southern political action accompanied by calls for secession, while Houthis in the north resumed military operations, which took on a sectarian character against Salafist groups.

The interim president and his government face serious challenges to asserting the authority of the state over the country's territory, restoring security and stability, and ending factionalism within the army, even as the traditional political, military, and tribal elites vie to fill the power vacuum. The main security services and Central Security remain under the control of the family of the former president, who is still the head of the General People's Congress (GPC), which holds half the ministerial positions in the transitional government. The army is divided between divisions under the command of the defense minister and the Republican Guard, led by the former president's son, and the First Armored Division, under the command of Gen. Ali Mohsen al-Ahmar, who split with the Saleh regime last year. Tribal militias deployed in the capital and Taiz are divided in terms of their support for these parties. Finally, the security vacuum is greatly exacerbated by the spread of terrorist acts in the country, which have begun to affect the capital after devolving into violent battles in the south.

All of these developments have had an extremely detrimental effect on human rights in Yemen. Dozens of people have been killed during crackdowns on peaceful protests in the south; activists with the southern movement have also been targeted by extrajudicial killings. Ansar al-Sharia groups have taken up positions in the southern province of Abyan and attempted to impose their version of Islam by force. Dozens of civilians have been killed in terrorist acts or in raids on potential terrorist locations by Yemeni forces or American airstrikes.

Arbitrary detention, enforced disappearance, and torture in detention facilities remain widespread. Most detention facilities are not subject to judicial oversight and are run by the political and national security services controlled by the Saleh family. Freedom of expression, particularly freedom of the press, is under assault, and in the south in particular journalists face arrest and physical assault, while press offices are raided and newspapers confiscated.

There is little sign that those responsible for gross violations of human rights and international humanitarian law will be held to account. The Yemeni parliament responded to the Gulf Initiative by adopting a law that immunizes the former president and his aides from criminal prosecution, while the transitional justice bill drafted by the government leans toward the model of conciliatory justice, which does not entail prosecution for grave abuses.

Furthermore, the ability of the transitional authorities to restructure the security apparatus and the army on professional bases is limited by the various centers of power that compete for political control in Yemen.

The Transitional Period and Legislative Developments

With the signing of the Gulf Initiative and the agreement for its implementation on November 23, 2011, Yemen entered a multi-stage transition. In the first phase, Ali Abdullah Saleh turned his presidential powers over to then vice-president Abed Rabbo Mansour al-Hadi. A national unity government was formed with ministerial posts split equally between the GPC, headed by Saleh, and the Joint Meeting Parties (JMP), comprised of five parties, the most influential being the Islamist Reform Party. A military affairs committee was also created to bring security and stability, including by ending divisions in the army and sending it back to the barracks, ending armed conflicts, ensuring the withdrawal of militias and other irregular forces from the capital and other cities, and restructuring the security forces. The ultimate goal of this plan was to foster a political and security climate amenable to early presidential elections.

The greatest failure of the transitional authority in this phase has been in its inability to restore security and stability and assert the control of the state over Yemeni territory. The military affairs committee made tangible progress in removing checkpoints and ending armed clashes in Sana'a and Taiz, but the various centers of power – both within and outside of the government - have impeded an end to militarization, the unification and professionalization of the army, and the restructuring and development of the security services. This is partly due to the fact that the former president has held on to his position as head of the GPC, which holds half of the ministerial posts, and that Saleh's relatives, supported by tribal militias, have resisted giving up their influence and leadership positions within the security services and the management of Central Security. In addition, Saleh's son has maintained his position as commander of the Republican Guard, while Gen. Al-Ahmar, who rebelled against Saleh during the uprising, has refused to end his rebellion as long as Saleh and his relatives maintain their influence. As a result, Sana'a and Taiz in particular continue to suffer from the presence of tribal militias and military deployments. For instance, tribal militias continue to operate in the capital which support the opposition Reform Party and possess all manner of light and medium weapons, artillery, and missiles.

The security situation has deteriorated further due to increased terrorist activity in the southern provinces and its spread to the capital, even as the calls for secession and independence have been renewed in the south and debates have been stirred up regarding the conditions that must be met for the south to remain part of the nation. Some southern movement groups have moved toward militarization when faced with increased suppression after the signing of the Gulf Initiative, which southerners believe disregarded their demands.

