

حرية تكوين الجمعيات في الجمهورية اليمنية

Freedom of Association in The Republic of Yemen

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Freedom of Association in
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Preface :

Studying freedom of association in emerging democracies has multifaceted dimensions that influence the ultimate outcomes. Where there is need to explore other factors beyond international conventions, constitutions and laws. Such factors are represented in the societal environment that incubates these associations. Also represented in these societies in itself, not only for being a product of such structures, but also to measure how far these societies and foundations are institutionalized as an indicator to measure its existence and area of operation.

Addressing freedom of association derives its legitimacy from the referential paradigm. Democracy; being a system of values, principles and concepts, where each of these components derives its significance from its interrelation, interdependence and integration with other. Elimination of any of these components, will empty it from its significance and contents, further it will tend to load it with different indicators and significances vary from genuine ones. In other terms when democra-

cy transplanted in different environment, it will reflect societal and civilization criteria of that environment. This explains the wide disparity and variation in democratic practices from one place to another. Thereby enables us to measure the gap between theory and practice. When comparing texts of international convention ratified by Yemen, to the constitution and national legislations, and the reality in practice, we notice the wide gap therein⁽¹⁾.

Based on that and on our academic concern and activity in this field, we assume that meeting the study goals of examining and measuring freedom of associations in Yemen in theory and practice will not be attained unless the outputs of the following controversial axes are collected:

First: Peculiarity of Democratic Transformation.

Second: Surroundings of the Societies Operation.

Third: Laws Governing the Societies.

Fourth: the Societies Size, Types, areas of Operation, and their Operation Mechanisms.

Fifth: Freedom of Association between Theory and Practice

(1).1- Annual Report on Human Rights and Democracy April 2007, Yemen Observatory for Human Rights.

2. Annual Report on Press Freedoms in Yemen 2006, Women Journalists Without Chain.

3. Yemeni NGOs Shadow Report on the Implementation of CEDAW 2006, Sisters' Arab Forum for Human Rights.

4. Rehabilitation and Press Freedoms Protection Center 2006.

(to measure conformity of national legislations with international conventions and standards).

In this report we will restructure the above axes into three chapters that respond to the study objectives, as follows:

Chapter One: Atmosphere of Operation

Chapter Two: the Societies; Geographic and Qualitative Representation, their Operation Mechanisms and Relations to Society and Authority.

Chapter Three: Freedom of Association; Theory and Reality.

Before we proceed in the study, following identification will be needed for societies, international conventions and standards relevant to the study:

1. Societies: (procedural identification)

includes all civil society organizations active in Yemeni arena; public, human rights, unions, partisan.. etc.

2. International Conventions and Standards:

this study refers to the following conventions and standards:

1. article (20) of the Universal Declaration on Human Rights;

2. article (22) of the International Convention on Civil and Political Rights;

3. Convention on Unions Freedom and Protection of the Right of Unions Association;

4. Declaration on Human Rights Defender by UN General Assembly;

5. Declaration on Freedom of Association in Arab States, adopted in Amman on 9,10 May 1999;

6. Casablanca Declaration on Freedom of Association, adopted on October 2000;

7. International Convention to Protect Expatriates Labors and their Family Members, 1990;

8. International Convention on the Status of Stateless Individuals, 1960;

9. Convention on Refugees Status, 1954;

10. International Convention on Elimination of all Form of Discrimination, 1969;

11. International Convention to Combat Apartheid, 1976.

Chapter One:

Operation Environment

First: Peculiarity of Democratic Transformation:

In this section we presume that the community and state did not witness democratic transformation, rather what occurred is a democratic transfer. Where such transfer is a prerequisite for transformation, yet not sufficient to enable people to attain sources and means of participation, noting that democratic transformation is a historical process that requires conditions more than that of democratic transfer⁽¹⁾, and transformation is one of comprehensive reform features that require enrooting of democracy. Democracy is a set of values and principles whereas materializing them within the communal behavior, consciously or subconsciously, require its self-emergence from and within an intentional systematic and methodological process (education, political, cultural and social education). Democracy is a course of social value, supports rights theoretically and practically, acceptance of differences and multilateralism

(1) see Ali Khalifa Al Kawari (and others) Arab Gulf and Democracy, Beirut, Center for Arab Unity Studies, 2002, p.159.

through openness towards oneself and towards others and through multifaceted patterns of relations, exchanges, and social practices being physical or symbolic⁽¹⁾. Meaning, democracy values and principles need to be deepened and enrooted in the individual and group mental structure, and to be practiced as a behavior, consciously or subconsciously, at the physical and symbolic levels. This could be attained only as a conclusion of historical processes and their accumulations at the whole communal components. Such cultural component was not attained as a prerequisite, in addition to the tow other prerequisites:

1. Social Carrier of Transfer Values; (Middle Class) which has eroded and deteriorated due to income decrease, spread of poverty⁽²⁾ and deterioration of living standard, consequently priorities of people's demands are to be reordered, where livelihood tops the list, followed by political demands, yet with less significance.

2. Political Elite Trends: political elite plays fundamental role in emerging democracies in the transformation and transfer processes, where transfer takes place as a result of four factors:

- a. Acknowledge by the leadership to the significance of po-

(1) See Mustafa Hassan, Nationalism; Tasks of Democratic Transformation in Arab World: Present Difficulties and Future Demands, Al Mustaqbal Al Arabi magazine, issue 299, Beirut, 2003.

(2) See Poverty Alleviation Strategy (2003-2005), Ministry of Planning and International Cooperation.

litical reforms, and undertaking democratic transformation procedures.

b. Reaching a complimentary formula between political and social elites to commence reform process.

c. Erosion of the totalitarian regime, thereby urges the community to press for democratic transformation⁽¹⁾.

d. Coherence and link of demands emerged from communal changes (union, feminism.. etc) with democratic demands, as seen in European case.

None of the above factors applies on Yemeni case, where transformation was brought about by a decision made by the leadership and pragmatically linked unity to democracy "unification of Yemen required a pragmatic liberal policy", Michael Hudson⁽²⁾, it is a transformation in an environment hostile to multilateralism, multiparty system, or public, where what is used to be known as north and south Yemen were under one party system. When transformation means redistribution of powers whereby state concede part of its domination to the civil community, the tow ruling parties on the other hand; i.e. Peoples General Congress in North and Yemeni Social Party in South, shared interests and posts, none of them concede any of

(1) Thana'a Fuad Abdalla, "Political Reform: Arab Experiences (Egypt: Case Study) Arab Magazine for Political Science, issue 2, Beirut, 2003.

(2) Michael Hudson, "Bipolarity, Rational Calculation and War in Yemen" Abu Dhabi, the E.C. for Studies and Research, 1996, p.31.

their domination sphere in favor of the civil society, further each party maintained its control over military and security institutions. On the other hand political parties and civil society organizations, affiliated to the ruling parties, were established, each according to its ideology and to the reason behind its establishment; some as a reaction to the oppressions exerted on political multilateralism, others surfaced, and others cloned (group of the same party split and formed another party with the same name), in order to maintain domination of the sphere through such means.

