YEMEN

- **YEM-02**: Ahmed Saif Hashed
- **YEM-08**: Abdulkareem Jadban
- **YEM-COLL-02**: 69 parliamentarians
Yemen

YEM/02 - Ahmed Saif Hashed

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 152nd session (Geneva, 23 January to 3 February 2017)

The Committee,

Referring to the case of Mr. Ahmed Saif Hashed, an opposition member of the Parliament of Yemen, and to the decision it adopted at its 143rd session (January 2014),

Taking into account the information provided by the complainants,

Considering that, according to the complainants, Mr. Hashed has, on account of his human rights work, been the target of repeated threats and constant harassment,

Recalling that the complainants allege the following: on 12 February 2013, Mr. Hashed was attacked and seriously wounded by five soldiers as he and others took part in a sit-in outside the Council of Ministers office to demand appropriate consideration under the law for injuries sustained during the demonstrations in 2011; Mr. Hashed was struck on the head by the soldiers; protesters tried to intervene to help Mr. Hashed but suffered the same treatment, and the soldiers tried again to strike Mr. Hashed but were blocked by protesters who had moved between them and him; the soldiers then threw tear gas canisters at the crowd; Mr. Hashed narrowly escaped with his life, thanks to the help of protesters who covered him with a blanket and rushed him to an ambulance; the office guards were also deployed to help him and allow the ambulance to reach him; Mr. Hashed was taken for treatment to the intensive care unit at a hospital in Sana’a; the attack came after Amnesty International had issued a public warning on 6 February 2013 against the use of unlawful force against protestors,

Considering that, according to the complainants, the incident was not simply an attack but an attempt on Mr. Hashed’s life orchestrated by high-level state officials, including the Interior Minister and the head of the central security organization, in view of the following:

- The five anti-riot soldiers who perpetrated the attack were affiliated to the Interior Ministry;
- Although they had never been to the sit-in area during the two previous weeks of protests, the five soldiers started surveying it early in the morning, while the protesters were still asleep, according to the complainants’ photo evidence; the anti-riot forces deployed usually remained inside their vehicles and did not approach the protesters;
- On 12 February, the five soldiers approached and repeatedly provoked the protesters, especially the women, with verbal insults; according to the complainants, there is photographic and eyewitness evidence of this;
- The face of one of the five soldiers, possibly the one who took the lead in the attack, was covered; he was standing in front of the radio station before the incident, but then moved to the side where the protesters were;
A senior anti-riot officer, General Almaqdashi, met with the five soldiers in front of the office about half an hour before the incident;

After Mr. Hashed lodged a complaint against the Interior Minister and the head of the central security organization, the latter visited him in hospital and asked him to withdraw his accusations,

Recalling that, according to the Secretary General of the House of Representatives, the Government has expressed deep regret for the attack against Mr. Hashed and, following a call from the Prime Minister, the public prosecutor and the Interior Minister have set up a panel of inquiry headed by the Ministry's under-secretary to investigate the attack, to make its findings public and submit them to the public prosecutor,

Recalling that the complainants have stated that it did not believe that the panel of inquiry could establish the facts independently, since the Interior Minister, who was the highest-level suspect in the attack, had been involved in the investigation and both the Interior Minister and the head of the central security organization had refused to cooperate with the judicial authorities,

Considering that, according to the complainants: (i) the House of Representatives questioned the Interior Minister on 3 April 2013 and requested him to take appropriate action to bring Mr. Hashed’s attackers to justice in the ensuing weeks; (ii) in the absence of a response from the Interior Minister, the House of Representatives wrote again to the Minister a number of times in May 2013, to no avail; (iii) the panel of inquiry did not publish its findings; (iv) the House of Representatives established a parliamentary fact-finding committee to pursue the case with the relevant judicial authorities; (v) the report of the fact-finding committee of 11 May 2013 noted that witnesses had confirmed Mr. Hashed’s version of the incident and that the judicial and parliamentary authorities had requested that the suspects’ statements be taken; the report, however, highlighted that none of the suspects had made an appearance, despite commitments from the Interior Minister to that effect, and that the Interior Minister and the Commander of the Special Security Forces had failed to execute judicial orders; (vi) in the course of 2013, the Interior Minister came before the House of Representatives on a number of occasions and pledged to arrest the perpetrators within a week, but failed to take any subsequent action,