In the north, where Houthis waged a seven-year war against the Saleh regime, residents are wary of the Gulf Initiative because it failed to address their issues of concern. Houthis now control the province of Saada in its entirety and some areas of neighboring provinces. Houthi military operations have also acquired an increasingly Shiite character, targeting Salafist mosques and religious academies. These operations have also entailed a blockade on some areas and imposed restrictions on freedom of movement in the controlled areas.¹

Yemen entered the second phase of the Gulf Initiative when presidential elections were held on February 21. The elections were essentially a popular referendum on the consensual presidential candidate specified by the terms of the initiative—former vice-president al-Hadi—as parties to the agreement agreed not to slate another candidate to oppose him. The elections were accompanied by some violence, especially in the south, where calls for a boycott were heard most prominently. Militants also opened fire on some

¹ This analysis of the political and security situation relies on several studies, including: International Crisis Group (ICG), “Yemen: Enduring Conflicts, Threatened Transition,” July 3, 2012, <<http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/yemen/125-yemen-enduring-conflicts-threatened-transition.aspx>>; Wesam Basandu, “Yemen after the Elections: A Fragile Agreement and a Complex Situation,” Arab Reform Initiative, Apr 2012, <<http://www.arab-reform.net/yemen-after-elections-fragile-agreement-and-complex-situation>>; Khaled Fattah, “Yemen’s Sectarian Spring,” May 11, 2012, <<http://carnegieendowment.org/2013/02/06/precarious-ally-bahrain-s-impasse-and-u.s.-policy/fbo2>>; Human Rights Watch, “Yemen’s Other Crises,” May 22, 2012, <<http://www.hrw.org/news/2012/05/22/yemen-s-other-crises>>; Nasser Arrabyee, “National Dialogue in Yemen,” Nov. 1, 2012, <<http://carnegieendowment.org/2012/11/01/national-dialogue-in-yemen/fdbb>>; Human Rights Watch, “How to Help Yemen Come Unstuck,” Apr. 20, 2012, <<http://www.hrw.org/news/2012/04/20/how-help-yemen-come-unstuck>>; and Yemeni Organization for the Defense of Rights and Democratic Freedoms (YODRDF), “Taqrir lajnat taqyim al-awda’ fi Damaj, muhafazat Sa’da,” <<http://www.hurryat.org/?p=1282>>.

polling stations, killing seven people, including three soldiers,² and the authorities were forced to close seven polling stations in the south.³

It was prescribed that the country's security challenges should have been adequately addressed by the end of the second phase, which also involves the initiation of a national dialogue as a prelude to reforms to the constitution and the electoral process, according to which parliamentary and presidential elections should be held in February 2014.⁴ However, many fear that the national dialogue will fail in light of the complicated political and security situation, which may drive the country to the civil war that the Gulf Initiative aimed to defuse.

As required by the Gulf Initiative, the Yemeni parliament passed a law on January 21, 2012 granting the former president full immunity from prosecution. The law also gives immunity to the president's aides for "politically motivated" acts, which effectively strips the victims of crimes committed over 33 years of Saleh's rule of any means to obtain justice.⁵ Although the transitional government announced its commitment to establish a mechanism to prevent the repetition of the grave violations of international law that characterized the Saleh era and proposed a law on transitional justice and national reconciliation, this bill contains no provisions that require criminal accountability for such crimes and abuses. In practice, the bill will not prevent impunity for past crimes but rather immunize the perpetrators. Similarly, it will not deter the commission of similar violations in the future. The bill provides for the creation of a justice and reconciliation agency to investigate human rights violations committed in Yemen since 1990 and to achieve "conciliatory justice," under which victims and their families are to be compensated, the truth exposed, and the national memory preserved. The bill views these mechanisms as sufficient to prevent gross violations in the future.⁶

² Southern Observatory for Human Rights (SOHR), "al-Taqrir al-dawri li-shahr Fabrayir 2012," Feb. 20, 2012, <<http://sohr-aden.org/?p=1936>>.

³ Human Rights Watch, "Yemen: Ensure Rights Progress Follows Leadership Change," Feb. 22, 2012, <<http://www.hrw.org/news/2012/02/22/yemen-ensure-rights-progress-follows-leadership-change>>.

⁴ ICG, "Yemen: Enduring Conflicts, Threatened Transition."

⁵ Amnesty International, "Yemen: One Year on Since the Start of Mass Protests," Feb. 2, 2012, <<http://www.amnesty.org/en/news/yemen-one-year-start-mass-protests-2012-02-02>>; Human Rights Watch, "Yemen: Governments Should Oppose Saleh's Immunity," Jan. 29, 2012, <<http://www.hrw.org/news/2012/01/29/yemen-governments-should-oppose-saleh-s-immunity>>.