It is worth mentioning that some of these parties are unable to sustain on their own due to subjective reasons; (lack of internal democracy during underground operation) and objective reasons; (poor resources, lack of experience). Such phenomena was seen clearly on 1992 when the ruling coalition attempted to set forth Charter of Honor within the so-called National Congress, where the participants split into two blocks one affiliated to the PGC and the other to YSP, YSP block maintain the "National Congress" name and PGC block maintained "Yemeni Political Parties and Organizations Congress" name⁽¹⁾. Here a question arises; how can we understand the margin of freedoms

(1) See Hamoud Munaser "Future of Democracy in Yemen in light of 1997 Elections" Symposium on Democracy and Political Parties Futu" organized by Al Mustaqbal Studies Center, Sana'a 1997.

that emerged then? Such margin is not attributed to the state (two ruling parties) concede of their domination in favor of the civil society, rather to the political parties ability to operate in the space provided by the two ruling parties, each party according to his affiliation. Further individual and communal psychological preparedness that followed unification of Yemen assisted in blossoming of the multilateralism. Unity has triggered hopes among peoples to escape political dilemma and improve living standards. This explains why such democratic margin has shrunk following 1994 war, where one party (PGC) excluded the other (YSP). If such democratic margin was real; i.e. reflects civil society organizations' power, their efficiency should not have weakened or diminished. Where the distance between the state (authority) and civil society is measured in emerging democracies by a twofold formula; whenever the civil society diminished, the state will regain its space due t its experience and administration to the geographical and institutional spheres (civil, military and security) and vise versa. Here we may conclude that a number of factors played a significant role that assisted one of the ruling parties to regain ground and enforce its course and manner of administrating the state and community, namely:

1. Forcibly expulsion of YSP and weakening its block.
2. Transfer of enacting a number of laws to future stage following unification on 1990, where article (130) of 1991 consti-

tution of the Republic states that "whatsoever determined by laws and resolutions that were valid in both South and North Yemen shall remain valid in the part where it has been enforced within its borders and according to rules and procedures stipulated for in the constitution". Such practice enabled the victorious party in 1994 war to impose laws that respond to its ambitious to dominate. For instance; Law No. (11) of 1963 on Societies was amended only on 2001, by Law No. (1) of 2001 on Public Societies and Foundations. It is a law recalled from unilateralism era and does not respond to the developments and changes. Thereby, civil Law No. (8) of 1988 that organizes societies in the southern part of the country was invalidated by the "unified" civil law of the Republic of Yemeni No. (19) of March 1992.

3. manipulating democracy march at early stage, where 1993 elections results led to undermine democratic transfer and transformation. Whereas democratic rules of game was not respected; i.e. dividing into authority and opposition, that works to establish a cumulative process that promote democracy march. Rather, 1993 elections expanded policy of distribution to include the new third partner "Yemeni Congregation for Reform - Islah". Based on the above we may safely conclude that conditions or believes (among elite) in Yemen to bring about democratic transformation does not exist, due to lack of confidence among political actors, and to transference of former

struggles and their consequences into the new state, in addition to absence of real believe on democratic trends.

Second: Operation Environment of the Societies

Societies' features and their operation mechanisms could only be understood when we address them within their communal context. Although this section is complementary to the previous one, we consider having separate one, for methodological reasons; thereby we will continue addressing societal obstacles. One of the basic rules of democratic process is equality between citizens in enjoying same rights and incurs the same obligations without discrimination based on color, race, religion, political opinion, social origin, wealth or birth⁽¹⁾. Equality as a value and a principle faces resistance by what I called private inheritance, to distinguish it from the common joint inheritance with other Arab communities, which is represented in the continuation of social classes among societal categories that derived its legitimacy from the traditional social structure⁽²⁾. Despite the dispar-

(1)see Thana'a Fuad Abdalla, Mechanisms of Democratic Change in Arab World, Beirut, Center for Arab Unity Studies, 1997, p.275.

(2) see specifically:

1. Abdo Ali Othman and others; Marginalized Communities and Categories in Yemeni Society, field study to their social and economic situations in major cities, Sana'a, Central Organization for Statistics, 1996.

2. Dr. Ahmed Qaid Al Saidi, Opposition Movement during Imam Yahya bin Mohammed Hameededdin Era (1904-1948), Sana'a, Yemeni Center for Studies and Researches, 2000, 2nd publication.

3. Dr. Abdulmalik Al Magrami, Social History of Yemeni Revolution: Sociological Perspective to the Change in Power Structure, Beirut, Dar Al Fikr Al Arabi, 1991.

ities in classes order between city, village and tribe, following categories remain in the bottom of the social scale: Akhdam, barbers, Dwashin⁽¹⁾, butchers and cleaners. While the Sada (ruling category claiming their lineage to Prophet Mohammed PBUH that ruled Yemen for over 10 centuries). Pyramid structure still exists, either consciously or subconsciously, even among political and human rights activists. Where closed marriage is common among lowest social categories, thereby equality exceeds being a legal issue to be a social one. This is also attributed to elapses in modernization and development processes, due to political and military struggles in both parts of the country, and continuation of such struggles following unity and till date as seen in Sa'da war. With state's failure in modernization process and to fuse primary affiliations into one common identity; such affiliations surfaced and manifested in physical and symbolic forms, thereby hamper democratization process and values, further they weakened believes on democratic march, due to the common inheritance (Arabic and Islamic) that does not have clear cut and final stand towards democracy as a polity (form of government), in addition to lack of experience on peaceful transformation of power. Where, structure of power never experienced the concept of partnership. Peaceful transformation of power is the (real test for democra-

(1) Dwashin Arabic pl. is Tribes poem.

cy). Al Taher Labib⁽¹⁾ sees that "systems of medial Islamic thoughts extended to the modern Arab civil society and involves in the ongoing discussion on democratic process". He says in another reference "if obedience to the rulers is obligatory; disobedience is haunted with fear of turmoil "Fitna"- disobedience to the Imam", and nothing is worse than turmoil "Fitna".

Such fear is reflected in defaming modern opposition under the pretext of "national unity". Also major changes outside Islamic world; i.e. French revolution on 1789, was described by Muslims that time as turmoil "Fitna", prior to the use of coup term by Turks and Persians. There is fear of alternatives, where community looks as if it lacks other legitimate alternatives. Such fear justifies many forms of authority, including despotism (even colonial, if so required), as far as such forms ensure persistence of religion and attainment of legitimate interests; compared to state of chaos if such polities (forms) does not exist. What matter is existence of Sultan (ruler/state). Ibn Taimia, confirms the existence of Imara (state) as it is "one of the greatest objectives of religion, rather religion will not persist without Imara "state"; he further sees that "Sultan (ruler) is the shadow of the Almighty on earth", and that "sixty years under tyranny is better than one night without Sultan (ruler)"⁽²⁾.

