· Current Class: CONFIDENTIAL

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 1

<<<>>>>

B1, 1.4(B), 1.4(D), B7(A)

RELEASED: HAMPARTA

CONFIDENTIAL

PTQ9024

291613Z /38

PAGE 01 SANAA 03428 01 OF 03 291612Z

ACTION SCT-00

CCO-00 CG-00 CIAE-00 INFO LOG-00 NP-00 AID-00 A-00 DOTE-00 PERC-00 SRPP-00 COME-00 CTME-00 INL-00 DOEE-00 FAAE-00 VC-00 DS-00 EB-00 ED-01 EUR-00 HHS-01 TEDE-00 INR-00 INSE-00 IO-00 LAB-01 L-00H-01 NEA-00 DCP-01 NRCE-00 CAC-00 VCE-00 M-00 AC-01 OPIC-01 PA-00 NSAE-00 NSCE-00 OCS-03 OIC-02 OMB-01 ACE-00 P-00 SP-00 SSQ-00 STR-00 PM-00 PRS-00 USIE-00 USSS-00 ASDS-01 PMB-00 DSCC-00 PRM-00 TRSE-00 G-00 SAS-00 SWCI-00 /016W DRL-02

-----EE9982

P 291606Z SEP 02

FM AMEMBASSY SANAA

TO SECSTATE WASHDC PRIORITY 3117

INFO FBI WASHINGTON DC PRIORITY

DEPT OF JUSTICE WASHDC PRIORITY

NAVCRIMINVSERVFO MIDDLE EAST BAHRAIN PRIORITY

NAVCENTMETOCCEN BAHRAIN PRIORITY

SECDEF WASHINGTON DC PRIORITY

USCINCENT INTEL CEN MACDILL AFB FL PRIORITY

GCC COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 03 SANAA 003428

E.O. 12958: DECL: 09/29/2008

TAGS: PGOV, PTER, SOCI, PHUM YM US

SUBJECT: YEMENI PARLIAMENTARY REPORT ON DETAINEES IN COLE,

SEP 11 INVESTIGATIONS

CONFIDENTIAL

PAGE 02 SANAA 03428 01 OF 03 291612Z

REASONS 1.5 (B) AND (D) CLASSIFIED BY: DCM: AMISENHEIMER.

(C) BEGIN SUMMARY: A PARLIAMENTARY COMMITTEE HAS FOUND THE ROYG IN VIOLATION OF ITS CONSTITUTION AND LAWS IN ITS DETENTION OF MORE THAN ONE HUNDRED SUSPECTS RELATED TO THE CASES OF THE USS COLE AND SEPTEMBER 11 ATTACKS. A LENGTHY REPORT, SUMMARIZED BELOW, DETAILS THE COMMITTEE'S QUESTIONS AND THE GOVERNMENT'S RESPONSES ACROSS A WIDE RANGE OF

SECURITY AND HUMAN RIGHTS ISSUES.

THE ROYG FACES

STRONG PRESSURES FROM THE PARLIAMENT, MEDIA, AND DETAINEES

Current Class: CONFIDENTIAL

Page: 1

UNITED STATES DEPARTMENT OF STATE REVIEW AUTHORITY: SHARON E AHMAD DATE/CASE ID: 17 NOV 2004 200303827

UNCLASSIFIED

DOS-002483

B1

ACLU-RDI 4353 p.1

Current Class: CONFIDENTIAL

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 2

Channel: n/a

FAMILY MEMBERS. FOLLOW-UP GOVERNMENT RESPONSE TO THE REPORT WILL COME IN EARLY DECEMBER AFTER THE PARLIAMENT RECONVENES.

END SUMMARY.

2. (SBU) A SPECIAL 10-MAN FACT-FINDING COMMITTEE WAS FORMED SEPTEMBER 17 BY YEMEN'S PARLIAMENT (HOUSE OF DEPUTIES) TO INVESTIGATE THE SITUATION OF THOSE ARRESTED AS A RESULT OF THE OCTOBER 2000 BOMBING OF THE USS COLE AND THE SEPTEMBER 2001 ATTACKS AGAINST U.S. TARGETS. THE COMMITTEE, CHAIRED BY RAJIH SAAD HUNAYSH, ISSUED ITS 17-PAGE REPORT SEPTEMBER 24 FOLLOWING MEETINGS WITH: FAMILIES OF THE DETAINED, THE MINISTER OF INTERIOR, THE ATTORNEY GENERAL, THE DEPUTY HEAD CONFIDENTIAL