⁶ Amnesty International, "Yemen Can No Longer Delay Taking Concrete Steps to Improve Its Human Rights Situation," Aug. 24, 2012,

On September 22, the interim president issued a decree establishing an independent commission to investigate abuses committed during the suppression of the popular uprising. Notably, the decree did not exempt any persons from accountability, investigation, or prosecution, which some observers believe may allow for the prosecution of the former president and his aides, despite the immunity given to them under the Gulf Initiative and the new law. The commission's scope is limited to 2011 and it was given six months to carry out its work, after which it will submit a detailed report with its conclusions to the judiciary and to the House of Representatives for debate.⁷

This step is important because previous investigations into the killing of demonstrators were severely flawed, as if they aimed to protect government officials from criminal prosecution. A good illustration of this is the trial which began in late September 2012 regarding the Friday of Dignity massacre of March 18, 2011, when masked men opened fire from rooftops, treetops, and the street on demonstrators in al-Taghyir Square in the capital, killing more than 45 people. Of the 78 people named as defendants in the case, 30 of them remained at large, and only two of the defendants were charged with premeditated murder. High-level officials were not even questioned, as the public prosecutor was dismissed by order of President Saleh after he summoned government officials for investigation. Senior security personnel were similarly not questioned, although evidence indicates that they failed to protect demonstrators from attack, as Central Security Forces withdrew from al-Taghyir Square on the night preceding the onslaught and only reappeared 30 minutes after the attack began.⁸

Suppression of Peaceful Assemblies

Peaceful assemblies and protests continued to be suppressed through the use of excessive force. On January 13, four people were killed and twenty injured when security forces used live ammunition and tear gas to disperse a peaceful protest in al-Hurriya Square in the Khur Maksar district of the Aden

<<http://www.amnesty.org/ar/library/asset/MDE31/011/2012/ar/6c8e2fd3-3836-4bab-8bd5-b5f430f6d6f6/mde310112012en.pdf>>.

⁷ CIHRS, "CIHRS Warns of 'Cosmetic' Reform in Yemen," Sep. 27, 2012,

<<http://www.cihrs.org/?p=4293&lang=en>>.

⁸ Human Rights Watch, "Yemen: Massacre Investigation Badly Flawed," Sep. 27, 2012,

<<http://www.hrw.org/news/2012/09/27/yemen-massacre-investigation-badly-flawed>>;

National Organization for Defending Rights and Freedoms (HOOD), "Mulahazat 'ala jalsat muhakamat al-muttahamin bi-majzarat al-karama," Sep. 8, 2012,

<<http://www.hoodonline.org/2012-06-02-13-05-22/2012-05-31-22-14-51/585-hood9.html>>.

province.⁹ On February 9, the use of live ammunition by security forces killed two people and injured others during the dispersion of a peaceful march in al-Dalia held to commemorate Southern Prisoner Day.¹⁰ The second week of February saw the suppression of a peaceful protest against the elections with live ammunition, which led to the death of two demonstrators and the injury of 13 others.¹¹

On June 15, security forces backed by armored units stormed Martyrs Square in the Mansoura district of Aden province, where locals typically organize peaceful assemblies and sit-ins. Security forces then took over the square for 32 days, during which they vandalized and looted property and torched the square's media center and an exhibit of photos of southern martyrs; 13 citizens were killed, among them women and children, due to the use of live ammunition.¹² On July 7, Central Security Forces and snipers opened fire to disperse a peaceful demonstration in Aden, organized annually to commemorate the end of the civil war in 1994, when the southern forces were defeated and the Saleh regime's control over the south reinstated. The suppression of the demonstration led to the deaths of three people, while security forces also attempted to enter a hospital to arrest wounded demonstrators.¹³

The most violent clashes took place in the capital during the protest against the film produced in the United States called "Innocence of Islam," which was deemed insulting to the prophet. The US embassy was stormed, looted, and vandalized, and four citizens were killed and 38 wounded.¹⁴ Yemeni rights organizations accused security forces of using excessive force against unarmed civilian protesters, stating that some were injured as far as 500 meters from the embassy. A woman was also injured by sniper fire while in

⁹ Arabic Network for Human Rights Information (ANHRI), "Balagh bi-irtikab quwwat al-sulta al-Yamaniya i'tida' musallahan bi-haqq al-muwatinin al-janubiyin," Jan. 14, 2012, <<http://www.anhri.net/?p=47111>>.

¹⁰ SOHR, "al-Taqrir al-dawri li-shahr Fabrayir 2012."

¹¹ ANHRI, "al-Yaman: al-munazzama tudin al-i'tida'at al-amniya 'ala-l-mutazahirin fi 'Adin," Feb. 14, 2012, <<http://www.anhri.net/?p=48830>>.