(1) Al Taher Labib, Relation of Democratic Project to Arab Civil Society. Al Mustaqbal Al Arabi magazine, issue 158, Beirut 1992, p.81.

(2) Previous reference, p.83.

Such system of thoughts, which Al Taher Labib⁽¹⁾ calls "Paradigm" of scholars, i.e. system that swings between revelations and social reality, without conforming with the first - although referring to it - nor did it interpret the second, as it is not a coherent theory on the "macro-paradigm". Rather it is the whole age and fiber of Islam, it is what have been and is being said and what have been and is being written by Muslims and as fundamentalists, including the texts, where concepts, principles, sayings and even phrases are recalled throughout the centuries, and connotation and functions changes between and within them and between modern thoughts, thereby democracy is accepted within the limit of Shura as a replacement, so is freedom to justice, parliament to Ahal Al Hal wa Alqad⁽²⁾. Such recall of texts and exchange of connotation engulfs the whole Arab and Islamic atmosphere, and Yemen is part of it, and we can confirm its existence within the Yemeni context⁽³⁾, as noticed when analyzing political parties programs during April 1993 elections. It is known that uprooting of certain concepts from their environment and democratic context in pragmatic way to trans-

(1) Previous reference, p.80,81.

(2) A term used to describe a group of wise men in Islamic culture who are consultants to the ruler Imam.

(3) For details see Abdulbaki Shamsan, Yemeni Political Discourse: Analyzing Yemeni Political Parties' and Organizations' Programs (April 1993 Election), Master Thesis, under Dr. Al Taher Labib supervision, Tunis University 1-1997.

plant them in foreign environment will deprive them from their genuine connotation. Based on that such concepts are used in different connotation by political actors, where we noticed in certain parties' programs that terms of democracy and Shura are used interchangeably, and when analyzing is conducted we conclude that democracy means Shura and so on. Such conceptual disparity has negative impact on political process where coherence of political blocks and coalition's that endeavors to promote democracy and achieves reforms; tend to be weak due to such disparities in connotations and contents attached to certain demands and concepts. Where democracy could mean Shura and equality could mean justice for some, not equality as it is known in western political thoughts. Likewise; freedom of association concept, where freedom is a concept that has different connotation and dimension from one political group to another.

Legacies and inherited culture have counterweight resisting attempts to transplant new values and principles, particularly when modernization processes is hampered, for instance: gender equality does not depend only on constitution articles or on ratifying CEDAW, rather it depends mainly on inherited norms and traditions, where in Arab household pyramid father tops the pyramid, while women and children lay in the base. Such structure divide labor and roles based on sex (gender) and age, and divide the sphere into private (family) and common for

males⁽¹⁾. Based on that we must take in consideration such dimensions when drafting programs and strategies that aim at bringing about changes.

Third: Laws Governing the Societies

Societies and actors in the Republic of Yemen are governed by a number of laws according to area of operation. On the same time actors are governed by Crime and Penalties Law, which represent a legal contradiction and limits freedoms and actors operation. Such legislative multiplicity has led to the existence of variable freedoms ceiling, according to each society field of operation (union, agriculture, charity, political, human rights, business.. etc) not according to freedom principle. Following are the governing laws:

1. the Constitution;
2. Public Societies and Organizations Law No. (1) of 2001;
3. Executive By-laws by Prime Minister Resolution No. (129) of 2004, on Societies and Organizations Law No. (1) of 2001;
4. Law No. (39) on Societies and Cooperative Associations;
5. Law No. (35) of 2003, on Organization of Laborer Unions;

(1) see; Halim Barakat, Arab Society in Twentieth Century: a Research on the Changing Status quo and Relations, Beirut, Center for Arab Unity Studies, 2000, p.367,368.

6. Law No. (38) on Chambers of Commerce and Industry and the General Association of Chambers of Commerce and Industry;
7. Law No. (66) of 1991 on Political Parties and Organizations;
8. Law No. (14) of 2002, on Civil Law;
9. Republican Decree of Law No. (12) of 1994 on Crimes and Penalties.

Chapter Two:
the Societies; Geographic and
Qualitative Representation, their
Operation Mechanism, and Relations
to Authority and Society

First: Societies Size, Types, and Areas of Operation:

Freedom of association could only be addressed within the frame of the preconditioned link between democracy and human rights, where human rights are practiced and respected in democracy, and practicing of human rights ensures democracy process⁽¹⁾. Such correlation and degree of practice are linked to the societal environment that in turn shapes civil society organizations' peculiarities and features. Consequently freedom of association will be addressed during the period that followed unification of Yemen, noting that unity is linked to the democratic transformation. In previous section we pointed out that during 1990 - 1994, Yemen witnessed political and multilateral activities, emergence of wide numbers of civil organizations, in light of the relatively wide freedoms margin, however such margin diminished following 1994 war. Again such margin was not a result of the constitutional and legal texts, or as a consequence

(1) See Hussein Gameel, Human Rights in Arab World, Beirut, Center for Arab Unity Studies, 2007, p.175-177.

of democratic values and principles, rather it is resulted from the tow ruling parties (i.e. PGC, YSP) activities, for instance:

a. **Legal Framework:** civil society organizations were governed by Law No. (11) of 1963 on Societies, which is an outdated law inherited from the unilateralism era, superseded by Law No. (1) of 2007 on Public Societies and Organizations.

b. **Freedom of Expression and Opinion:** journalists operated in an atmosphere of freedom despite sever penalizing law articles; i.e. capital punishment, lashing and imprisonment (Crimes and Penalties Law), and Press and Publication Law No. (25) of 1990 (limiting freedoms), however such legal constrains were ignored by the journalists. Following 1994 freedoms margin shrunk and journalists became aware of these legal constrains, (proving that such margin is not related to the legal environment, rather to the two ruling parties influence).

c. **Partisan Map and Blocks:** following unification of Yemen in 1990, which is linked to political multilateralism and multiparty system, political arena stuffed with numerous political parties reached 46 parties⁽¹⁾. Such abundance in political parties is mainly resulted from the prohibition of political multilateralism. However number of political parties declined gradu-

(1) See Ilham Mohammed Mane', Political Parties and Organizations in Yemen (1948 - 1993), Analytical Study, Sana'a, Al Thwabit Book Series, 1994, p.227-228.

ally to reach 23 parties prior to 1993 elections. These parties associated with the two ruling parties according to the political struggle management strategy, and formed in two structures:

1. Supreme Council of Opposition:

SCO was formed in 1995 and included; Yemeni Social Party, Nasserite Unitarian Popular Party, League Party RAI, Liberal Constitutional Party, and Public Power Association.

2. National Opposition Council:

NOC was established with state support as a counter block against SCO and included; Nasserite Correction (Reform) Party, Democratic Nasserite Party, and National Democratic Front.

