

## YEMEN

### Follow-up - State Reporting

#### i) Action by Treaty Bodies

CAT, A/60/44 (2005)

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#### CHAPTER IV. FOLLOW-UP ON RECOMMENDATIONS AND OBSERVATIONS ON STATES PARTIES REPORTS

115. At its thirtieth session, in May 2003, the Committee began a routine practice of identifying, at the end of each set of concluding observations, a limited number of recommendations that are of a serious nature and warrant a request for additional information following the dialogue with the State party concerning its periodic report. The Committee identifies conclusions and recommendations regarding the reports of States parties which are serious, can be accomplished in a one-year period, and are protective. The Committee has requested those States parties reviewed since the thirtieth session of the Committee to provide the information sought within one year.

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118. The Rapporteur has welcomed the follow-up information provided by six States parties as of 20 May 2005, when its thirty-fourth session concluded, indicating the commitment of the States parties to an ongoing process of dialogue and cooperation aimed at enhancing compliance with the requirements of the Convention. The documentation received will be given a document number and made public. The Rapporteur has assessed the responses received particularly as to whether all of the items designated by the Committee for follow-up (normally between three and five issues) have been addressed, whether the information provided is responsive, and whether further information is required.

119. With regard to the States parties that have not supplied the information requested, the Rapporteur will write to solicit the outstanding information. The chart below details, as of 20 May 2005, the conclusion of the Committee's thirty-fourth session, the status of follow-up replies to concluding observations since the practice was initiated. As of that date, the replies from seven States parties remained outstanding.

120. As the Committee's mechanism for monitoring follow-up to concluding observations was established in May 2003, this chart describes the results of this procedure from its initiation until the close of the thirty-fourth session in May 2005.

<u>State party</u>	<u>Date due</u>	<u>Date reply received</u>	<u>Further action taken/required</u>
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Yemen	November 2004	22 October 2004	Request further clarification
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**CAT, CAT/C/SR.749 (2006)**

COMMITTEE AGAINST TORTURE

Thirty seventh session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)\* OF THE 749th MEETING

Held at the Palais Wilson, Geneva,

on Wednesday, 22 November 2006, at 3 p.m.

ORGANIZATIONAL AND OTHER MATTERS (continued)

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11. Ms. GAER, Rapporteur on follow up to conclusions and recommendations, recalled that, in 2003, the Committee had begun a process of identifying conclusions and recommendations that related to serious matters raised by State party reports and required follow up within one year. The intention was to strengthen the purposes of the Convention set forth in the preamble by assisting States parties to bring their legislation and practice more fully into line with it. Since the process had begun, the Committee had requested 25 States parties to provide follow up information, and thus far 17 of them had acceded to that request. She examined the information submitted to assess whether all the issues raised (usually between three and five) had been addressed, and whether further clarifications were required. The information submitted was collated and issued as a public document. States parties that failed to reply were sent reminders. At the beginning of the current session replies from eight States parties had been due; a further seven would be due by the end of the session.

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15. Regarding Yemen, the Committee had voiced a number of serious concerns, such as the need to abolish de facto incommunicado detention and to ensure that all counter-terrorism measures were consistent with the Convention. The information received did not really meet those concerns. With regard to incommunicado detention, reference had been made to a person in charge of inspections but not to the results of those inspections. The State party had thus been requested to provide copies of the relevant reports. One of the counter-terrorism measures mentioned had been "holding ideological discussions" with detainees. Since she had never heard of such a thing, she had asked for more information and whether it entailed any coercion or deprivation of liberty. The State party had also said that an NGO was allowed to visit convicted terrorists in prison and produced a report. She had requested a copy of the report but had not yet received it.

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## CAT, A/61/44 (2006)

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### CHAPTER IV. FOLLOW-UP ON CONCLUSIONS AND RECOMMENDATIONS ON STATES PARTIES REPORTS

38. In Chapter IV of its annual report for 2004-2005 (A/60/44), the Committee described the framework that it had developed to provide for follow-up subsequent to the adoption of the concluding observations on States parties reports submitted under article 19 of the Convention. It also presented information on the Committee's experience in receiving information from States parties from the initiation of the procedure in May 2003 through May 2005. This chapter updates the Committee's experience to 19 May 2006, the end of its thirty-sixth session.

39. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow-up to concluding observations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. As in the past, Ms. Gaer presented a progress report to the Committee in May 2006 on the results of the procedure.

40. The Rapporteur has emphasized that the follow-up procedure aims "to make more effective the struggle against torture and other cruel, inhuman and degrading treatment or punishment," as articulated in the preamble to the Convention. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific actions designed to enhance each State party's ability to implement the measures necessary and appropriate to prevent acts of torture and cruel treatment, and thereby assists States parties in bringing their law and practice into full compliance with the obligations set forth in the Convention.

41. Since its thirtieth session in May 2003, the Committee began the practice of identifying a limited number of these recommendations that warrant a request for additional information following the review and discussion with the State party concerning its periodic report. Such "follow-up" recommendations are identified because they are serious, protective, and are considered able to be accomplished within one year. The States parties are asked to provide within one year information on the measures taken to give effect to its "follow-up recommendations" which are specifically noted in a paragraph near the end of the conclusions and recommendations on the review of the States parties' report under article 19.

42. Since the procedure was established at the thirtieth session in May 2003 through the end of the thirty-sixth session in May 2006, the Committee has reviewed 39 States for which it has identified follow-up recommendations. Of the 19 States parties that were due to have submitted their follow-up reports to the Committee by 1 May 2006, 12 had completed this requirement (Argentina, Azerbaijan, Czech Republic, Colombia, Germany, Greece, Latvia, Lithuania, Morocco, New Zealand, United Kingdom, and Yemen). As of May, seven States had failed to supply follow-up information that had fallen due (Bulgaria, Cambodia, Cameroon, Chile, Croatia, Moldova, Monaco), and each was sent a reminder of the items still outstanding and requesting them to submit information to the Committee.