PAGE 03 SANAA 03428 01 OF 03 291612Z
OF THE POLITICAL SECURITY ORGANIZATION (PSO), SOME OF THE
DETAINEES, THE MINISTER OF FOREIGN AFFAIRS, THE MINISTER OF
JUSTICE, THE MINISTER OF STATE FOR HUMAN RIGHTS, AND THE
DIRECTOR OF CRIMINAL RESEARCH AT THE SANAA SECRETARIAT.
AMONG THE COMMITTEE'S FINDINGS ARE THAT GOVERNMENT
AUTHORITIES VIOLATED YEMEN'S CONSTITUTION AND LAWS REGARDING
THE MANNER AND LENGTH OF SOME OF THE DETENTIONS. AMONG ITS
RECOMMENDATIONS ARE THAT THE PSO REFER FOR PROSECUTION ALL
CASES OF THOSE DETAINED OR RELEASE THEM. THE COMMITTEE ALSO
RECOMMENDED THAT THE ATTORNEY GENERAL IDENTIFY AND PROSECUTE
OFFICIALS RESPONSIBLE FOR THE CONSTITUTIONAL AND LEGAL
VIOLATIONS.

COMPLAINTS FROM FAMILY MEMBERS

3. (SBU) FOR EACH OF THE COMMITTEE'S MEETINGS NOTED ABOVE, THE REPORT LISTS THE SPECIFIC QUESTIONS POSED AND THE RESPONSES PROVIDED BY THE RELEVANT OFFICIAL OR FAMILY GROUP. THUS, FAMILY MEMBERS ARE CITED AS SAYING THAT FOR MOST OF THOSE ARRESTED, THEIR FAMILIES LEARNED OF THIS ONE TO SIX MONTHS LATER, AND ONLY UNOFFICIALLY. FAMILY VISITS WERE ALLOWED ONLY AFTER ONE TO SIX MONTHS, TWICE WEEKLY, FOR FIVE MINUTES. IN SOME CASES, RELATIVES OF DETAINEES WERE THEMSELVES DETAINED. SOME DETAINEES WERE ALLEGED TO HAVE BEEN PHYSICALLY TORTURED, AND SOME WERE DETAINED IN ISOLATION

Current Class: CONFIDENTIAL

Page: 2

Current Class: CONFIDENTIAL UNCLASSIFIED

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 3

Channel: n/a

FOR VARIOUS PERIODS.

MINISTER OF INTERIOR RESPONDS TO QUESTIONS CONFIDENTIAL

SANAA 03428 01 OF 03 291612Z PAGE 04

- 4. (SBU) ACCORDING TO THE REPORT, THE MINISTER OF INTERIOR IN RESPONDING TO QUESTIONS WROTE THAT THE NUMBER OF THOSE ARRESTED IN THE USS COLE INVESTIGATION IS FIFTEEN, AND THEIR INVESTIGATIONS HAVE BEEN COMPLETED AND THEIR FILES HANDED OVER TO THE ATTORNEY GENERAL. THE MINISTER ADDED THAT "WE ARE AWAITING THE APPROPRIATE MOMENT FOR (THEIR) TRIAL. IS OUR POINT OF VIEW, OF WHICH WE ARE CONVINCED AT THE GOVERNMENT LEVEL. THERE IS ANOTHER VIEW NOT TO PUT THEM ON TRIAL UNTIL THE SEIZURE OF THE REST OF THE GROUP WHO ARE STILL AT LARGE."
- 5. (SBU) THE REPORT CITES THE MINISTER OF INTERIOR AS SAYING THAT INVESTIGATION IS ONGOING FOR THOSE ARRESTED REGARDING THE SEPTEMBER 11, 2001 ATTACKS, AND AT THE APPROPRIATE TIME, IF THERE IS SUFFICIENT EVIDENCE, THEY WILL BE PROSECUTED. OTHERWISE THEY WILL BE RELEASED. THE MINISTER'S INITIAL RESPONSE NUMBERED THESE DETAINED AS NINETY-ONE, BUT IN ADDITIONAL INFORMATION, THE NUMBER IS REDUCED TO EIGHTY-NINE. RESPONDING TO THE COMMITTEE'S SPECIFIC QUESTIONS ON ANY ROLE OF FOREIGN PARTIES, THE MINISTER REPLIED THAT NO YEMENI HAS BEEN HANDED OVER TO ANY FOREIGN AGENCY/PARTY, NO SUCH REQUEST HAD BEEN RECEIVED, AND (IN ANY EVENT) THAT WOULD NOT HAPPEN. THE MINISTER ACKNOWLEDGED DETAINING PERSONS FOR LONGER THAN THE LEGAL PERIOD, ADDING THAT THIS WAS NECESSARY IN ORDER TO