Formation of the two blocks dated back to 1992, and witnessed numerous changes in their membership following withdrawal, dissolving and joining of new parties. First block SCO renamed as Joint Meeting Parties, following accession of Yemeni Congregation for Reform Party - Islah, former allies of PGC (the ruling party).

Table (1) number of political parties contested in 1993 parliamentary elections and seats obtained

Srl.	Political Party/ Organization	No. of Candidates	No. of Votes	%	No/ of Seats	%
01	Peoples' General Congress	275	640523	28.69	122	41
02	Independent Candidates	1945	606211	27.15	48	16
03	Yemeni Social Party	210	412984	27.15	48	16
04	Yemeni Congregation for Reform	210	413984	18.54	56	19
05	Baath Arab Social Party	156	80362	0.60	7	2.2
06	Nasserite Unitarian Party	89	52303	2.34	1	0.33
07	Al Haq Party	63	18659	0.8	2	-
08	Yemen Sons League RAI	87	16155	0.7	-	-
09	Nasserite Correction Party	25	6191	0.3	1	0.33
10	Nasserite Democratic Party	17	4576	0.2	1	0.33
11	National Democratic Front	20	3793	0.2	-	-
12	Populist Power Association	23	2662	0.7	-	-
13	Unitarian Yemeni Congregation	10	185	0.08	-	-
14	Liberation Front Party	23	1706	0.07	-	-
15	September Democratic Organization	8	532	0.02	-	-
16	People's Organization of Liberation Front	6	148	0.007	-	-
17	National Social Party	6	126	0.005	-	-
18	Democratic Revolutionary Party	2	78	0.005	-	-
19	Democratic Movement	1	71	0.003	-	-
20	Baath Party Organization (Shakir)	1	34	0.007	-	-
21	Yemen Sons League (Legitimate Leadership)	3	30	10.007	-	-
22	National Front (Algarmouzi)	1	15	10.006	-	-
	Total	3181	2232473	--	301	-

Reference: Mohammed Al Farah, working paper on Representation of 1997 Elections Results of Political Parties' and Organizations' Real Size, Future of Democracy, Political Parties and Organizations Symposium, Future Studies Center, Sana'a, 1997.

Table (1) demonstrates that certain political parties are represented by one seat or more in the Parliament, although they do not have that number of voters; i.e. Arab Bath Social Party, Nasserite Correction Party, and Nasserite Party. In fact these seats were attained through PGC support; thereby they will stand by PGC side in the Parliament and reflects a multilateral face to outside viewer. On the other hand YSP supports Al Haq party (small Shiite party) that managed to secure two seats in the Parliament, within the context of YSP political struggle with PGC and his alliance Islah (and Islamic congregation includes Muslim Brotherhood, Jihad group, tribes, military and security leaders). In 1997 parliament election, that followed 1994 war, political picture became more candid, following YSP oust from power and the overwhelming domination of PGC over geographic and institutional arena. With the road paved for PGC, the party imposed its style in administrating the state and the society. YSP boycott to elections changed the partisan map, and PGC is not interested any more to give "grants" to small parties, to ensure its intention to regain its control and domination⁽¹⁾.

Table (2) demonstrates this picture, where PGC attained lion share (178 seats), that provide the party with absolute majority and enabled it to rephrase and amend legislations that Ta-

(1) See Abdulbaki Shamsan, working paper on Democratic Political Discourse and Reform Priorities in Yemen, Symposium on Assessing reforms in Arab World, organized by Human Rights Information and Training Center, Aden, 2006.

ble (2) Number of Political Parties Contested in 1997 Parliamentary Elections and Seats Obtained were enacted during the two parties period.

Table(2) Number of Political Parties Contested in 1997 Parliamentary Elections and Seats Obtained

Srl.	Political Party / Organization	No. of Candidates	No. of Votes	%	No/ of Seats	%
01	Peoples' General Congress	232	1275343	43	178	62.5
02	Yemeni Congregation for Reform	188	637728	25.4	53	17.7
03	Nasserite Unitarian Party	80	55438	29.5	3	1
04	Baath Arab Social Party	25	20409	0.7	2	0.6
05	Baath National Party	46	9453	0.3	-	-
06	Nasserite Democratic Party	30	6907	0.30	-	-
07	Al Haq Party	26	5587	0.2	-	-
08	Nasserite Correction Party	15	2766	0.1	-	-
09	National Front	91	2195	0.08	-	-
10	Liberation Front	12	1431	0.05	-	-
11	Yemeni league	15	934	0.03	-	-
12	National Social Party	14	665	0.02	-	-
13	Independent Candidates	1399	805636	2.85	54	18
	Total	2123	2726961	---	299	-

Reference: Mohammed Al Farah, working paper on Representation of 1997 Elections Results of the Real size of Political Parties, Future of Democracy and Political Parties Symposium, organized by Future Studies Center, Sana'a 1997.

Numerous civil society organizations flourished in such atmosphere to reach 5632 on 2006, in addition to political parties, unions, professional associations. Emergence of civil society organizations could be divided into three phases:

First phase during calls to built the modern state, particularly during mid fifties of past century.

Second phase is the phase of the modern national state that witnessed two different polities (tow parts of Yemen 1962-1990). In this phase the state commenced modernization and development process in addition to its role in fostering civil society organization. Although each regime has his own way in dealing with the civil society, yet they agree on rejecting political and ideological multilateralism, which reflected on their domination over the civil society operation and attempts to link it to state's official institutions in one way or another.

Third phase is the state of unity phase (1990 - date), where democracy and political multilateralism was adopted and civil society right of independent association in the form of political, social, economic, or cultural institutions and organization was granted by the constitution and legal texts.

Burden of the second phase heritage, the phase of unilateralism, influenced not only the structure and legal system, rather it extends to shape the actors behavior, particularly in emerging democracies, where struggle between the state (authority) and the civil society escalates. The state is derived by its tendency to regain its domination (space) during unilateralism phase, and the

civil society derived by its inclination to prove itself with the support of constitutional and legal legitimacy that acknowledge it as a peer-to-peer partner in administrating public affairs, side by side with the state and private sector. This explains the struggle within the civil society during annual elections of its senior bodies. This formula is determined by the duality of weakness and strength - whenever the state is strong it tends to regain its domination, further it controls over civil society structures, and vice versa. We explained earlier how the state regained its domination in a massive way that nearly vanquished the civil society, aided by the civil society itself as we will see later.

This study will focus primarily on human rights organizations that are classified according to Public Organizations law, under social organizations intentionally to underestimate their significance, without ignoring other organizations that we managed to measure extend of their freedom to operate through comparison. Yet it is uneasy task to identify human rights organizations due to many factors; mainly:

1. classifying it under social organizations by Ministry of Social Affairs, confused it with other societies operates in different fields, so did separating women organizations from other societies; i.e. human rights, development, charity handicraft societies.. etc. however reasonable effort is exert to identify (91) human rights organizations (see table 3).