43. With this procedure, the Committee seeks to advance the Convention's requirement that "each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture ..." (art. 2, para. 1) and the undertaking "to prevent ... other acts of cruel, inhuman and degrading treatment or punishment ..." (art. 16).

44. The Rapporteur has expressed appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all of the items designated by the Committee for follow-up (normally between three to six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Where further information is needed, she writes to the State party concerned with specific requests for further clarification. With regard to States that have not supplied the follow-up information at all, she writes to solicit the outstanding information.

45. Each letter responds specifically and in detail to the information presented by the State party, which is given a formal United Nations document symbol number.

46. Since the recommendations to each State party are crafted to reflect the specific situation in that country, the follow-up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues not addressed but which are deemed essential in the Committee's ongoing work in order to be effective in taking preventive and protective measures to eliminate torture and ill-treatment.

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48. The chart below details, as of 19 May 2006, the end of the Committee's thirty-sixth session, the state of the replies with respect to follow-up.

#### **A. Follow-up reply due before 1 May 2006**

State party	Date due	Date reply received	Document symbol number	Further action taken/required
...				
Yemen	November 2004	22 October 2004	CAT/C/CR/31/4/Add.1	Request further clarification

## CAT, A/62/44 (2007)

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### IV. FOLLOW UP ON CONCLUSIONS AND RECOMMENDATIONS ON STATES PARTIES REPORTS

46. In Chapter IV of its annual report for 2005 2006 (A/61/44), the Committee described the framework that it had developed to provide for follow up subsequent to the adoption of the conclusions and recommendations on States parties reports submitted under article 19 of the Convention. It also presented information on the Committee's experience in receiving information from States parties from the initiation of the procedure in May 2003 through May 2006. This chapter updates the Committee's experience to 18 May 2007, the end of its thirty eighth session.

47. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow up to conclusions and recommendations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. As in the past, Ms. Gaer presented a progress report to the Committee in May 2007 on the results of the procedure.

48. The Rapporteur has emphasized that the follow up procedure aims "to make more effective the struggle against torture and other cruel, inhuman and degrading treatment or punishment", as articulated in the preamble to the Convention. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific actions designed to enhance each State party's ability to implement the measures necessary and appropriate to prevent acts of torture and cruel treatment, and thereby assists States parties in bringing their law and practice into full compliance with the obligations set forth in the Convention.

49. Since its thirtieth session in May 2003, the Committee began the practice of identifying a limited number of these recommendations that warrant a request for additional information following the review and discussion with the State party concerning its periodic report. Such "follow up" recommendations are identified because they are serious, protective, and are considered able to be accomplished within one year. The States parties are asked to provide within one year information on the measures taken to give effect to its "follow up recommendations" which are specifically noted in a paragraph near the end of the conclusions and recommendations on the review of the States parties' reports under article 19.

50. Since the procedure was established at the thirtieth session in May 2003, through the end of the thirty eighth session in May 2007 the Committee has reviewed 53 States for which it has identified follow up recommendations. Of the 39 States parties that were due to have submitted their follow up reports to the Committee by 18 May 2007, 25 had completed this requirement (Albania, Argentina, Austria, Azerbaijan, Bahrain, Canada, Chile, Czech Republic, Colombia, Croatia, Ecuador, Finland, France, Germany, Greece, Latvia, Lithuania, Monaco, Morocco, New Zealand, Qatar, Sri Lanka, Switzerland, United Kingdom and Yemen). As of 18 May, 14 States had not yet supplied follow up information that had fallen due (Bulgaria, Bosnia and Herzegovina, Cambodia, Cameroon, Democratic Republic of the Congo, Georgia, Guatemala,

Republic of Korea, Moldova, Nepal, Peru, Togo, Uganda and United States of America). In March 2007, the Rapporteur sent a reminder requesting the outstanding information to each of the States whose follow up information was due in November 2006, but had not yet been submitted, and who had not previously been sent a reminder.

51. The Rapporteur noted that 14 follow up reports had fallen due since the previous annual report (A/61/44). However, only 4 (Austria, Ecuador, Qatar and Sri Lanka) of these 14 States had submitted the follow up information in a timely manner. Despite this, she expressed the view that the follow up procedure had been remarkably successful in eliciting valuable additional information from States on protective measures taken during the immediate follow up to the review of the periodic reports. While comparatively few States had replied precisely on time, 19 of the 25 respondents had submitted the information on time or within a matter of one to four months following the due date. Reminders seemed to help elicit many of these responses. The Rapporteur also expressed appreciation to non governmental organizations, many of whom had also encouraged States parties to submit follow up information in a timely way.

52. Through this procedure, the Committee seeks to advance the Convention's requirement that "each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture ..." (art. 2, para. 1) and the undertaking "to prevent ... other acts of cruel, inhuman and degrading treatment or punishment ..." (art. 16).

53. The Rapporteur has expressed appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all the items designated by the Committee for follow up (normally between three and six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Each letter responds specifically and in detail to the information presented by the State party. Where further information is needed, she writes to the State party concerned with specific requests for further clarification. With regard to States that have not supplied the follow up information at all, she writes to solicit the outstanding information.

54. At its thirty eighth session in May, the Committee decided to make public the Rapporteur's letters to the States parties. These would be assigned a United Nations document symbol number and placed on the web page of the Committee. The Committee further decided to assign a United Nations document symbol number to all States parties' replies (these symbol numbers are under consideration) to the follow up and also place them on its website.

55. Since the recommendations to each State party are crafted to reflect the specific situation in that country, the follow up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues that have not been addressed but which are deemed essential to the Committee's ongoing work, in order to be effective in taking preventive and protective measures to eliminate torture and ill treatment.

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57. The chart below details, as of 18 May 2007, the end of the Committee's thirty eighth session, the state of the replies with respect to follow up.

**Follow up procedure to conclusions and recommendations from May 2003 to May 2007**

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**Thirty first session (November 2003)**

<b>State party</b>	<b>Information due in</b>	<b>Information received</b>	<b>Action taken</b>
...			
Yemen	November 2004	22 October 2004 CAT/C/CR/31/4/Add.1	Request for further clarification
...			