CONFIDENTIAL

TRSE-00 USIE-00 USSS-00 ASDS-01 PMB-00

PAGE ACTIO		SANAA	03428 02	OF 03 29	1613Z		
INFO	LOG-00 COME-00 DS-00 H-01 CAC-00 NSAE-00 PM-00	NP-00 CTME-00 EB-00 TEDE-00 VCE-00 NSCE-00 PRS-00	ED-01 INR-00 M-00	A-00 DOEE-00 EUR-00 INSE-00 AC-01 OIC-02 P-00	CCO-00 DOTE-00 FAAE-00 IO-00 NEA-00 OMB-01 SP-00	CG-00 PERC-00 VC-00 LAB-01 DCP-01 OPIC-01 SSO-00	CIAE-00 SRPP-00 HHS-01 L-00 NRCE-00 PA-00 STR-00

Current Class: CONFIDENTIAL

Page: 3

DSCC-00 PRM-00

CONFIDENTIAL PTQ9025

Current Class: CONFIDENTIAL UNCLASSIFIED

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 4

Channel: n/a

DRL-02 G-00 SAS-00 SWCI-00 /016W

-----EE9987 291613Z /38

P 291606Z SEP 02

FM AMEMBASSY SANAA

TO SECSTATE WASHDC PRIORITY 3118

INFO FBI WASHINGTON DC PRIORITY

DEPT OF JUSTICE WASHDC PRIORITY

NAVCRIMINVSERVFO MIDDLE EAST BAHRAIN PRIORITY

NAVCENTMETOCCEN BAHRAIN PRIORITY

SECDEF WASHINGTON DC PRIORITY

USCINCCENT INTEL CEN MACDILL AFB FL PRIORITY

GCC COLLECTIVE

C O N F I D E N T I A L SECTION 02 OF 03 SANAA 003428

E.O. 12958: DECL: 09/29/2008

TAGS: PGOV, PTER, SOCI, PHUM YM US

SUBJECT: YEMENI PARLIAMENTARY REPORT ON DETAINEES IN COLE,

SEP 11 INVESTIGATIONS

CONFIDENTIAL

PAGE 02 SANAA 03428 02 OF 03 291613Z

PREVENT THEM FROM IMPLEMENTING THEIR PLANNED "ACTS OF MADNESS" WHICH HAD BEEN DISCOVERED THROUGH RECORDINGS OF TELEPHONE CONVERSATIONS BETWEEN THEM.

6. (SBU) RESPONDING TO THE COMMITTEE'S QUESTIONS ABOUT CHARGES AGAINST THE DETAINED, THE MINISTER OF INTERIOR SAID THE FIRST GROUP WERE CHARGED ACCORDING TO YEMENI LAW WITH BOMBING THE USS COLE. REGARDING THE SEPTEMBER 11 GROUP, SOME WERE ARRESTED WHILE PLANNING OPERATIONS INFRINGING UPON THE SECURITY AND WELL-BEING OF THE COUNTRY AND CITIZENS, WITH QUANTITIES OF WEAPONS, AMMUNITION, AND EXPLOSIVES SEIZED AT LOCATIONS THEY HAD SET UP, AND SOME OF THE DETAINED HAD MADE STATEMENTS IMPLICATING THEMSELVES IN ACTS OF SABOTAGE INFRINGING UPON THE SECURITY AND WELL-BEING OF THE COUNTRY AND CITIZENS. SOME DETAINEES HAVE BEEN RELEASED, ACCORDING TO THE MINISTER, ALTHOUGH THE REPORT PROVIDES NO FURTHER INFORMATION.

PSO DEPUTY DIRECTOR RESPONDS

7. (SBU) THE DEPUTY DIRECTOR OF THE PSO, RESPONDING TO COMMITTEE QUESTIONS, SAID THAT LEGAL STEPS AGAINST THOSE DETAINED WERE TAKEN WITH THE PERMISSION AND PREPARATION OF THE ATTORNEY GENERAL. HE ADDED THAT NONE HAS BEEN RELEASED

Current Class: CONFIDENTIAL

Page: 4

Current Class: CONFIDENTIAL

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 5

Channel: n/a

EXCEPT THOSE ARRESTED BY MISTAKE. HE ALSO ACKNOWLEDGED THOSE DETAINED HAD NOT BEEN ADVISED OF THEIR LEGAL RIGHTS DURING ARREST OR INVESTIGATION. THE PSO DEPUTY DIRECTOR SAID THAT IN THE USS COLE CASE, AMERICAN INVESTIGATORS HAD PROVIDED CONFIDENTIAL

PAGE 03 SANAA 03428 02 OF 03 291613Z WRITTEN QUESTIONS FOR THE DETAINEES TO YEMENI INVESTIGATORS, WHO THEN POSED THESE QUESTIONS, IN PROCEDURES AGREED WITH YEMEN. AS FOR THE SEPTEMBER 11 DETAINEES, NO FOREIGN ELEMENT HAS PARTICIPATED IN THE INVESTIGATION. HE SAID THE CONDITION OF THE DETAINEES IS NOT BAD; THEY HAVE BEEN VISITED BY THE RED CROSS AND NOT EXPOSED TO ANY TORTURE. IN HIS FINAL POINT, THE PSO OFFICIAL SAID THAT NO YEMENI HAS BEEN OR WOULD BE HANDED OVER TO ANY FOREIGN AGENCY/PARTY.