¹² SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus," Sep. 8, 2012, <http://ia601203.us.archive.org/34/items/report_30/6-7-8.pdf>.

¹³ Amnesty International, "Yemen Must Investigate Sniper Killings of Protestors," July 9, 2012, <<http://www.amnesty.org/en/news/yemen-must-investigate-sniper-killings-protesters-2012-07-09>>.

¹⁴ Yemen Press, "Sana'a: 4 qatla wa 48 musaban wa ihraq 61 sayyara hasilat iqtiham al-safara al-Amrikiya," Sep. 15, 2012, <<http://yemen-press.com/news12461.html>>.

her home. The organizations also accused the authorities of denying medical care to wounded persons that were detained.¹⁵

Freedoms of Expression and the Media

Freedom of expression and media freedoms were repeatedly violated, with repressive measures particularly targeting the southern movement, its press institutions, its journalists, and its newspapers, which were confiscated several times. Prosecutions before the Specialized Press and Publications Court also continued, and several journalists were intimidated and received death threats. Writers, journalists, and rights activists were increasingly the target of smear campaigns labeling them unbelievers.

Two journalists, Ahmed al-Shalqi and Hamdi al-Bukari, both working as correspondents for al-Jazeera, were summoned to appear before the Press and Publications Court on May 21 in connection with a case filed by the former Saleh government in June 2011. The suit alleged that they had violated the law because the government had revoked the credentials of al-Jazeera reporters and closed its office in Sana'a to punish the channel for its supportive coverage of the uprising. Rights organizations believed that the renewed pursuit of the case indicated that nothing had changed for the press following Saleh's removal.¹⁶ Meanwhile, journalist and counterterrorism researcher Abdul Elah Haidar Shaya remains in prison, serving a five-year sentence issued on January 18, 2011, due to his alleged links with al-Qaeda, although rights sources say that the charges were related to his investigative work on terrorism issues and that he was targeted after finding evidence of the US role in the cluster bomb assault on alleged al-Qaeda positions in southern Yemen that killed dozens of local residents, including women and children. Although the former president ordered Shaya's release in February 2011, the order was not implemented due to the displeasure of the US administration.¹⁷

¹⁵ YODRDF, "Munazzamat Yaman tutalib bi-l-ifraj al-fawri 'an al-muhtajazin 'ala khalifiyat ahdath al-safara al-Amrikiya," Sep. 30, 2012, <<http://www.hurryat.org/?p=1425>>; YODRDF, "Bayyan munazzamat al-mujtama' al-madani bi-sha'n al-intihakat al-musahiba li-l-ihitijajat didd al-safara al-Amrikiya," Sep. 19, 2012, <<http://www.hurryat.org/?p=1350>>.

¹⁶ Committee to Protect Journalists (CPJ), "In Yemen, Two Journalists Face Trial for Covering Uprisings," May 15, 2012, <<http://cpj.org/2012/05/in-yemen-two-journalists-face-trial-for-covering-u.php>>.

¹⁷ Amnesty International, "Two Years on, Journalist Still Behind Bars after Alleging US Cluster Bomb Use," Aug. 15, 2012, <<http://www.amnesty.org/en/news/yemen-two-years-journalist-remains-behind-bars-after-alleging-us-cluster-bomb-use-2012-08-15>>.

On June 4, journalist Majid Karout, a correspondent for Masdar Online, was sentenced to one year in prison and fined 750 Euros after his conviction on charges of spreading false news. Karout accused an official with the telecommunications agency in al-Bayda province of involvement in corruption. The trial entailed an egregious infringement of his right to defense, as the journalist was not informed of his summons to court or notified of the trial dates.¹⁸

As part of the crackdown on the southern movement, several journalists were detained and questioned, including Faris al-Jalal, the editor of the online al-Tajdid News,¹⁹ journalists Abd al-Alim al-Hamidi and Majid al-Shuaybi,²⁰ and Fathi Bin al-Azraq, the editor of *Aden al-Ghad*. Adnan al-Ajam, the editor of *al-Umana*, was detained on July 18, only a few weeks after he survived an attempt to assassinate or intimidate him when assailants opened fire on his home.²¹ In January, Seif al-Hadiri, the general director of al-Mashmua for Press and Media in Aden, received death threats, while on February 28 militants set fire to the institution's offices while *Akhbar al-Yom* was being printed there. The previous day, armed men had also burned copies of the paper, an incident that was repeated on May 26.²² The offices of *Akhbar al-Yom* in al-Dalia were torched 15 times.²³ On May 16, two attempts were made to assassinate Hissam Ashour, a correspondent with the weekly *al-Nida* and the News Yemen website. Ashour was investigating corruption linked with officials in the Fund for Reconstruction in the Hadramawt province, which led to his criminal prosecution. Following one hearing of the trial, a car followed him and attempted to run him down in two different locations; Ashour said that the driver was an attorney for the Fund for Reconstruction.²⁴ Journalists covering the southern movement also received death threats, among them Saleh Abu Awdhal, a journalist and