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#### **CHAPTER IV. FOLLOW-UP ON CONCLUSIONS AND RECOMMENDATIONS ON STATES PARTIES REPORTS**

46. In this chapter, the Committee updates its findings and activities that follow-up on the conclusions and recommendations adopted under article 19 of the Convention, in accordance with the recommendations of its Rapporteur on Follow-Up to Country conclusions. The Rapporteur's activities, responses by States parties, and the Rapporteur's views on recurring concerns encountered through this procedure are presented below, and updated to through May 2008, following the Committee's fortieth session.

47. In chapter IV of its annual report for 2005-2006 (A/61/44), the Committee described the framework that it had developed to provide for follow-up subsequent to the adoption of the conclusions and recommendations on States parties reports submitted under article 19 of the Convention. It also presented information on the Committee's experience in receiving information from States parties from the initiation of the procedure in May 2003 through May 2008.

48. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow-up to conclusions and recommendations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. As in the past, Ms. Gaer presented a progress report to the Committee in May 2008 on the results of the procedure.

49. The Rapporteur has emphasized that the follow-up procedure aims "to make more effective the struggle against torture and other cruel, inhuman and degrading treatment or punishment", as articulated in the preamble to the Convention. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific actions designed to enhance each State party's ability to implement the measures necessary and appropriate to prevent acts of torture and cruel treatment, and thereby assists States parties in bringing their law and practice into full compliance with the obligations set forth in the Convention.

50. In its follow-up procedure, the Committee has identified a number of these recommendations as requiring additional information specifically for this procedure. Such follow-up recommendations are identified because they are serious, protective, and are considered able to be accomplished within one year. The States parties are asked to provide within one year information on the measures taken to give effect to its follow-up recommendations which are specifically noted in a paragraph near the end of the conclusions and recommendations on the review of the States parties' reports under article 19.

51. Since the procedure was established at the thirtieth session in May 2003, through the end of the fortieth session in May 2008, the Committee has reviewed 67 States for which it has identified follow-up recommendations. Of the 53 States parties that were due to have submitted



their follow-up reports to the Committee by 16 May 2008, 33 had completed this requirement (Albania, Argentina, Austria, Azerbaijan, Bahrain, Bosnia and Herzegovina, Canada, Chile, Czech Republic, Colombia, Croatia, Ecuador, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Republic of Korea, Latvia, Lithuania, Monaco, Morocco, Nepal, New Zealand, Qatar, Russian Federation, Sri Lanka, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen). As of 16 May, 20 States had not yet supplied follow-up information that had fallen due (Bulgaria, Burundi, Cambodia, Cameroon, Democratic Republic of the Congo, Denmark, Guyana, Italy, Japan, Luxembourg, Mexico, Moldova, the Netherlands, Peru, Poland, South Africa, Tajikistan, Togo, Uganda and Ukraine). In March 2008, the Rapporteur sent a reminder requesting the outstanding information to each of the States whose follow-up information was due in November 2007, but had not yet been submitted, and who had not previously been sent a reminder.

52. The Rapporteur noted that 14 follow-up reports had fallen due since the previous annual report.<sup>3</sup> However, only 2 (Hungary and the Russian Federation) of these 14 States had submitted the follow-up information in a timely manner. Despite this, she expressed the view that the follow-up procedure had been remarkably successful in eliciting valuable additional information from States on protective measures taken during the immediate follow-up to the review of the periodic reports. While comparatively few States had replied precisely on time, 25 of the 33 respondents had submitted the information on time or within a matter of one to four months following the due date. Reminders seemed to help elicit many of these responses. The Rapporteur also expressed appreciation to non-governmental organizations, many of whom had also encouraged States parties to submit follow-up information in a timely way.

53. Through this procedure, the Committee seeks to advance the Convention's requirement that "each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture ..." (art. 2, para. 1) and the undertaking "to prevent ... other acts of cruel, inhuman and degrading treatment or punishment ..." (art. 16).

54. The Rapporteur expressed appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all the items designated by the Committee for follow-up (normally between three and six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Each letter responds specifically and in detail to the information presented by the State party. Where further information has been needed, she has written to the concerned State party with specific requests for further clarification. With regard to States that have not supplied the follow-up information at all, she requests the outstanding information.

55. At its thirty-eighth session in May 2007, the Committee decided to make public the Rapporteur's letters to the States parties. These would be placed on the web page of the Committee. The Committee further decided to assign a United Nations document symbol number to all States parties' replies to the follow-up and also place them on its website (<http://www2.ohchr.org/english/bodies/cat/sessions.htm>).

56. Since the recommendations to each State party are crafted to reflect the specific situation

in that country, the follow-up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues that have not been addressed but which are deemed essential to the Committee's ongoing work, in order to be effective in taking preventive and protective measures to eliminate torture and ill-treatment.

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58. The chart below details, as of 16 May 2008, the end of the Committee's fortieth session, the state of the replies with respect to follow-up.

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3/ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 44 (A/62/44).*

**Follow-up procedure to conclusions and recommendations  
from May 2003 to May 2008**

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**Thirty-first session (November 2003)**

State party	Information due in	Information received	Action taken
...			
Yemen	November 2004	22 August 2005 CAT/C/CR/31/4/Add.1	Request for further clarification

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**CAT, A/64/44 (2009)**

#### **IV. FOLLOW UP ON CONCLUDING OBSERVATIONS ON STATES PARTIES REPORTS**

53. In this chapter, the Committee updates its findings and activities that follow-up to concluding observations adopted under article 19 of the Convention, in accordance with the recommendations of its Rapporteur on follow-up to concluding observations. The Rapporteur's activities, responses by States parties, and the Rapporteur's views on recurring concerns encountered through this procedure are presented below, and updated through 15 May 2009, following the Committee's forty-second session.

54. In chapter IV of its annual report for 2005-2006 (A/61/44), the Committee described the framework that it had developed to provide for follow-up subsequent to the adoption of the concluding observations on States parties reports submitted under article 19 of the Convention. It also presented information on the Committee's experience in receiving information from States parties from the initiation of the procedure in May 2003 through May 2009.

55. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow up to concluding observations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. As in the past, Ms. Gaer presented a progress report to the Committee in May 2009 on the results of the procedure.

56. The Rapporteur has emphasized that the follow up procedure aims "to make more effective the struggle against torture and other cruel, inhuman and degrading treatment or punishment", as articulated in the preamble to the Convention. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific actions designed to enhance each State party's ability to implement the measures necessary and appropriate to prevent acts of torture and ill-treatment, and thereby assists States parties in bringing their law and practice into full compliance with the obligations set forth in the Convention.

57. In its follow-up procedure, the Committee has identified a number of these recommendations as requiring additional information specifically for this procedure. Such follow-up recommendations are identified because they are serious, protective, and are considered able to be accomplished within one year. The States parties are asked to provide within one year information on the measures taken to give effect to its follow-up recommendations which are specifically noted in a paragraph near the end of the conclusions and recommendations on the review of the States parties' reports under article 19.

58. Since the procedure was established at the thirtieth session in May 2003, through the end of the forty-second session in May 2009, the Committee has reviewed 81 States for which it has identified follow up recommendations. Of the 67 States parties that were due to have submitted their follow up reports to the Committee by 15 May 2009, 44 had completed this requirement. As of 15 May 2009, 23 States had not yet supplied follow up information that had fallen due. The

Rapporteur sends reminders requesting the outstanding information to each of the States whose follow up information was due, but had not yet been submitted, and who had not previously been sent a reminder. The status of the follow-up to concluding observations may be found in the web pages of the Committee (<http://www2.ohchr.org/english/bodies/cat/sessions.htm>).

59. The Rapporteur noted that 14 follow up reports had fallen due since the previous annual report. However, only 4 (Algeria, Estonia, Portugal and Uzbekistan) of these 14 States had submitted the follow up information in a timely manner. Despite this, she expressed the view that the follow up procedure had been remarkably successful in eliciting valuable additional information from States on protective measures taken during the immediate follow up to the review of the periodic reports. One State party (Montenegro) had already submitted information which was due only in November 2009. While comparatively few States had replied precisely on time, 34 of the 44 respondents had submitted the information on time or within a matter of one to four months following the due date. Reminders seemed to help elicit many of these responses. The Rapporteur also expressed appreciation to non governmental organizations, many of whom had also encouraged States parties to submit follow up information in a timely way.

60. Through this procedure, the Committee seeks to advance the Convention's requirement that "each State party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture ..." (art. 2, para. 1) and the undertaking "to prevent ... other acts of cruel, inhuman and degrading treatment or punishment ..." (art. 16).

61. The Rapporteur expressed appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all the items designated by the Committee for follow up (normally between three and six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Each letter responds specifically and in detail to the information presented by the State party. Where further information has been needed, she has written to the concerned State party with specific requests for further clarification. With regard to States that have not supplied the follow up information at all, she requests the outstanding information.

62. At its thirty eighth session in May 2007, the Committee decided to make public the Rapporteur's letters to the States parties. These would be placed on the web page of the Committee. The Committee further decided to assign a United Nations document symbol number to all States parties' replies to the follow up and also place them on its website (<http://www2.ohchr.org/english/bodies/cat/sessions.htm>).

63. Since the recommendations to each State party are crafted to reflect the specific situation in that country, the follow up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues that have not been addressed but which are deemed essential to the Committee's ongoing work, in order to be effective in taking preventive and protective measures to eliminate torture and ill treatment.

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65. The chart below details, as of 15 May 2009, the end of the Committee's forty-second session, the state of the replies with respect to follow up.

**Follow-up procedure to conclusions and recommendations from May 2003 to May 2009**

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**Thirty-first session (November 2003)**

<b>State party</b>	<b>Information due in</b>	<b>Information received</b>	<b>Action taken</b>
...			
Yemen	November 2004	22 August 2005 CAT/C/CR/31/4/Add.1	Request for further clarification

...

**Chapter IV. Follow-up to concluding observations on States parties' reports**

65. In this chapter, the Committee updates its findings and activities that constitute follow-up to concluding observations adopted under article 19 of the Convention, in accordance with the procedure established on follow-up to concluding observations. The follow-up responses by States parties, and the activities of the Rapporteur for follow-up to concluding observations under article 19 of the Convention, including the Rapporteur's views on the results of this procedure, are presented below. This information is updated through 14 May 2010, the end of the Committee's forty-fourth session.

66. In chapter IV of its annual report for 2005-2006 (A/61/44), the Committee described the framework that it had developed to provide for follow-up subsequent to the adoption of the concluding observations on States parties reports submitted under article 19 of the Convention. In that report and each year thereafter, the Committee has presented information on its experience in receiving information on follow-up measures taken by States parties since the initiation of the procedure in May 2003.

67. In accordance with rule 68, paragraph 2, of the rules of procedure, the Committee established the post of Rapporteur for follow-up to concluding observations under article 19 of the Convention and appointed Ms. Felice Gaer to that position. In November 2009 and May 2010, the Rapporteur presented a progress report to the Committee on the results of the procedure.

68. At the conclusion of the Committee's review of each State party report, the Committee identifies concerns and recommends specific measures to prevent acts of torture and ill-treatment. Thereby, the Committee assists States parties in identifying effective legislative, judicial, administrative and other measures to bring their laws and practice into full compliance with the obligations set forth in the Convention.

69. In its follow-up procedure, the Committee has identified a number of these recommendations as requiring additional information within one year. Such follow-up recommendations are identified because they are serious, protective and are considered able to be accomplished within one year. The States parties are asked to provide information within one year on the measures taken to give effect to the follow-up recommendations. In the concluding observations on each State party report, the recommendations requiring follow-up within one year are specifically identified in a paragraph at the end of the concluding observations.