Considering that new allegations submitted by the complainants claim that Mr. Hashed received death threats and was the victim of a new assassination attempt at his home on 14 June 2016; two suspects were reportedly detained and the case was referred from the Criminal Investigation Department to the public prosecutor,

Considering that the parliamentary authorities have not provided any information on the case,

Taking into account that Yemen is a party to the International Covenant on Civil and Political Rights,

1. Deeply regrets that the parliamentary authorities have failed to respond to its requests for information, and invites them to resume dialogue as soon as possible;

2. Notes with deep concern that Mr. Hashed was the victim of a further assassination attempt in June 2016 and of death threats, and notes with interest that an investigation appears to have been initiated against two suspects; deeply regrets the lack of information on the progress of this investigation; wishes to be informed by the parliamentary authorities of its findings as soon as possible and also whether any special protection measures have been granted by the authorities to Mr. Hashed in the wake of these incidents;

3. Deplores the fact that the perpetrators and instigators of the attack against Mr. Hashed during a peaceful demonstration in February 2013 appear not to have been punished four years after the events; considers that the continued impunity in this case increases the credibility of the complainants’ allegations that the attack was premeditated and was carried out with the complicity or at the instigation of high-ranking state officials; once
again urges the authorities to do their utmost to ensure that these acts of violence committed against a parliamentarian in violation of his fundamental right to freedom of expression and peaceful assembly do not go unpunished; wishes to be kept informed of the measures taken in this respect;

4. Recalls that impunity poses a serious threat not only to parliamentarians but also to all those they represent and that it is therefore the responsibility of the Yemeni authorities to fulfil their international obligations by conducting diligent and thorough investigations in order to shed full light on these violations of Mr. Hashed's fundamental rights;

5. Urges the Parliament of Yemen to continue to exercise its oversight function until justice has been brought to bear in this case and to ensure that Mr. Hashed is given appropriate protection in view of the threats against him and the repeated attacks he has suffered for many years; wishes to be kept informed as soon as possible of the measures taken to this end;

6. Requests the Secretary General to convey this decision to the parliamentary authorities, the complainants and any third party likely to be in a position to supply relevant information;

7. Decides to continue examining this case.
The Committee,

Referring to the case of Mr. Abdulkareem Jadban, a member of the House of Representatives of Yemen assassinated on 22 November 2013, and to the decision it adopted at its 143rd session (January 2014),

Recalling the following information provided by the complainant:

- On 22 November 2013, Mr. Abdulkareem Jadban, a member of the House of Representatives of Yemen and a Houthi representative of the National Dialogue Conference, was shot dead by two armed men on a motorcycle as he was leaving Al-Shawqani mosque in Sana’a;

- Members of the Houthi group have claimed that Mr. Jadban’s assassination was politically motivated because of his stance and affiliation;

- The Yemeni Government and Parliament, as well as most political parties, have condemned the assassination;

- On 25 November 2013, the House of Representatives decided to summon the Government and security agencies to appear before it on 28 November to present a comprehensive report on the circumstances and measures taken in connection with the assassination of Mr. Jadban;

- The Secretary General of the House of Representatives of Yemen reported in January 2014 that the President of the Republic of Yemen had established a panel of inquiry to investigate the circumstances of Mr. Jadban’s death and bring the perpetrators to justice, but that they had not yet been identified,

Considering that neither the complainant, nor the parliamentary authorities, have provided any new information on the case since 2014, despite repeated requests,

Taking into account that Yemen is a party to the International Covenant on Civil and Political Rights,

1. Deeply regrets that the parliamentary authorities have failed to respond to its requests for information, and invites them to resume dialogue as soon as possible;

2. Notes with deep concern that, following the announcement of the establishment of a panel of inquiry in early 2014, no information has been provided on the outcome of this inquiry, or on any measures taken to bring the perpetrators of Mr. Jadban’s assassination to justice; urges the parliamentary authorities to provide information on this situation as soon as possible;
3. Remains deeply concerned that Mr. Jadban’s assassination remains unpunished and urges the Yemeni authorities to do their utmost to shed light on this crime and to hold the culprits to account; urges the Parliament of Yemen to continue to exercise its oversight function until justice has been brought to bear in this case;