¹⁸ Reporters Without Borders, "Provincial Reporter Given One-Year Jail Sentence over Facebook Post," June 7, 2012, <<http://en.rsf.org/yemen-provincial-reporter-given-one-year-07-06-2012,42738.html>>.

¹⁹ SOHR, "al-Taqrir al-dawri li-shahr Yanayir."

²⁰ ANHRI, "Naqabat al-sahafiyin al-Yamaniyin tutalib bi-sur'at al-ifraj 'an al-zamilayn al-Hamidi wa-l-Shu'aybi," Feb. 20, 2012, <<http://www.anhri.net/?p=49242>>.

²¹ SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

²² ANHRI, "Awqafu istihdaf al-sahafiyin," Mar. 1, 2012, <<http://www.anhri.net/?p=49857>>.

²³ ANHRI, "al-Yaman: al-shabaka al-'Arabiya tastankir al-hujum al-musallah 'ala mu'assasat al-shumu' li-l-sahafa wa-l-i'lam fi 'Adin," Mar. 1, 2012, <<http://www.anhri.net/?p=49845>>; Reporters Without Borders, "Journalists Still Being Hounded Three Months after New President's Installation," May 31, 2012, <<http://en.rsf.org/yemen-journalists-still-being-hounded-31-05-2012,42704.html>>; ANHRI, "Naqabat al-sahafiyin tudin ihraq musallahin li-sahifat akhbar al-yawm," Mar. 7, 2012, <<http://www.anhri.net/?p=50282>>.

²⁴ Reporters Without Borders, "Journalists Still Being Hounded Three Months after New President's Installation."

leading figure in the movement, who found death threats written on the walls of his home.²⁵

Dozens of journalists were repeatedly harassed and physically assaulted while carrying out their professional duties. These include Nabil Haidar, the editor of *al-Thawra*, who was attacked by armed thugs after they surrounded the newspaper's offices in February.²⁶

In April, journalist Mohammed al-Maqalih was assaulted by militants belonging to the First Armored Division, which is commanded by Ali Mohsen al-Ahmar and controls parts of Sana'a with the support of the al-Ahmar tribe, one of the most influential tribal groups. Maqalih, who has published numerous articles on the role of tribal groups in conflicts, was visiting the home of the defense minister to discuss the armed groups present in his neighborhood. Al-Maqalih was beaten with rifle butts and his car windshield smashed in the presence of the minister, who did not stop the assailants, claiming he had no authority over them.²⁷ Soldiers with the First Armored Division also attacked journalist Khaled Mohi al-Din in the capital, and armed men opened fire on the offices of *Yamanat* in the capital.²⁸ Journalist Anwar al-Bahari, a correspondent with Saba News, was beaten in front of his wife and children in early May after unknown men raided his home. Journalist Wael al-Abasi, who works with the Socialist news website, which is closely related to the Yemeni Socialist Party, was attacked by unknown assailants while filming a demonstration in Taiz on April 24; he was injured in the head and eye. The weekly *al-Ahali* was publicly threatened by the son of the former president, who promised to bring newspaper officials to military trials, claiming that they were spying on army divisions and cooperating with al-Qaeda. The paper was also threatened by the head of the National Security Agency, Ammar Mohammed Abdullah Saleh. *Al-Ahali* is linked with the opposition Reform Party and regularly criticizes the government and the army.²⁹

On July 1, Faid Dahhan, a correspondent with the Yemen Youth channel, was assaulted by soldiers of the Republican Guard in the province of Sana'a.

²⁵ SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

²⁶ ANHRI, "Awqafu istihdaf al-sahafiyin."

²⁷ CPJ, "Musallahun yuhajimun sahafiyin Yamaniyan fi San'a," Apr. 12, 2012, <<http://cpj.org/ar/2012/04/019042.php>>.

²⁸ Women Journalists Without Chains, "Bila quyud tudin tahdid hay'at tahrir al-ahali wa-l-i'tida' 'ala-l-sahafiyin al-Maqalih wa Muhyi al-Din wa-l-i'tida' 'ala maqarr sahafat yamanat," Apr. 10, 2012, <http://www.womenpress.net/news_details.php?sid=2089>.