70. Since the procedure was established at the thirtieth session in May 2003, through the end of the forty-fourth session in May 2010, the Committee has reviewed 95 reports from States parties for which it has identified follow-up recommendations. It must be noted that periodic reports of Chile, Latvia, Lithuania and New Zealand have been examined twice by the Committee since the establishment of the follow-up procedure. Of the 81 States parties that were due to have submitted their follow-up reports to the Committee by 14 May 2010, 57 had completed this

requirement. As of 14 May 2010, 24 States had not yet supplied follow-up information that had fallen due: Republic of Moldova, Cambodia, Cameroon, Bulgaria, Uganda, Democratic Republic of the Congo, Peru, Togo, Burundi, South Africa, Tajikistan, Luxembourg, Benin, Costa Rica, Indonesia, Zambia, Lithuania (to the 2009 concluding observations), Chad, Chile, Honduras, Israel, New Zealand, Nicaragua and the Philippines.

71. The Rapporteur sends reminders requesting the outstanding information to each of the States for which follow-up information is due, but not yet submitted. The status of the follow-up to concluding observations may be found in the web pages of the Committee at each of the respective sessions. As of 2010, the Committee has established a separate web page for follow-up (<http://www2.ohchr.org/english/bodies/cat/follow-procedure.htm>).

72. Of the 24 States parties that did not submit any information under the follow-up procedure as of 14 May 2010, non-respondents came from all world regions. While about one-third had reported for the first time, two-thirds were reporting for a second, third or even fourth time.

73. The Rapporteur expresses appreciation for the information provided by States parties regarding those measures taken to implement their obligations under the Convention. In addition, she has assessed the responses received as to whether all the items designated by the Committee for follow-up (normally between three and six recommendations) have been addressed, whether the information provided responds to the Committee's concern, and whether further information is required. Each letter responds specifically and in detail to the information presented by the State party. Where further information has been needed, she has written to the concerned State party with specific requests for further clarification. With regard to States that have not supplied the follow-up information at all, she requests the outstanding information.

74. At its thirty-eighth session in May 2007, the Committee decided to make public the Rapporteur's letters to the States parties which are posted on the web page of the Committee. The Committee further decided to assign a United Nations document symbol number to all States parties' replies to the follow-up and also place them on its website.

75. Since the recommendations to each State party are crafted to reflect the specific situation in that country, the follow-up responses from the States parties and letters from the Rapporteur requesting further clarification address a wide array of topics. Among those addressed in the letters sent to States parties requesting further information have been a number of precise matters seen as essential to the implementation of the recommendation in question. A number of issues have been highlighted to reflect not only the information provided, but also the issues that have not been addressed but which are deemed essential to the Committee's ongoing work, in order to be effective in taking preventive and protective measures to eliminate torture and ill-treatment.

76. Among the Rapporteur's activities in the past year, have been the following: attending the inter-committee meetings in Geneva where follow-up procedures were discussed with members from other treaty bodies, and it was decided to establish a working group on follow-up; addressing the Committee on the Elimination of Discrimination against Women at its August 2009 meeting in New York concerning aspects of the follow-up procedure; assessing responses

from States parties and preparing follow-up letters to countries as warranted and updating the information collected from the follow-up procedure.

77. Additionally, the Rapporteur initiated a study of the Committee's follow-up procedure, beginning with an examination of the number and nature of topics identified by the Committee in its requests to States parties for follow-up information. She reported to the Committee on some preliminary findings, in November 2009 and later in May 2010, and specifically presented charts showing that the number of topics designated for follow-up has substantially increased since the thirty-fifth session. Of the 87 countries examined as of the forty-third session (November 2009), one to three paragraphs were designated for follow-up for 14 States parties, four or five such topics were designated for 38 States parties, and six or more paragraphs were designated for 35 States parties. The Rapporteur drew this trend to the attention of the members of the Committee and it was agreed in May 2010 that, whenever possible, efforts would henceforth be made to limit the number of follow-up items to a maximum of five paragraphs.

78. The Rapporteur also found that certain topics were more commonly raised as a part of the follow up procedure than others. Specifically, for all State parties reviewed since the follow-up procedure began, the following topics were most frequently designated:

Ensure prompt, impartial and effective investigation(s)	76 per cent
Prosecute and sanction persons responsible for abuses	61 per cent
Guarantee legal safeguards	57 per cent
Enable right to complain and have cases examined	43 per cent
Conduct training, awareness-raising	43 per cent
Ensure interrogation techniques in line with the Convention	39 per cent
Provide redress and rehabilitation	38 per cent
End gender-based violence, ensure protection of women	34 per cent
Ensure monitoring of detention facilities/visit by independent body	32 per cent
Carry out data collection on torture and ill-treatment	30 per cent
Improve condition of detention, including overcrowding	28 per cent

79. In the correspondence with States parties, the Rapporteur has noted recurring concerns which are not fully addressed in the follow-up replies and her concerns (illustrative, not comprehensive) have been included in prior annual reports. To summarize them, she finds there is considerable value in having more precise information being provided, e.g. lists of prisoners, details on deaths in detention and forensic investigations.

80. As a result of numerous exchanges with States parties, the Rapporteur has observed that there is need for more vigorous fact-finding and monitoring in many States parties. In addition, there is often inadequate gathering and analysing of police and criminal justice statistics. When the Committee requests such information, States parties frequently do not provide it. The Rapporteur further considers that conducting prompt, thorough and impartial investigations into allegations of abuse is of great protective value. This is often best undertaken through unannounced inspections by independent bodies. The Committee has received documents, information and complaints about the absence of such monitoring bodies, the failure of such bodies to exercise independence in carrying out their work or to implement recommendations for



improvement.

81. The Rapporteur has also pointed to the importance of States parties providing clear-cut instructions on the absolute prohibition of torture as part of the training of law-enforcement and other relevant personnel. States parties need to provide information on the results of medical examinations and autopsies, and to document signs of torture, especially including sexual violence. States parties also need to instruct personnel on the need to secure and preserve evidence. The Rapporteur has found many lacunae in national statistics, including on penal and disciplinary action against law-enforcement personnel. Accurate record keeping, covering the registration of all procedural steps of detained persons, is essential and requires greater attention. All such measures contribute to safeguard the individual against torture or other forms of ill-treatment, as set forth in the Convention.

