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Excellency,

I have the honour to address you in my capacity as Chairperson of the Committee against Torture, following the examination of Yemen's second periodic report to the Committee during the 43rd session, held in Geneva from 2 to 20 November 2009.

In this connection, I would like to draw the attention of Your Excellency's Government to information received regarding the threats against, and intimidation of, Ms Amal Basha, Chairperson of the "Sisters Arab Forum for Human Rights" (SAF). SAF monitors and documents cases of torture in Yemen and coordinated a report submitted to the Committee (*The Status of Torture in Yemen - Second Parallel Report by Yemeni Civil Society Organizations on Yemen's Compliance with the Convention against Torture*), in accordance with its Rules of Procedure. This report was prepared in collaboration with 13 other Yemeni human rights organizations.

According to the information received:

- In the evening of 22 November 2009, the offices of SAF were broken into by unknown individuals and the premises were searched. Although no documents or equipment appear to have been stolen, materials in the archives were compromised and some electronic equipment was damaged;
- On 20 and 21 November 2009, Ms Amal Basha received a number of anonymous intimidating phone calls. One of the callers alleged that he was calling from the "investigation department";

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- On 17 November 2009, the rear breaks of Ms Basha's car were tampered with. Furthermore, Ms Basha was the subject of a simulated acid attack as she was leaving the Criminal Court, where she had been observing the trial of a political activist;

- The attacks and acts of intimidation may be a result of the intervention of Ms Amal Basha on 24 September 2009 at the Human Rights Council, during the adoption of the UPR report on Yemen, and the submission of the above mentioned report to the Committee in October 2009.

I am concerned that in accordance with the information received, the attacks on, and intimidation of, Ms Amal Basha and the breaking and entering into the offices of SAF may be related to the peaceful activities of Ms Amal Basha and SAF in promoting and protecting human rights, and in particular with monitoring and documenting cases of torture. Further serious concern is expressed regarding the physical and psychological integrity of Ms Amal Basha.

In regard to these grave allegations, I would like to refer to Your Excellency's Government the following articles of the Convention against Torture:

- Article 12: "Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction."

- Article 13: "Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given."

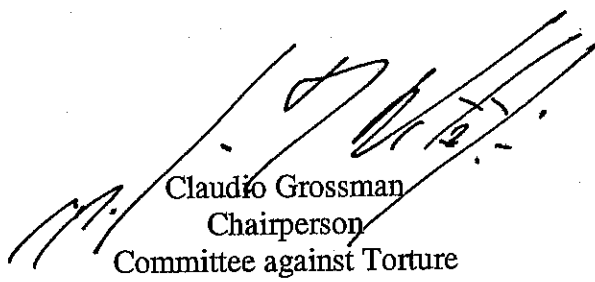
- Article 16, paragraph 1: "Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment."

Furthermore, I would like to recall your Excellency's Government to paragraph 20 (*Human rights defenders, political activists, journalists and other individuals at risk*) of the provisional concluding observations of the Committee (CAT/C/YEM/CO/2), adopted on 19 November 2009, on the second periodic report of Yemen:

- "The State party should take all necessary steps to ensure that all persons, including those monitoring human rights, are protected from any intimidation or violence as a result of their activities and exercise of human rights guarantees, to ensure the prompt, impartial and effective investigation of such acts, and to prosecute and punish perpetrators with penalties appropriate to the nature of such acts. [...]"

In view of the seriousness of the supra mentioned allegations, I would appreciate, as a matter of urgency, to receive information on the measures taken by Your Excellency's Government to implement, especially with regard to Ms Amal Basha, articles 12, 13 and 16 of the Convention and paragraph 20 of the provisional concluding observations of the Committee on the second periodic report of Yemen.

Accept, Excellency, the assurances of my highest consideration.



Claudio Grossman
Chairperson
Committee against Torture