²⁹ CPJ, "Sahafiyin Yamaniyan yata'arradan li-i'tida'," May 3, 2012, <<http://cpj.org/ar/2012/05/019306.php>>; Women Journalists Without Chains, "Bila quyud tudin tahdid hay'at tahrir al-ahali."

The soldiers beat him with the butts of their rifles, detained him at his home, and confiscated a video camera, two cellphones, credit cards, and a sum of cash.³⁰ Several journalists and correspondents were assaulted on various occasions by the Republican Guard, among them Abed-Rabou al-Hachichi, a cameraman with al-Siniya channel, Ali Abdallah Khaled and Abdelrahmane Khaled, both photographers with the Arab Media Agency, and Marwan Khaled.³¹ Central Security Forces arrested French correspondent Benjamin Wiacek and Mahmoud al-Zileeyi, a cameraman with al-Sahat al-Ahliya.³² In addition, several newspapers in the south were confiscated, including *Aden al-Ghad*, *al-Umana*, *al-Janoubiya*, and *al-Qadiya*.³³

Writer and political activist Bashra al-Moqtari was declared an infidel after she wrote an article accusing Salafist and radical Islamic groups of attempting to hijack the revolution in the name of religion. Clerics close to the Islamist Reform Party issued fatwas calling for the application of the penalty for unbelief against her. The smear campaign spread among several mosques and religious academies, and a march surrounded al-Moqtari's home in Taiz in an attempt to intimidate her. On Facebook, there were calls for her death and the revocation of her citizenship.³⁴

Suppression of the Southern Political Movement

The political movement in the south was the target of daily repression, especially after some factions of the movement took up arms and launched attacks on security forces and government facilities.³⁵

In addition to systematic attacks on the southern press and journalists covering the situation in the south and the use of excessive force to suppress

³⁰ Masdar Online, "Naqabat al-sahafiyin tudin i'tida' junud 'ala murasil sahabi ya' mal fi qanat Yaman shabab," July 6, 2012, <http://almasdaronline.com/index.php?page=news&article-section=2&news_id=33831>.

³¹ Reporters Without Borders, "Serial Attacks on Media Workers in Sanaa," Sep. 19, 2012, <http://en.rsf.org/yemen-serial-attacks-on-media-workers-in-19-09-2012_43416.html>.

³² Ibid.

³³ SOHR, "al-Taqrir al-tafsiili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

³⁴ Reporters Without Borders, "Death Threats to Journalists and Mob Attacks on News Media," Feb. 8, 2012, <http://en.rsf.org/yemen-death-threats-to-journalists-and-08-02-2012_41827.html>; Progressive Media Center, "Bashra al-Muqtari tashku al-na'ib al-'amm ta'arrudaha li-hamalat takfir wa irhab dini wa tashhir akhlaqi," Aug. 3, 2012, <<http://www.alealamy.net/news-53357.htm>>; Assafir, "'Aridat tadamun ma' Bashra al-Muqtari didd hamlat takfiriha wa tahdidiha fi-l-Yaman," Feb. 7, 2012, <<http://www.assafir.com/Article.aspx?ArticleId=727&EditionId=2070&ChannelId=49248>>.

³⁵ Human Rights Watch, "Yemen: Security Forces Raiding Aden Hospitals," Oct. 20, 2012, <<http://www.hrw.org/news/2012/10/20/yemen-security-forces-raiding-aden-hospitals>>.

peaceful protests,³⁶ southern political activists faced harassment, detention, and physical assaults; some were assassinated. These include Saleh Qaid, who was killed in his home on January 20,³⁷ and activist Amal Qamari, a member of the local council in the Lahij province.³⁸ Activist Ahmed Jamal Haidara was killed by sniper fire from a police station in the al-Mansoura district. During his funeral procession on June 22, security forces opened fire on mourners, killing two and injuring more.³⁹ On July 11, security forces raided the home of political activist Sharaf Mahfouz and shot and killed him in front of his family.⁴⁰ Shalal Shaya, the head of the peaceful protest council in al-Dalia, was targeted by an assassination attempt on January 29, which injured journalist Abd al-Rahman al-Naqib, who was with Shaya at the time.⁴¹

Lawyer Ghalib al-Shuaybi was arrested in the Aden airport, as he was included on the list of persons wanted by the National Security Agency.⁴² On August 15, southern political dissident Ambassador Ahmed Abdullah al-Hosni was detained upon his return to Aden from the UK, where he resides.⁴³ Numerous political activists were arrested in February in the run-up to presidential elections due to their opposition to the elections.⁴⁴