4. Recalls that impunity poses a serious threat not only to parliamentarians but also to all those they represent and that it is therefore the responsibility of the Yemeni authorities to fulfill their international obligations by conducting diligent and thorough investigations in order to shed full light on this crime;

5. Requests the Secretary General to convey this decision to the parliamentary authorities, the complainant and any third party likely to be in a position to supply relevant information;

6. Decides to continue examining this case.
Yemen

**Decision adopted by consensus by the IPU Governing Council at its 205th session**
**(Belgrade, 17 October 2019)**

Yemeni members of parliament vote in Sana’a on 24 June 2000 to approve the 12 June border accord signed with Saudi Arabia. © Khaled Fazaa/AFP

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The delegations of Yemen, Egypt and Jordan expressed their reservations regarding the decision.
Alleged human rights violations

- Abduction
- Threats, acts of intimidation
- Arbitrary arrest and detention
- Failure to respect parliamentary immunity
- Impunity
- Abusive revocation or suspension of the parliamentary mandate

A. Summary of the case

This case concerns 69 members of the Yemeni Parliament, all elected during the 2003 parliamentary elections for a six-year term and who remain members of parliament in accordance with the Yemeni Constitution. Starting in 2014, they have been allegedly subjected to various human rights violations, including attempted murder, abduction, arbitrary detention and property destruction.

Since the beginning of the political crisis in 2011 and the outbreak of the war in Yemen in 2015, two different factions claim to embody the Yemeni Parliament: the Houthi militia, which controls the parliament in Sana’a in addition to other institutions in the territories under their control, and the parliamentarians who fled Sana’a and belong to the internationally recognized government of President Abdrabbuh Mansur Hadi. The present case concerns members of parliament who fled Sana’a and neighbouring governorates that are under the control of the Houthi militia.

The complainants allege that the violations have been committed by the Houthis, and took place in different governorates in Yemen, including Sana’a and other parts of Yemen under the control of the internationally recognized government. The complainants affirm that, due to the violations and security situation, 22 of the 69 parliamentarians are now in exile.

The parliamentary faction controlled by the Houthis in Sana’a provided written information in October 2019 on the cases of several parliamentarians included in the complaint. They indicated that several of the violations mentioned took place within governorates under the control of the internationally recognized government in Aden. According to the complainants, these violations were the result of Houthi attacks. In their written response, the parliamentary faction controlled by the Houthis in Sana’a did not provide substantial information on each violation, particularly on the steps taken to help identify and hold to account the alleged culprits. In this regard, the complainants are unanimous in their affirmation that the Houthi security forces are responsible.

B. Decision

The Committee

Decides to recommend to the Governing Council of the Inter-Parliamentary Union that it adopt the following decision:

The Governing Council of the Inter-Parliamentary Union
1. Notes that the collective complaint concerning the cases of 68 members of the House of Representatives is admissible under Section I.1(a) of the Procedure for the Examination and Treatment of Complaints; declares itself competent to examine the alleged violations (Annex I of the revised Rules and Practices of the Committee on the Human Rights of Parliamentarians); and also notes that the case of Mr. Abd Al-Hameed Saif Al-Batra’ has been merged with the present case, which brings the total number of parliamentarians in this complaint to 69;

2. Thanks the Yemeni delegation for meeting with the Committee on the Human Rights of Parliamentarians during the 141st IPU Assembly; also thanks the parliamentary authorities for their letter;

3. Is deeply concerned by the large number of parliamentarians included in this complaint and the alleged violations they have suffered since 2014, including attempted murder, abduction, arbitrary arrest and detention. These violations seem to be a response to the legitimate exercise of their parliamentary mandate and in particular the expression of their exercise of freedom of speech; is aware of the exceptional situation in which Yemen finds itself and the formidable challenges that the Yemeni authorities face in establishing law and order;

4. Is deeply concerned that 35 parliamentarians face arbitrary measures; stresses that these parliamentarians are facing such measures in response to their vocal support for the internationally recognized government;

5. Requests the Secretary General to follow up the situation with the complainant and any third party likely to be in a position to supply relevant information;

6. Requests the Committee to continue examining this case and to report back to it in due course.