2. lack of specialty and professionalisms among actors (the

Table (3) Number of Human Rights Organizations and their Geographic Scope

Srl.	Organization	Foundation Date. Licensed by Min- istry of Labor	Previous Li- cense by Ministry of Culture	Location	Remarks
1	Supreme Public Committee to Monitor Elections Fairness	30-12-1996		Sana'a	
2	Coordination Commission for NGOs	5-12-1997		=	
3	National Committee Support Democratic Freedoms	5-2-2001		=	
4	Yemen Society for Human Rights	8-9-2001		=	
5	Arab Foundation for Human Rights Rights	1-2-2002		=	
6	Human Dialogue Foundation	7-7-2003		=	
7	Yemeni Foundation to Support Justice and Development	18-8-2004		=	
8	Yemeni Foundation for Human Services	17-11-2003		=	
9	Social Democratic Forum	2-2-2005		=	
10	Aamir and Oqbi Charity Society	12-10-1996		=	Marginalized category
11	Al Tahadi Society for Physically Disabled Women Care	14-10-1998		=	
12	Yemeni Society for Juvenile Care	27-4-1999		=	
13	People with Special Need Care Development Society	15-5-1999		=	
14	Yemeni Social for Aids and Development	22-8-2002		=	
15	Al Sahaba Social Charity Society	12-8-2002		=	
16	27 April Society for Democracy Awareness	25-2-2003		=	
17	Women Society for Development and Women Progress	15-8-2003		=	
18	Al Khilus Charity Society	14-8-2005		=	
19	Dar Eta'am Social Society	12-8-2005		=	
20	Women Society for Women and Child Rehabilitation and Care	13-12-2007		Sana'a	
21	Al Gazera Center for Studies and Human Rights	28-2-2005		=	
22	Young leaders Development Foundation	16-4-2005		=	
23	Yemeni Observatory for Human Rights	4-5-2005		=	

following table (3)

Srl	Organization	Foundation Date. Licensed by Ministry of Labor	Previous License by Ministry of Culture	Location	Remarks
24	National Youth Cultural Center	15-6-2005		=	Marginalized category
25	Al Awatif Women Society	10-7-2006		=	
26	Democratic School	13-9-2006		=	
27	Yemeni Center for Legal Studies and Judiciary Modernization	1-3-2006		=	
28	Yemeni Institute for Democratic Development	18-3-2006		=	
29	Yemeni Female Journalists Forum	15-3-2006		=	
30	Yemeni Foundation for Civil Development	16-11-2005		=	
31	Arab Sisters' Forum for Human Rights	25-7-2005		=	
32	Women Cultural development Center and Combating Violence	8-10-2005		=	
33	Human Rights Information and Training Center, branch	21-3-2006		=	
34	Female Journalists without Chain	23-7-2005		=	
35	Political and Intellectual Leaders Forum for Yemeni Woman	21-5-2006		=	
36	Waie Foundation for Development and Democratic Studies	14-1-2006		Sana'a	
37	Hiwar Center for Human Rights Development	19-5-1995		=	Marginalized category
38	Yemeni Foundation for Legal Assistance and Human Rights Defending	15-8-2006		=	
39	Alwid Social Woman Society	26-5-1999		=	
40	Woman Economic Empowerment Society	22-5-2000		=	
41	National Society for Woman Development and Legal Rights Care	13-3-2005		=	
42	Woman Forum for Studies and Training, branch	-		=	
43	Daressalam Organization to Combat Revenge and Violence and Dissemination of Tolerance and International Peace Culture	-	1997	=	
44	Civil Society Forum	-	1997	=	
45	National Organization for Defending Rights and Freedoms HOOD	-	1999	=	In conflict with ministry of Social Affairs
46	Civil Democratic Initiative Support Foundation MADA	-	1997	=	

following table (3)

Srl	Organization	Foundation Date. Licensed by Min- istry of Labor	Previous Li- cense by Ministry of Culture	Location	Remarks
47	Aswan Center for Social and Legal Stud- ies and Researches	-	1997	=	
48	Rehabilitation and Press Freedom Protec- tion Center	-	2002	=	
49	Almagd Foundation for Development, Training and Human Rights	20-10-1993		Aden	
50	Physically Disabled Care and Rehabilita- tion Society, branch	3-3-1993		=	
51	Physically Disabled Care and Rehabilita- tion Society	-		Aden	
52	Woman Charity to Combat Poverty	-		=	
53	Yemeni Society for Psychological Health	-		=	
54	Juvenile Care Society, branch	4-7-1999		=	
55	Deaf and dump care society ,branch	9-4-1997		=	
56	child labor combating society	20-5-2002		=	
57	Child Integration and Rehabilitation in Lo- cal Community	28-8-2002		=	
58	Yemeni Organization for Human Rights	2-11-1994		=	Borad of Member term is over according to Ministry of Social Affairs
59	Defending Democratic Rights and Free- doms Organization	14-2-1992		=	
60	Yemeni Center for Human Rights Studies	17-4-2005		=	
61	Yemeni Child Rights Society	3-2-1991		=	
62	Woman Society for health Awareness and Psychological Education	7-5-1991		=	
63	Human Rights and Democracy Center	2-8-2005		=	
64	Arab Foundation to Support Woman Is- sues	17-6-2005		=	
65	Human Rights Information and Training Center	21-3-2005		Taiz	
66	Women forum for studies and training	13-3-2005		=	
67	Saba society for Child Rights Care and Protection	2-11-2007		=	
68	Yemeni Organization for Human Rights, branch	-		Taiz	
69	International Law Center for Human Rights	9-8-2005		=	

following table (3)

Srl	Organization	Foundation Date. Licensed by Min- istry of Labor	Previous Li- cense by Ministry of Culture	Location	Remarks
70	Prisoners Support and Rehabilitation Society	14-1-2004		Lahej	
71	Yemeni Child Rights Society, branch	13-8-1992		Hodiedah	
72	Yemeni Society for Defending Freedoms and Human Rights	5-7-2004			
73	Al Nahda Democratic Social Society	18-1-2004		=	
74	Al Hikma women democratic social society	18-1-2004		=	
75	Democratic Society for Protecting Rights and Freedoms	18-1-2004		=	
76	Queen Arwa Woman Democratic Society	19-1-2004		=	
77	Annibras Democratic Social Society	17-1-2004		=	
78	AL Amal Democratic Women Society	19-1-2004		=	
79	Democratic Society	20-7-2004		Hajjah	
80	Physically Disabled Care and Rehabilitation Society, branch	20-10-1999		=	
81	Charitable Society for Orphan and Family Care	19-10-2002		=	
82	Woman Development Society	22-5-2004		=	
83	National Society for Child Rights	25-8-2004		=	
84	Human Rights Organization, branch	15-1-1995		Mukalla	
85	Al Malaz Society for Human Care and Social Rehabilitation	24-3-2005		Dhamar	
86	Al Salam Social Society	5-7-2003		=	
87	People with Special Needs Care and Rehabilitation Society	13-10-2004		Ibb	
88	Yemeni Society for Woman Issues Advocacy	18-8-2003		Dhamar	
89	Rural Child Rights Care Society	2-5-1998		Ibb	
90	Rights and Freedoms Defending Organization	30-3-1998		Al Gouf	
	Total	91		=	

founders) particularly when identifying objectives of the organization, where social, charity and human rights objectives are intermixing. Such confusion is caused by lack of specialty on specific field that respond to societal needs, in addition to lack of networking. When adding human rights organizations in table (3), to women organizations classified under social organizations in table (4), we will have a total of (285) organizations, which is a quite big number, reflects a positive impression from first instance, yet it declines when we go deep in analyzing.