On several occasions, hospitals were raided to arrest people injured in protests or to intimidate nurses and doctors. On July 7, the Naqib Hospital was stormed following a demonstration in the Mansoura district. On June 18, police stormed a hospital run by Doctors Without Borders, which forced the hospital administration to suspend operation for three days due to the intimidation that ensued.⁴⁵ In October, some hospitals in Yemen were subjected to security raids, which were conducted on the pretext of locating armed elements undergoing treatment. In another attack on the Naqib Hospital, Central Security Forces, run by the nephew of the former president, removed a seriously injured patient from intensive care. Hospitals

³⁶ See the sections in this chapter on violations of freedom of expression and freedom of assembly.

³⁷ SOHR, "al-Taqrir al-dawri li-shahr Yanayir 2012," Feb. 15, 2012.

³⁸ Ibid.

³⁹ SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

⁴⁰ Ibid.

⁴¹ SOHR, "al-Taqrir al-dawri li-shahr Yanayir 2012."

⁴² Ibid.

⁴³ SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

⁴⁴ SOHR, "al-Taqrir al-dawri li-shahr Fabrayir."

⁴⁵ Ibid.

in Aden later began refusing to admit injured or sick persons suspected of political activity.

Increased Terrorist Crimes and Counterterrorism Violations

As the central authorities proved increasingly incapable of asserting their control over the country, terrorist activity - linked to al-Qaeda in the Arabian Peninsula and Ansar al-Sharia - became more frequent. These groups exploited the security vacuum in the south and the central authority's preoccupation with political struggles in the capital to take control of large swathes of the Abyan province. The interim government, with support from the US and in coordination with tribal fighters in the region, launched a counteroffensive to reclaim control of the region. The government successfully regained the provincial capital of Zanjibar, nearby Jaar, and several neighboring towns in the Shabwa province. Government military operations and US drone raids were conducted amid a great deal of secrecy.⁴⁶ Eleven civilians, including two children and two women, were killed in a US raid on the Radia area south of Sana'a.⁴⁷ Multiple cases were recorded in which unarmed civilians were killed by air attacks and arbitrary shelling that sought to clear Abyan of Ansar al-Sharia. While the Yemeni army was pursuing the latter group, al-Qaeda bombed a funeral on June 12, killing 46 people and injuring another 48.⁴⁸

Ansar al-Sharia imposed its version of Islam and Islamic law in the areas under its control, including by applying lashes and amputations as criminal sanctions. The group also threatened to execute 73 soldiers in its custody in Zanjibar if Islamist militants were not released.⁴⁹ On June 18, Gen. Salem Ali Qatan, who led battles against Ansar al-Sharia, was assassinated,⁵⁰ while in May a suicide bomber killed more than 100 soldiers in the capital during a military exercise. Al-Qaeda claimed the attack as a response to military campaigns and US raids.

⁴⁶ ICG, "Yemen: Enduring Conflicts, Threatened Transition."

⁴⁷ Alkarama, "Yemen: Alkarama and HOOD Organise a Meeting with the Families of the Victims of the American Drone Attack of 2 December 2012," Sep. 6, 2012, <http://en.alkarama.org/index.php?option=com_content&view=article&id=1001:yemen-alkarama-and-hood-organise-a-meeting-with-the-families-of-the-victims-of-the-american-drone-attack-of-2-december-2012-&catid=40:communiqu&Itemid=215>.

⁴⁸ SOHR, "al-Taqrir al-tafsili li-l-marsad al-janubi li-huquq al-insan li Yunya, Yulya, Aghustus."

⁴⁹ Human Rights Watch, "Yemen: Militants Should End Threats to Kill Captives," Apr. 25, 2012, <<http://www.hrw.org/news/2012/04/25/yemen-militants-should-end-threat-kill-captives>>.

⁵⁰ ICG, "Yemen: Enduring Conflicts, Threatened Transition."