82. The chart below details, as of 14 May 2010, the end of the Committee's forty-fourth session, the replies with respect to follow-up. This chart also includes States parties' comments to concluding observations, if any.

#### **Follow-up procedure to concluding observations from May 2003 to May 2010**

...

#### **Thirty-first session (November 2003)**

<b>State party</b>	<b>Information due in</b>	<b>Information received</b>	<b>Action taken</b>
...			
Yemen	November 2004	22 August 2005 CAT/C/CR/31/4/Add.1	Request for further clarifications

...

#### **Forty-fourth session (May 2010)**

<i>State party</i>	<i>Information</i>	<i>Information received (including</i>	<i>Action taken</i>
...			
Yemen	May 2011	-	
...			

**Follow-up - State Reporting**  
**ii) Action by State Party**

**CAT CAT/C/CR/31/4/Add.1 (2005)**

[Original: Arabic]  
[22 August 2005]

Comments by the Government of Yemen to the conclusions and recommendations of the Committee against Torture

Foreword

1. The Government of the Republic of Yemen has received the concluding observations adopted by the Committee against Torture following its consideration at its 583rd and 586th meetings, held at Geneva on 17 and 18 November 2003, of the initial report of Yemen on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, in which the Republic of Yemen outlined the legislative, judicial and administrative measures that it has taken in implementation of the Convention.

2. The Government of Yemen welcomes the distinguished Committee's positive comments about the spirit of constructive cooperation and collaboration which characterized the meetings and interventions made by both sides, together with its acknowledgement of the significant progress which Yemen has made towards strengthening human rights and raising human rights standards.

3. Yemen has the honour to present the distinguished Committee with some clarifications regarding the recommendations contained in paragraph 7 (d) and (f) of the concluding observations issued in accordance with article 19 of Convention.

4. The Government of the Republic of Yemen should like to stress that it is difficult for Yemen, as for many countries, to find a perfect solution to any problem relating to the full enjoyment of human rights. Yemen's laws and legislation on the protection of fundamental human rights are still in the early phases of implementation and, while there is no lack of political support for the promotion and protection of human rights, there are still many real difficulties and obstacles which prevent the Government from achieving a number of human rights goals. These difficulties can be ascribed to economic, cultural and social factors. Yemen is ranked among the least developed countries, owing to the scarcity of economic resources and opportunities at its disposal. The country has furthermore inherited a number of cultural and social problems which only hard work, patience and perseverance can overcome. We look forward, therefore, to increasing our cooperation with you and with the international community in this domain.

5. Finally, the Government of the Republic of Yemen should like to express its profound gratitude to the distinguished members of the Committee for their continuing efforts to improve human rights in all countries in the world.

**A. Paragraph 7 (d) of the concluding observations recommending that Yemen: "Take all appropriate measures to abolish de facto incommunicado detention"**

**Clarification**

6. Yemeni law defines imprisonment as: "The act of restricting a convicted person's right to liberty for a specific period of time by placing that person in a penal institution for the duration of his sentence" (article 39 of the Penal Code). The Yemeni legislature vests the competent courts with the power to impose a prison sentence on any person who is convicted of an offence. No one may be imprisoned other than pursuant to a binding court judgement which, by law, must be enforced by the Department of Public Prosecutions.

7. Yemeni law has amalgamated the various penalties of deprivation of liberty into the single penalty of imprisonment in order to protect prisoners against torture and degrading and inhuman treatment and to achieve the main objective of the penalty, which is to reform and rehabilitate the offender.

8. A number of principles and norms have been incorporated into the Constitution and the law in order to guarantee prisoners humane and decent treatment. For example, article 48 (b) of the Constitution stipulates: "The dignity of anyone who is deprived of his liberty shall be safeguarded. The infliction of physical or mental torture is prohibited by law, as is the use of force to extract a confession during questioning." The Prisons Act No. 48 of 1991 and its implementing regulation No. 221 of 1991 vest the authorities with responsibility for reforming, re-educating, rehabilitating and reintegrating prisoners into society, using a full range of educational methods and approaches, and for creating in prisoners a desire to lead an honest life as upstanding members of society (article 3 of the Prisons Act).

9. According to article 4 of the Prisons Act, the Department of Prisons is responsible for re-educating prisoners and for inculcating in them a love of work and a law-abiding spirit. It is not permissible to cause physical or mental harm to prisoners serving their sentences. Article 32 of the Act stipulates that prisons must set aside a designated area, known as the reception centre, to receive prisoners arriving at the prison and to sort them into categories in accordance with the following principles:

- (a) Prisoners entering prison for the first time must be kept separate from those with prior convictions;
- (b) Prisoners who have committed serious crimes must be kept in separate quarters;
- (c) Foreign prisoners must be kept separate from Yemeni prisoners;
- (d) Juveniles must be kept separate from adults;
- (e) Female prisoners must be kept separate from male prisoners.

10. In accordance with this system of categorization, article 4 of the implementing regulation stipulates that prison governors must ensure that prisoners are properly protected and must sort them into categories in accordance with the law.

11. The Penal Code defines solitary confinement as a measure used for the disciplining of prisoners. The Code authorizes prison governors to discipline any prisoner who breaches prison rules and regulations that were issued in accordance with the Code and its implementing regulation. Disciplinary measures include solitary confinement for a period of up to two weeks (article 34 of the Prisons Act). However, the prisoner retains the right not to be subjected to the punishment until he has had a chance to defend himself and until evidence that he committed the infraction has been produced. The punishment must be recorded in the official register of punishments (article 76 of the implementing regulation).

12. For their part, oversight bodies conduct regular and surprise inspections of prisons and remand and detention centres and do whatever is necessary to bring anyone who infringes the law to justice and to hold them legally responsible for their actions.

