



Inter-Parliamentary Union

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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;

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- A senior anti-riot officer, General Almqdashi, 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.