Republican Guard, Central Security, the Political Security Agency, and the National Security Agency.⁵⁷

Abdul Karim Lalji remained in detention in the District Prison in Sana'a, despite the issuance of a presidential amnesty ordering his release. Lalji was arrested four years ago and prosecuted in an unfair trial before the Specialized Criminal Court (a state security court), which sentenced him to death on charges of spying for Iran.⁵⁸

Military units detained several pro-revolution soldiers for several months without trial, with the exception of Major Ahmed Qaid al-Sharaabi, who was referred to a military trial.⁵⁹ Various military units abducted and detained soldiers in other units, as did members of the Republican Guard and First Armored Division.⁶⁰

In many cases, people were detained as hostages to force their relatives to turn themselves in. Dr. Tawfiq Saleh Dhuby, for example, was held for nine months to force a relative to turn himself in; he was released in March 2012 after undertaking a 12-day hunger strike.⁶¹ Six people from one family, including children, were detained in the District Prison in the Hajja province to force a relative accused in a criminal case to turn himself in.⁶²

Yemeni and international rights groups accused the First Armored Division of running a detention facility near Taghyir Square in the capital, where the division allegedly detained hundreds of people. Members of the Islamist Reform Party also maintained a prison in the square.⁶³

Forms of torture employed in detention facilities under the control of the National Security Agency and the Political Security Agency include beatings with rifle butts, batons, and electrical cables, kicking, electroshock, cigarette burns, being hung from the ceiling, threats of death and rape, and forcing prisoners to drink urine.⁶⁴

⁵⁷ Voice of Yemen, "Hud: mi'at al-ashkhas makhfiyin qasriyan fi zanazin sirriya taht al-ard," Mar. 3, 2012, <<http://voice-yemen.com/article-no-13222.html>>.

⁵⁸ YODRDF, "Taharruk 'ajil li-iqaf 'uqubat al-i'dam fi-l-Yaman 'ala al-akhawayn Lalaji wa Din," Sep. 6, 2012, <<http://www.hurryat.org/?p=1338>>.

⁵⁹ HOOD, "Taqrir idarat al-shakawi: al-markaz al-ra'isi al-nisf al-awwal min al-'am 2012."

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Human Rights Watch, "Yemen: Detained, Tortured, and Disappeared."

⁶⁴ Ibid.

Human Rights Defenders and Civil Society Organizations

Although the Ministry of Social Affairs has improved its performance with regards to issuing licenses to NGOs, the situation has not improved for unions, as the National Security Agency has asked the ministry to suspend the registration of certain trade unions, including the Central Bureau for Oversight and Accounting Union.⁶⁵

The abuses targeting human rights defenders and their organizations in the last few years of Saleh's rule – including intimidation, abduction, arbitrary detention, involuntary disappearance, torture, unfair trials, travel bans, and raids on NGO offices – have declined somewhat. Nevertheless, on April 16, 2012, Ali al-Dailami, the president of the Yemen Organization for the Defense of Rights and Democratic Freedoms, was stopped at the airport in Sana'a and his passport confiscated. He was questioned and accused of leaving Yemen illegally, although his passport carried a clear exit stamp. Dailami was returning from Cairo, where he had taken part in a training program on international human rights mechanisms organized by the Cairo Institute for Human Rights Studies.⁶⁶

Blogger and rights activist Huda Jaafar received abusive messages on her Facebook account threatening retribution if she did not apologize for her criticisms of Yemeni politicians.⁶⁷ In March, religious extremists accused southern rights activist Ad Numan of being an unbeliever and distributed flyers in mosques publicizing the accusation after he published several articles deemed blasphemous.⁶⁸

⁶⁵ HOOD, "Taqrir idarat al-shakawi: al-markaz al-ra'isi al-nisf al-awwal min al-'am 2012."

⁶⁶ YODRDF, "Munazzamat Yaman tualib bi-ilgha' ism 'Ali al-Daylami min qa'imat a-mamnu' in min al-safar fi matar San'a'," Apr. 17, 2012, <<http://www.hurryat.org/?p=1313>>; Front Line Defenders, "Yemen: Human Rights Defender Mr Ali Al Dailami Stopped at Sanaa Airport and His Passport Confiscated," Apr. 23, 2012, <<http://www.frontlinedefenders.org/node/18120>>.

⁶⁷ Front Line Defenders, "Yemen: Human Rights Defender and Blogger Ms Huda Jaafar Subjected to On-Line Threats and Abusive Messages," Feb. 29, 2012, <<http://www.frontlinedefenders.org/node/17569>>; ANHRI, "Bayan istinkar li-l-qadhif wa-l-tahdid ta'arradat lahu al-katiba wa-l-nashita al-huquqiya Huda Ja'far," Feb. 28, 2012, <<http://www.anhri.net/?p=49778>>.

⁶⁸ SOHR, "Harakat shabab 'Adin tatadaman ma' nashit huquqi bi-'Adin ta'arrad li-l-takfir," Mar. 11, 2012, <<http://sohr-aden.org/?p=1902#more-1902>>.