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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Liberation, a non- governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 June 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Recommendations for the eradication of the root causes of terrorism in Yemen**

The hostility between Al-Qaida and the southern people has its roots since the 1994 war between south and north Yemen. In that war, President Saleh's coalition used jihadists returned from Afghanistan and geared up to the fight against southern people under the pretext of the elimination of the communists. After San'aa's victory, the extremist fighters were allowed to control land and impose a version of Islamist rule on the secular south.

Currently, the terrorist groups have been used and guided by a variety of hidden sources and of conflicting parties vie for authority in the North, including, extremist religious leaders, warlords, some elements of the military. This hidden support that has been given to Al-Qaida and Ansar Al-Sharia aimed to put down Southern peaceful movement by raising instability in the southern areas to send a message to the world that the South has become a safe haven for terrorism in order to divert the international concern from sympathizing with Southern Issue.

Moreover, the strategic and unique location of the South for the world economy and for the international peace and security including, Bab al-Mandab Strait, the strategic route for international shipping lines and as a depth for Gulf and Arabian Peninsula makes the South-North issue more complicated and not subject to half solution.

For that reason, and in order to enable the Southern people to eradicate terrorist groups deployed in their areas, and to go further towards their right to self-determination including the right to their sovereign state. The Human Rights Council has to be a key partner by adopting an effective resolution on the situation in Yemen based on the following facts:

Fact 1: The Southern people in their nature reject terrorism and reaffirmed practically their refusal of violence and terrorism. In his letter to the president of the UN Security Council reference 267/2011 dated 13 July 2011, the leader of the southern people, President Ali Salem Albidh declared the southern people's determination to join the International Counter-Terrorism coalition against terrorism. Subsequently, the southern people established social and civil society organizations and "people's resistance force to chase al-Qaeda and Ansar Al sharia group in Abein and Lawder where sixty men died in the battle to hold the town and more than 580 were left injured"¹. These measures proved that, that southern people are a key actor and real partners in counter- terrorism.

Fact 2: The effective measures for the eradication of terrorism in Yemen should not only be achieved by the elimination of Al-Qaida groups, but also by taking multidisciplinary measures and by eliminating the fertile environment that produces the base through, the development of programs which help in controlling religious institutions, reducing unemployment amongst young people and eradicating poverty, and by disseminating the values of tolerance and the rejection of hatred, intolerance, extremism and terrorism.

Fact 3: South Yemen is strategic depth for Gulf and Arabian Peninsula and has its unique location to the world economy and international peace and security. It is location on Mandab Strait which is the strategic route for international shipping lines. It is a shame to that the a neighbour of the most wealthiest countries in the world is, as it has been reported that "Seven International aid agencies said that 44% in Yemen were going hungry. One quarter of them was in need of urgent emergency aid. The UN Office for the Co-ordination

** International Organization for LDCs, an NGO without consultative status, also shares the views expressed in this statement.

¹ Iona Craig, USA TODAY 24 May 2012.

of Humanitarian Affairs (Ocha) said that nearly a million children under five were suffering from acute malnutrition and over one quarter of them could die. Kelly Gilbride, Oxfam's policy adviser in Sana'a said: "The difference this year is the scale and scope of the crisis. Yemen has conflicts in both the north and the south. They create high levels of displacement. What we have seen is that the food crisis has expanded across the country".²

Fact 4: The Declaration of Unification on 22 May 1994 was not done by referendum for the Southern people; nor was the transitional stage fulfilled, that of practical transformation of the two states into one nation according to convention rendered. Practically, the two states have been separate; the authorities were divided into two, each ministry into two ministries; the army into two armies; security divided into two; jurisdiction into two, social fabric into two, cultures into two, until they were finished by 1994 war.

Fact 5: The case of south Yemen has gained a regional dimension since the issue of the foreign ministers declaration of the GCC held on 4 and 5 June 1994 in Abha, Kingdom of Saudi Arabia, which reaffirmed that unification must not be imposed by force. It also gained an international dimension; since the issue was dealt with by the Security Council Resolutions Nos. 924 and 931 in 1994, which affirmed, inter alia, that the political differences cannot be solved through the use of force. The resolutions urged both sides to return to dialogue immediately and without preconditions to allow them to reach a peaceful solution.

Fact 6: The refusal to implement Security Council resolutions 924 and 931 of 1994 has caused harm to a large number of people in the south since 1994. That fact that gross violations have caused severe damages to Southern people since 1994, means that such acts can be categorized under crimes covered by International Humanitarian Law, which can be summarized as follows:

- Crimes Against Humanity: Northern authorities have committed gross violations including killings have been committed by the Northern Army since 2007 causing the death of some 1000 people, amongst them political activists of Peaceful Southern Hirak, thousands of peaceful protesters was injured for punishment of their rights arbitrary detention, torture, forced disappearances and kidnapping, extrajudicial killings. All of these acts are, in turn, considered as a violation of the International Law and Human Rights instruments and could, in some cases, be interpreted as crimes against humanity.
- Crime Of Genocide: The Northern authorities implemented a systematic discriminatory policy against the Southern people which could be interpreted as crimes against humanity, including, erosion of southern identity, neglecting Aden Airport and Port despite their geographical, and their worldwide recognition; abolishing all southern institutions, owning the southern lands to the Northern people; transferring southern public sector institution into private sector for the benefit of northern people, in addition the authorities adopted systemic policy including the removal of some 566,616 southern public servants. These acts can be included, in accordance with International Humanitarian Law, under genocide crimes.

For that reason, the eradication of all forms of terrorism, and the removal of the current root causes of the conflict between South and North Yemen, we call upon the UN Human Rights Council to consider both terrorism issue and the complicated situation between South and North and to adopt an effective resolution which could contains the following working paragraphs:

² David Hearst, guardian.co.uk, Friday 25 May 2012.

- to appoint International Investigation Commission to investigate the human rights violations against Southerners including against the Southern Peaceful movement "Hirak";
- to designate a Special Rapporteur on terrorism to visit Yemen to report back to the Council on how to provide sustainable curriculum for schools, colleges and universities, mosques encouraging tolerance culture and counter-terrorism and how to mobilize communities to face terrorism elements, its culture and to fight it with all possible means;
- to pave the way for establishing special human rights court to handle terrorist cases, gross human rights violations, organised political crimes, corruption cases, with a general jurisdiction over all war crimes in both in South and North Yemen;
- to urge the Secretary-General of the United Nations to carry out effective measures and to provide a framework for the peaceful settlement of the conflict between South and North and to pave the way for negotiations between the two parties to be held in Geneva in accordance with the resolutions of UN Security Council 924 and number 931;
- to urge the GCC member states to express their determination in participating in the development of programmes for economic recovery and in accepting the membership of the North and South re-newly states to the membership of GCC directly after the agreement of their disconnection.

Thus, the Human Rights Council would have effectively participated in the eradication of terrorism, in conflict prevention, post conflict and peace building, in the implementation of the right of the Southern people to their right to self-determination and in encouraging the achievement of sustainable development for the two newly neighbouring states under the orbit of the Gulf Co-operation Council.
