

Yemen/ UPR- oral statement

September 2009

The International Federation for Human Rights (FIDH) and Hood and SAF its member and partner organisations in Yemen which jointly mandated a fact-finding mission to Yemen last August to assess the respect of human rights in the fight against terrorism in Yemen, welcome the pledges of the Republic of Yemen in supporting several important recommendations formulated during the inter-active dialogue regarding the protection of human rights in Counter-terrorism legislation.

In this aim, Yemen should promptly amend the draft Anti-terrorism laws as several provisions of these bills contravene the international standards of protection of human rights. To this purpose, Yemen must also implement the recommendation of Germany to (24.) "(...) enhance cooperation with special procedures and invite the Special Rapporteur on the promotion and protection of human rights while countering terrorism in order to benefit from his advisory services and technical assistance on the necessary reform of the draft laws.

The use of torture and ill-treatments remains widespread and largely unpunished in Yemen in particular against people suspected of security offences. Our organisations are therefore concerned as Yemen seems to be reluctant to "Ratify the Optional Protocol to the Convention against Torture (...); and (...) to implement the national prevention mechanism foreseen in this instrument (..)" . To this day, such severe human rights violations are regularly denounced despite the fact that Yemen agreed to (60) " Take measures to effectively end the practice of incommunicado detention, as recommended by the United Kingdom. Highly restricted access to the Yemeni prisons and detention centers to lawyers as well as to human rights organisations is a main point of concern.

Fair trial guarantees are widely disregarded. The functioning of the Specialized criminal court is in this respect, particularly worrying. According to article 150 of the Constitution of Yemen which states that " Exceptional court may not be established under any conditions", this court is unconstitutional. However, dozens of defendants appear in it weekly.

Lastly, freedom of expression and press was gradually restricted over the past years. Journalists are still under trial for covering internal fights in the Saada region and/or protests in the southern governorates. While the delegation of Yemen answered to Canada which recommended Yemen to "Remove restrictions on the ability of journalists to report and criticize government policy freely and without of fear of repression, intimidation, imprisonment or threat" that such a policy is already implemented, the Yemeni government ordered the closure of 8 newspapers accused of " working against Yemeni unity".