13. The Department of Public Prosecutions has overall responsibility for overseeing and inspecting prisons in order to verify that the penal process is used only against persons who have actually been convicted of an offence and that no one is being held in prison illegally. Article 192 of the Code of Criminal Procedures stipulates that each officer of the Department of Public Prosecutions must visit the penal institutions within his jurisdiction and must make sure that no one is being detained there illegally. The officers may examine prison logbooks and arrest and detention orders and take copies of them. They may talk to any prisoner and listen to any complaints that he may have. The governors of such institutions must provide officers with every assistance in procuring the information which they require.

14. The Government of the Republic of Yemen, out of a desire to protect prisoners' rights, including against illegal incommunicado detention, promulgated Decree No. 91 of 1995, providing for the establishment of a central prosecutor's office for prisons in every governorate, to carry out the tasks and functions required of it by law. These tasks include, in particular:

- (a) Overseeing and monitoring prisons to ensure that the judgements, decisions and orders issued by the courts and the Department of Public Prosecutions with regard to prisoners are properly enforced;
- (b) Putting a halt to infringements committed by prison authorities, or by any other bodies, under the Prisons Act and its implementing regulations;
- (c) Listening to and receiving prisoners' complaints; investigating complaints of a serious nature; and taking decisions thereon in accordance with the law.

15. The law grants anyone whose rights are violated in prison the right to file a complaint about his or her treatment. This is guaranteed under article 193 of the Code of Criminal Procedures, which states that anyone who is deprived of his liberty is entitled to complain at any time, either in writing or orally, to the governor of the penal institution and to ask him to refer

the complaint to the Department of Public Prosecutions. The person receiving the complaint must accept it and pass it on immediately to the Department of Public Prosecutions, after registering it in the register of complaints.

16. One of the most significant steps which the Government has taken in this domain was the adoption of a presidential decree establishing a special committee to oversee conditions in prison in general and to carry out field visits to prisons throughout the country in order to examine the state of prisons and prisoners at first hand and to recommend effective ways of improving conditions in prisons, a task requiring a huge injection of cash. Of equal importance was the President's decision to establish a higher committee for mental health. In accordance with the committee's mandate, existing psychiatric wards in prisons were closed down and work was begun on the construction of psychiatric clinics operating independently of prisons. In that connection, the Government and a number of international and local organizations have run several training courses for prison officials in a number of governorates in order to raise their awareness of human rights and improve the way that prisons are run.

17. The Ministry of Human Rights regularly organizes scheduled visits to prisons in the governorates in order to see at first-hand the environment in which prisoners are held, to gain a better understanding of their living conditions, and to examine the state of the prisons and prisoners. Senior Ministry officials and the competent team visit correctional facilities and reformatories and social welfare homes in order to check up on the health and living conditions of inmates, to make sure that no one is being held there illegally, to prepare the ground for the reform of conditions in such institutions, and to offer legal remedies to any prisoner who is placed in solitary confinement illegally or who is kept in solitary confinement beyond the maximum period permitted by law.

18. This year and last, the Ministry conducted a number of field visits to prisons in various parts of the country in order to:

- (a) Examine the state of prisons and prisoners in the governorates of Amran, Hadramaut, Dhamar and Baida';
- (b) Examine the state of prisons and prisoners in the governorates of Sana`a, Aden, Ta`izz, Hadida, Dhamar, Ibb, Lahj, Abyan and Dali`;
- (c) Examine the state of prisons and prisoners in the districts surrounding the capital; and to
- (d) Visit the municipal offenders' home. The following are some of the results produced by these visits:
  - (i) A detailed report on prison conditions, prisoners and cases requiring assistance was compiled and submitted to the Council of Ministers, which issued a decree ordering the competent authorities to implement the recommendations that the team had made on ways of improving the poor conditions which it had found;

(ii) The results were communicated to the Department of Prisons, the Ministry of the Interior, the Office of the Public Prosecutor, the Ministry of Justice, the Ministry of Technical and Vocational Education, the Ministry of Public Health and Housing, and the Ministry of Foreign Affairs for action in accordance with their respective areas of competence.

**B. Paragraph 7 (f) of the concluding observations recommending that Yemen: "Ensure that all counter-terrorism measures taken are in full conformity with the Convention"**

**Clarification**

19. The events of 11 September 2001 represented a setback for human rights. Yemen had already been the theatre of terrorist operations and several criminal incidents. These included the blowing up of a United States destroyer and a French oil tanker, the Limburg, as well as bombings in Sana`a and Aden, which had badly damaged stability, security and public order and had harmed the country's reputation and development, as well as overall investment in tourism.

**Counter-terrorism measures**

20. The clear policy on counter-terrorism which the Republic of Yemen pursues in cooperation with the international community has been a marked success. Mobilization of the nation in the fight against this dangerous phenomenon has been absolutely vital to ensuring that everyone places the higher national interest above any other consideration and helps the Government to fight terrorism. The Republic of Yemen, in its capacity as a partner in the fight against terrorism, has taken a number of steps to eradicate terrorism, while having due regard for the implementation of Yemen's laws, since the Government understands that the fight against terrorism cannot be allowed to ride roughshod over the law and the human rights which the law guarantees. These measures include:

(a) The launching of the idea of holding ideological discussions with persons who have been led into error and the release of those who give an undertaking to abide by the law

21. A committee was formed to organize ideological discussions with persons imprisoned on account of their involvement in terrorist offences or those who mistakenly believe that the commission of terrorist offences is a form of Jihad. Some of the participants had been found in possession of plans for terrorist operations which were aborted before they could be carried out. Four rounds of discussions have been held; the first in early 2002. The committee succeeded in persuading 353 young men who had returned from Afghanistan that they were in error and that they had misunderstood the precepts of Islam. A number of those who gave an undertaking to abide by the law were set at liberty. They had not committed any offences or acts which are punishable by law. This process was launched at the behest of the President of the Republic and based on the results obtained by the committee of Islamic law scholars in their discussions with prisoners who had been led astray by extremist ideas.