Table(4)Geographical Distribution of Women Public and Cooperative Societies,till December 2006

GOVERNORATE	General Associations		Charitable/Social	Social	Development	Family and Child	Social professional	Cultural, Social Forum	Peoples with special needs	Cultural	Health	Agriculture	Human rights	Professionals	Environment	Total	%
	Main office	Branch office															
Ibb	-	1	13	13	-	-	-	-	-	-	-	4	-	-	-	49	8.84
Abyan	-	1	4	23	5	-	-	-	-	-	-	2	-	-	-	35	6.31
Sana'a	1	58	34	11	2	1	3	3	6	6	2	-	4	-	-	125	22.5
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6
Al Baidha	-	1	-	1	1	-	-	-	-	-	-	-	-	-	-	3	-
Taiz	-	1	5	16	4	-	-	-	-	-	-	-	1	4	-	31	0.54
Hajja	-	1	15	36	-	-	-	-	-	-	-	-	-	-	-	52	1.26
Hodiedah	-	1	9	25	-	-	-	1	-	-	1	1	1	1	-	40	9.4
Mukalla	-	1	7	4	2	-	-	1	-	-	1	-	-	-	1	16	7.22
Dhamar	-	11	10	5	-	-	-	-	-	-	-	-	-	-	-	16	2.9
Shabwa	-	1	-	4	-	1	-	-	1	-	-	-	-	-	-	17	2.9
Sa'ada	-	1	1	-	-	-	-	-	-	-	-	-	-	-	-	2	1.26
Aden	-	1	4	11	9	-	-	-	-	-	-	-	3	-	-	28	0.36
Lahej	-	1	17	-	-	1	-	-	-	-	-	-	-	-	-	20	0.54
Mareb	-	12	1	1	-	-	-	-	-	-	-	-	-	-	-	3	2.05
Al Mahwet	-	1	28	2	-	-	-	-	-	-	-	-	1	-	-	32	5.77
Al Mahara	-	1	1	3	2	-	-	-	-	-	-	-	-	-	-	7	1.26
Amran	-	1	45	-	-	-	-	-	-	-	-	1	-	-	-	47	8.48
Aldalie	-	1	2	3	-	-	-	-	-	-	-	-	-	-	-	6	1.08
Seyun	-	1	4	6	-	-	-	-	-	-	-	-	-	-	-	10	1.08
Raima	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	0.18
Totala	1	23	252	194	34	4	1	3	6	9	3	12	6	5	1	554	-

Source:NGOs Information Section, Social Development Department, Ministry of Social Affairs and Labor.

Aforementioned number of organizations, triggers questions on the beginning of such organizations and its development. Where Shilakar Apeko study⁽¹⁾ pointed out that "we can not claim that a group of human rights activists existed during foundation phase, rather they are a group of intellectuals and politicians who initiated human rights organization within their quest to and struggle to lay down the foundation of democracy and multilateralism. Human rights demands focused on partial issues related to the unilateralism phase, such as prisons and prisoners situations⁽²⁾. Human rights issue gained momentum due to a number of factors, where year 1993 witnessed escalating activity by local activists affiliated to Amnesty International, establishment of National Committee for Free Elections on January 1993, prior to first parliamentary elections on April 1993, and following contacts between Rights and Democratic Freedoms Defending Organization and National Democratic Institute NDI, and such other similar activities⁽³⁾.

(1) See Shilakar Apeko, *Yemen between Civilization and Civil Struggle*, translated by Abdulkarem Salem Al Hanaki, Sana'a, Arab Center for Strategic Studies, 2004, p.25.

(2) See Dr. Abdulbaki Shamsan, and Dr. Mohammed Al Mikhlaifi, *State of Human Rights NGOs, and its Impact on Partnership in Yemen*, Human Rights Information and Training Center, Yemen, 2006, p.79.

(3) Previous reference p.80-81.

Human rights field have been an arena for two ruling parties struggle that each party attempted to control. At present, human rights organizations multiplied, however they do not respond to societal needs, as with respect to geographic distribution (table 5), where highest rate of NGOs are located in Sana'a, the capital, (51.64%), compared to 7.7% in Lahej and 0% in other governorates such as; Mareb, Al Mahwet, Al Mahara, Amran, Addalie, Hadramout, Seyun, and Raima. Also located in major cities, and does not exist in rural areas where 70% of population is inhabited.

Tabel(5)Rate of Concentration and Distribution of Human Rights NGOs in the Country, December 2006

Srl.	Covernorate	No.of NGOs	Rate %
01	Ibb	3	3.29
02	Abyan	-	-
03	Sana'a , the capital	47	51.29
04	Al baidha	-	-
05	Taiz	5	5.5
06	Al Gouf	1	1.1
07	Hajja	5	5.5
08	Hodiedah	8	8.8
09	Mukalla	1	1.1
10	Dhamar	2	2.91
11	Shabwa	1	1.1
12	Sa'da	-	-
13	Sana'a	1	1.1
14	Aden	16	17.58
15	Lahej	1	1.1
16	Mareb	-	-
17	Al Mahwet	-	-
18	Al Mahara	-	-
19	Amran	-	-
20	Aldalie	-	-
21	Seyun	-	-
22	Raima	-	-
	Total	91	100 %

Source:NGOs Information Section, Social Development Department, Ministry of Social Affairs and Labor.

Further, table (6) demonstrates lack of NGOs operating in monitoring, defending or specialized studies, and this could be attributed to risks they might face human rights activists operating in defending and monitoring, or due to other reasons pertinent to funding agencies and their agenda and their concerns; according to Khaled Al Ansi, HOOD⁽¹⁾.

Table (6) Rate of Concentration of NGOs Operating in Monitoring, Defending, Protection, and Human Rights Studies, December 2006

No. of HR NGOs	Monitoring, Major Area of Operation		Monitoring, Part of Operation		Defending and Protection		HR Studies		Remarks
	No	%	No	%	No	%	No	%	
19	1	1.1	2	2.2	11	12.1	7	7.7	* only two NGO is active in protection * only one NGO is active in studies, although not mentioned as part of its mandate

1. Reference: Abdulbagi Shamsan and Mohammed Al Mikhlafi, State of Human Rights NGOs, and its Impact on Partnership in Yemen, Human Rights Information and Training Center, Yemen, 2006;

2. statistical rates mentioned are based on number of NGOs responded to the study, and have been considered as the research specimen, noting that number of NGOs are merely names in the official list and do not have known premises or contact addresses.