MINISTER OF FOREIGN AFFAIRS ON US-YEMENI COOPERATION	B7(A)
8. (SBU) ACCORDING TO THE COMMITTEE REPORT, THE MINISTER OF FOREIGN AFFAIRS SAID THAT YEMEN WAS AMONG THE FIRST COUNTRIES TO RAISE THE ISSUE OF ITS NATIONALS BEING DETAINED BY THE USG AT GUANTANOMO,	B7(A)
THE FOREIGN MINISTER SAID THERE IS NO SIGNED SECURITY AGREEMENT BETWEEN YEMEN AND AMERICA, BUT THERE IS SECURITY COOPERATION IN TRAINING, INFORMATION EXCHANGES, TRAINERS FOR SPECIAL FORCES AND SECURITY FORCES, AS WELL AS "THE EXCHANGE OF SOME NAMES, ESPECIALLY THESE DAYS."	

9. (SBU) THE EMBASSY UNDERSTANDS FROM A DEPUTY WHO SERVED ON CONFIDENTIAL

PAGE 04 SANAA 03428 02 OF 03 291613Z
THE PARLIAMENTARY COMMITTEE THAT NOW THAT ITS REPORT HAS BEEN
COMPLETED, THE COMMITTEE HAS BEEN DISSOLVED. THE PARLIAMENT
IS OUT OF SESSION UNTIL AFTER RAMADAN AND WILL RECONVENE IN
EARLY DECEMBER. AT THAT TIME, THE NEXT STEP IS FOR THE
MINISTER OF INTERIOR AND PERHAPS OTHER GOVERNMENT OFFICIALS
TO SUBMIT DETAILED REPORTS AND RESPONSES.

Current Class: CONFIDENTIAL

Page: 5

· Current Class: CONFIDENTIAL

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 6

Channel: n/a

B1

CONFIDENTIAL

CONFIDENTIAL

PTQ9026

PAGE 01 SANAA 03428 03 OF 03 291613Z ACTION SCT-00

CG-00 CCO-00 LOG-00 NP-00 AID-00 A-00 CIAE-00 INFO COME-00 CTME-00 INL-00 DOEE-00 DOTE-00 PERC-00 SRPP-00 VC-00 DS-00 EB-00 ED-01 EUR-00 FAAE-00 HHS-01 TEDE-00 INR-00 INSE-00 IO-00 L-00 LAB-01 H-01 NEA - 00 DCP-01 NRCE-00 CAC-00 VCE-00 M-00 AC-01 NSAE-00 NSCE-00 OCS-03 OIC-02 OMB-01 OPIC-01 PA-00 SP-00 SSO-00 STR-00 PRS-00 ACE-00 P-00 PM-00 TRSE-00 USIE-00 USSS-00 ASDS-01 PMB-00 DSCC-00 PRM-00 SWCI-00 DRL-02 G-00 SAS-00 /016W

P 291606Z SEP 02

FM AMEMBASSY SANAA

TO SECSTATE WASHDC PRIORITY 3119

INFO FBI WASHINGTON DC PRIORITY

DEPT OF JUSTICE WASHDC PRIORITY

NAVCRIMINVSERVFO MIDDLE EAST BAHRAIN PRIORITY

NAVCENTMETOCCEN BAHRAIN PRIORITY

SECDEF WASHINGTON DC PRIORITY

USCINCCENT INTEL CEN MACDILL AFB FL PRIORITY

GCC COLLECTIVE

C O N F I D E N T I A L SECTION 03 OF 03 SANAA 003428

Current Class: CONFIDENTIAL

Page: 6

------EE998A 291613Z /38

; . Current Class: CONFIDENTIAL

Current Handling: n/a

Document Number: 2002SANAA03428

Page: 7

Channel: n/a

E.O. 12958: DECL: 09/29/2008

TAGS: PGOV, PTER, SOCI, PHUM YM US

SUBJECT: YEMENI PARLIAMENTARY REPORT ON DETAINEES IN COLE,

SEP 11 INVESTIGATIONS

CONFIDENTIAL

PAGE 02 SANAA 03428 03 OF 03 291613Z

CONFIDENTIAL

<< END OF DOCUMENT >>

HULL

Current Class: CONFIDENTIAL

Page: 7

DOS-002489