## **Results of the work done by the committee responsible for organizing ideological discussions**

22. The persons concerned have repudiated all forms of violence, extremism and terrorism, have submitted to the authorities and have pledged to abide by the Constitution and prevailing laws, including the Political Parties and Organizations Act;

23. They have also pledged to: uphold security and stability; to refrain from doing anything that undermines Yemen's security and independence; to respect the rights of others, including their physical integrity, property and honour; to do nothing to attack or harm the interests of States with which the Republic of Yemen has concluded treaties, for so long as the treaties remain in force; and to consider the fact that the Yemeni authorities authorize a person to enter the country as a commitment to protecting that person's safety until such time as authorization is revoked by legal order of the competent authorities, since a person whose safety is guaranteed by the State cannot be harmed;

24. A door has been opened to these young men and others. They have been given a chance to live in safety, to enjoy all their rights and freedoms, and to rectify the misconceptions which some had about Islam, misconceptions which pose a threat to Islam and to Muslims that is every bit as dangerous as the schemes and plots which some of these young people hatch;

25. The bloody conflict between these young men and the security authorities has -been defused, security and stability have prevailed, and a large number of those who took part in the discussions have been set at liberty.

## **The prosecution of all persons involved in terrorist cases**

26. All persons involved in terrorist cases have been brought to justice and have received a fair trial affording all the guarantees set out in the Constitution and laws of Yemen. These guarantees include:

- (a) Giving prisoners the opportunity to receive visits from family and relatives. The International Committee of the Red Cross was permitted to visit and talk to the prisoners;
- (b) Holding trials only in the presence of counsel and according defendants full guarantees during the examination and trial stages;
- (c) Granting persons who are set at liberty the right to file a complaint about any ill treatment that occurred during their time in prison.

27. The competent criminal court began trying the defendants in the terrorism cases and bombings which had occurred in various parts of Yemen.

28. On 29 September 2004, the court convicted six persons of blowing up a United States destroyer (the USS Cole) docked in the port of Aden and of forming an armed group for the purpose of disrupting security. It also ordered the confiscation of the material seized in the case

and gave the defence half of one month to appeal. On 29 August 2004, the same court had convicted 10 persons of conspiracy to blow up a French vessel (the Limburg) and of committing other terrorist offences.

**Adoption of laws and ratification of counter-terrorism conventions**

29. In addition to the measures which the Government of the Republic of Yemen has taken to combat terrorism and to meet the direct and indirect challenges which the phenomenon poses, the Government has taken or will take the following measures:

- (a) It sponsored the Suppression of Money-Laundering Act No. 35 of 2003, comprising 24 articles set out in eight separate chapters;
- (b) It has submitted a new bill on the possession of firearms for adoption by the Chamber of Deputies.

30. In addition to the foregoing, our country, like many other Arab States, has taken steps to implement the decisions and conventions which Arab Governments have adopted on the subject of counter-terrorism, including:

- (a) Decision No. 275 concerning the standards of conduct of States members of the Council of Arab Ministers of the Interior, adopted at Tunis in 1996;
- (b) The Arab Counter-Terrorism Strategy adopted at Tunis in 1997;
- (c) The Arab Convention for the Suppression of Terrorism adopted by the Council of Arab Ministers of the Interior and of Justice at Cairo in April 1998.

31. Yemen has also ratified a number of international counter-terrorism treaties and conventions, which are listed in the following table:

Item	Convention	Date of Yemen's accession
1	International Convention for the Suppression of Terrorist Bombing	23 April 2001
2	International Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation	30 June 2002
3	Protocol for the Suppression of Unlawful Acts against the Safety of Platforms Located on the Continental Shelf	30 June 2002
4	International Convention against the Taking of Hostages	14 July 2000
5	International Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons	9 February 1987



6	International Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal Convention)	29 September 1986
7	International Convention for the Suppression of Unlawful Seizure of Aircraft	29 September 1986
8	Convention on Offences and Certain Other Acts Committed On Board Aircraft (Tokyo Convention)	26 September 1986

### **Disseminating a culture of tolerance and dealing with the root causes of extremism**

32. The Government has conducted a review of media, cultural and religious discourse as found in the press and in information and educational sources. At the beginning of the 2001/02 academic year, the Ministry of Education amalgamated basic and secondary education, incorporating religious instruction, which used to be provided by Islamic schools operating in parallel with general education institutions and enjoying administrative and financial independence from the Ministry of Education. This step will help to consolidate efforts and resources and will make for better investment of available resources.

### **Human rights in the context of the fight against terrorism**

33. There is no doubt that the Government's counter-terrorism campaign does create many problems and difficulties which have a direct and an indirect impact on human rights. Yemen does not claim that human rights are always fully respected, nor that the human rights situation has not changed since the events of 11 September, not just in Yemen, but throughout the world, even in States where great progress had been made on the human rights front. On the contrary, institutional, economic and social conditions in Yemen to some extent make it more difficult to ensure the proper implementation of human rights and human freedoms. Yemen is perfectly aware of this and works through State institutions, the three powers of government, civil society institutions and the international community to find solutions to particular social and institutional difficulties with a view to disseminating a culture of human rights and strengthening the role of oversight and judicial institutions to enable them to play their role in the proper implementation of laws and regulations which protect and safeguard human rights.

34. There can be no better testament to the seriousness with which the State oversight authorities take the realization of human rights than the fact that a parliamentary committee has been set up to monitor treatment of prisoners involved in terrorist cases and has produced an impartial and independent report on its findings.

35. With a view to guaranteeing transparency in its dealings with persons being held for terrorist offences, the State has opened its doors to the local and international organizations concerned with such cases, including the International Committee of the Red Cross and Amnesty International and has given them an opportunity to meet senior State and security officials and to enter detention facilities in order to interview detainees. It has taken other steps which underscore the Government's commitment to working effectively with the international community, in order to consolidate and disseminate human rights values and principles on a

wide scale, and to working with, and drawing on the experience and expertise of, all local and international human rights organizations in order to achieve the goal of promoting human rights.

36. Overall, we can say that the State's security efforts to combat terrorism have not inflicted any direct or serious damage on the human rights situation in Yemen in terms of prompting systematic or ongoing violations of human rights. Action is taken on any human rights violations or infringements that do occur and the perpetrators are brought to justice.