(1) Interview conducted with Mr. Khaled Al Ansi, by the researcher.

Thereby, they respond partially to community needs. However, really active NGOs in the filed does not exceed ten NGOs, five of them operate in most areas of activities, including awareness and training. On the other hand many other organizations are inactive and presented as a name and number in the list, further they do not have premises. When comparing human rights NGOs with other societies, we notice that agricultural, charitable, housing and professional NGOs are more active. Licenses for such NGOs used to be easily obtained, however at present licenses are not granted easily, as they became an arena for political and electoral struggle between political powers. For instance, Islah party expanded its public base through Islah Charity Society, the matter that urged PGC to establish its own charitable society i.e. Al Saleh Foundation (named after president Saleh), and state resources manipulated in favor of the president propaganda. On the other hand women organizations, known as "women public and cooperative societies" in the Ministry of Social Affairs document, does not meet women needs, despite their huge number (554 women NGOs) and varied areas of operation, as seen in table (4), also it is noted that they are unevenly distributed in the governorates, where there is high density of them in certain governorates and do not exceed one organization in others such as Raima governorate. Although they face the same problem of high numbers with low efficien-

cy, thereby are not responding to their areas needs.

Second: Representation of the Lowest Social Cast of the Community

Special attention is being paid to NGOs representing the lowest cast in the community, acknowledging their close connection to human rights essence, in one hand, and as a measure tool to the legal texts and societal practice in this respect on the other. In this section, we will address the so-called Akhdam and Jewish minorities. Jewish minority is classified under the lowest cast category in order to demonstrate and identify sources of double discrimination perpetuated against them; i.e. religious and social discrimination. Akhdam NGOs on the other hand are not classified separately in the Ministry of Social Affairs statistics, while Ministry of Planning and International Cooperation classified them under organizations that represent the most impoverished categories. While Social Fund for Development, identify them among people with special need category, thereby invalidate any national or international attempts to employ them politically, if considered as NGOs that represent a category of people that are subject to racial discrimination.

1. Societies of the so-called Akhdam

We pointed out in previous section that societal atmosphere in Yemen is based on disparities between social categories, that derived its social capital from the traditional social structure.

Obstruction to modernization process, family upbringing and inherited norms related to way of costume (for instance way of wearing Djanbia "dagger"); has contributed to the continuation of such structure. Order of social casts differs in urban areas from that in rural areas and among tribes, however the so-called Akhdam has always maintained their lowest rank in the social cast. Social studies widely disagree on the historical origin of this category, however they agree on them being in the lowest rank, and that the concept of cast or group that based on religious sect could not be applied on them, and lacks social dynamism⁽¹⁾.

The so-called Akhdam are subject to discrimination due to many reasons⁽²⁾; mainly:

1. political and social struggle throughout Yemen history;
2. social structure and its values that glorify warriors;
3. stereotyped image of this category among other categories;
4. hampered modernization process, and lack of development programs targeting such category.

(1) See working paper by Dr. Abdulbaki Shamsan, Bridging the Gap between Human Values and Communal Practices: Political, Economic, and Social Rights of Marginalized Categories in Yemeni Society- the so-called Akhdam model", in the Second Consultative Meeting of Slum Houses Societies in Yemen, Aden, 2006.

(2) Previous reference.

Based on the above reasons, we conclude that so-called Akhdam are suffering from:

1. societal marginalization that extends deeply in the history roots;
2. another marginalization, occurred for other community, resulted from unproductive development plans.

Thereby this category, incurs double injustice, deeply entrenched and accompanied with state's denial, although acknowledging legitimacy and significance of their demands. Consequently, this category is subjected to polarization attempts by authority and opposition for electoral and political objectives, from one side, and to avoid employing their issues, on the other side, the state pursued to contain their NGOs under the NGOs that represent the most impoverished, in an attempt to establish networking between such similar NGOs (see table 7), without excreting serious efforts to put in place serious solutions to address this category issues through plans and strategies.

Table (7) NGOs of the Marginalized Category (so-called Akhdam)

Srl.	NGOs	Establishment Date	Type of Activity	Targeted Group	Area of operation	Geographic Scope	District	Governorate	Remarks
1	Al Amal	1/2/2000	Development/Charity	Most impoverished	Development	Al Sheikh	Al Sheikh	Aden	
2	Al Mahareg	15/4/2000	=	=	=	Al Mahareg	Dar Saad	=	
3	Al Thurya	18/8/2000	=	=	=	Al Buraiga	=	=	
4	Attadahumunia	30/8/2001	=	=	=	Almanitiga al-shab'ia	Attwahi	=	
5	Al Nahda	12/12/2001	=	=	=	Ghalil+ Alsharqia	Dar Saas	=	
6	Al Faris	2/4/2004	=	=	=	Al Farsi	Alburiga	=	
7	Alwaha	5/3/2005	=	=	=	Albasatin aisharqia	Dar Saad	=	
8	Almustaqbal	9/2/2002	Development	=	=	Alaqatash	Al Qahira	=	
9	Alkharazin	12/10/2004	Development/Charity	=	=	Taiz	Taiz	Taiz	
10	Alwafa	15/8/2004	Professional	=	=	=	=	=	
11	Arwa	1/2/2006	Development/charity	Women	=	=	=	=	
12	Alhyaka	1/3/2007	Professional	=	=	Zeid Almushki	Alqahira	=	
13	Alaamal	24/5/2007	Development/Charity	=	=	Wadi Alqadhi	=	=	
14	Free Blacks	Under establishment	Awareness/ political	The so-called Akhdam	=	Taiz	Taiz	Yemen	
15	Amir& Oqbi	22/6/1996	Development/Charity	Most impoverished	=	Yemen	Yemen	Yemen	
16	Alryad	15/3/1999	=	=	=	Sana'a+Zabid	Sana'a	Sana'a	
17	Alawatif	30/7/2002	=	Child, women	=	Sana'a	Maceen	Sana'a	
18	Alsahaba	8/8/2002	=	Cleaners	=	=	=	=	
19	Cleaness Friend	30/9/2002	Environment/social	Cleaners	Awareness	Sawan	Alwihda	=	
20	Daretaam	9/10/2002	Development/social	Most impoverished	Development	Sana'a	Althawra	=	
21	Alkhius	14/2/2002	=	=	=	=	Maceen	=	
22	Alwid	-	=	Women	=	=	Shuub	=	

Human Rights and Democracy Annual Report 2006, by Yemeni Observatory for Human Rights, states, in describing this category sufferings, that "Akhdam are suffering social and geographical isolation, no intermarriage between this category and other categories in the society. Most of Akhdam works in mean jobs, including street cleaning, latrine and sanitary services. Akhdam lives in isolated gatherings called "Mahwa", separated from other habitat. Their slums built of poor materials in public lands. According to article (41) of the constitution, government deny existence of racial discrimination either against Akhdam or any other social categories, however when analyzing this article deeply, we conclude that equality claimed by the constitutions is limited to equality in rights and public obligations, i.e. in issues that related to the relation between state and citizens, while issues concerned with citizens relations between each others, were left to the inherited norms and traditions, and other components of traditional culture⁽¹⁾.

NGOs representing the marginalized category (the so-called Akhdam) have been contained, further they lack institutionalization, premises ..etc. they are centered in three major cities (see table 8). i.e. they do not attend to the whole needs of their category that spread in different parts of the country.

(1) See Human Rights and Democracy Annual Report 2006, YOHR, p.121.

Table (8) Geographical Distribution of the NGOs of the Marginalized Category (so-called Akhdam)

Srl.	Governorate	Number	%
1	Aden	7	30.43
2	Taiz	8	34.78
3	Sana'a	2	8.69
4	Sana'a, the capital	6	26.7
Total	4	23	%

2. Jewish Minority:

Jewish represents 0.01% of population. This minority, ranked in the lowest social cast, is subject to religious and social discrimination, in addition to the burden of religious and political history that reflected in their features that is distinguished from other Yemeni community components, where we can easily identify Jewish form the long hair hanging from his head sides, or the belt they wear without dagger (Djanbia). Intermarriage between this category and other categories is very rare. We could not identify a single NGO represent this category. Mr. Ali Saleh Abdalla, Deputy Minister of Social Affairs, Social Development Department, attributed that to the fact that valid laws and constitution prohibits establishment of organizations on religious or racial basis. However, this shall not refrain us from addressing their human rights status, and explore con-

formity of national legislations and the constitution with international institutions that Republic of Yemen has ratified. We refer in this respect to Yemen Observatory for Human Rights Report⁽¹⁾, which states that "although constitution states clearly that all citizens are equal in rights and obligations, yet it did not prohibit clearly discrimination on religious basis. Rather it has included certain articles that contain indirect religious discrimination, where article (2) provided that Islam is the state's religion and Arabic is the official language. Also clause (d) of article (117) requires that candidates for presidency shall be a Muslim citizen. Thereby, other citizens of different religion do not have the right to contest in presidential elections. Article (194) of Crime and Penalties Law stipulates that "whosoever publicize any opinion that implies mockery or degrade religion's creeds or rituals or teachings, shall be sentenced with not more than three years imprisonment or fined", article (198) stipulates that "if such mockery or degrading is intended for Islamic religion, penalty shall be for a period not more than 5 years or fine". Also conversion into another religion is prohibited for Muslims, where article (255) of Crimes and Penalties states that "whosoever apostatize from Islam shall be punished with capital punishment, following grace of 30 days". Clause (a), article (24) of the Local Council law bylaws states that "candidates for local coun-

(1)Previous reference p.29-30.

cil membership shall be of good conduct and preserves Islamic rituals",

Third: Societies' Operation Mechanisms

Commitment of societies to institutionalization, democratic criteria and principles, good governance, transparency, and accountability are crucial factors to the civil society's organizations persistence and sustainability. However Yemeni CSOs are products of their environment; where the founders tend to run the organization on their own without involving a general assembly to avoid running annual elections, so is the case with societies. Organization's bylaws are formulated to fit the founder size, where all authorities are under his control, and tend to employ his relatives or certain employees at minimum wages, without being rewarded for supervising projects. Consequently, human rights NGOs are source of benefit/income for the founder or the head of the organization; he enjoys all privileges such as foreign participation. Such practices make human rights activists lose their faith and confidence on such NGOs and on human rights, thereby reduces number of true activist⁽¹⁾.

Most of human rights NGOs lack transparency and endures personal conflicts, which is common among most of the senior NGOs' leaders that jeopardizes common interests. Such differ-

(1) Personal viewpoint based on our observation and concern on human rights field.

ences negatively impact networking and joining efforts. A field study conducted recently reveals that most of human rights NGOs in Yemen lack institutionalization⁽¹⁾.

We conclude this section with an example that demonstrates civil society organization weakness and authority's domination over this field following 1994 war. Table (9) demonstrates the large quantity of general unions (14), branch unions (802), administrative leaders (4007) and general assembly members (93950 members).

(1) See Dr. Abdulbaki Shamsan, and Dr. Mohammed Al Mikhlafi, State of Human Rights NGOs, and its Impact on Partnership in Yemen, previous reference.

Table (9) Number of Unions, Union Committees, Administrative Leaders and general assemblies in yemen

Union	Number of branch unions														Total number of branch unions						
	Sana'a	Aden	Dhahran	Hadhramout	Taiz	Abyan	Hodieda	Shabwa	Amran	Almahabir	Mareb	Ibb	Sa'da	Hajja		Adale	Lahej	Albaidh	Almahawir	Raima	
1	No. of branch unions	20	15	12	18	9	5	8	2	4	4	1	8	1	6	3	4	1	0	0	121
	Admin. Leaders	99	81	55	81	49	26	52	10	28	20	3	35	5	20	13	20	5	0	0	602
2	General Assembly	6809	4185	1510	1504	3403	711	1465	168	1020	175	130	916	75	407	353	357	209	0	0	23197
	No. of branch unions	2	26	5	15	0	8	3	11	0	5	1	0	1	29	0	0	0	0	0	106
3	Admin. Leaders	15	87	19	75	0	46	20	54	0	25	7	0	7	95	0	0	0	0	0	450
	General Assembly	204	-	568	1784	0	570	795	801	0	441	33	0	-	-	0	0	0	0	0	5196
4	No. of branch unions	14	18	3	14	3	0	11	2	1	1	23	1	2	0	0	0	0	0	0	93
	Admin. Leaders	87	124	15	73	13	0	58	10	7	6	127	5	12	0	0	0	0	0	0	537
5	General Assembly	3600	5319	275	2211	316	0	1232	96	103	49	1780	97	139	0	0	0	0	0	0	15217
	No. of branch unions	0	8	1	1	1	1	1	1	2	1	0	4	0	0	0	0	0	0	0	21
6	Admin. Leaders	0	54	3	5	5	5	5	5	10	5	0	24	0	0	0	0	0	0	0	121
	General Assembly	0	2561	46	26	131	31	536	32	158	30	0	583	0	0	0	0	0	0	0	4134
7	No. of branch unions	13	18	7	7	5	3	2	1	2	2	1	2	1	1	0	0	0	0	0	55
	Admin. Leaders	46	78	12	35	31	17	19	5	15	10	8	14	5	3	0	0	0	0	0	298
8	General Assembly	968	441	536	485	1119	274	910	280	910	75	106	364	26	50	0	0	0	0	0	6544
	No. of branch unions	2	1	7	12	1	6	7	5	2	4	1	1	1	6	0	0	0	0	0	55
9	Admin. Leaders	12	5	33	62	7	36	41	27	10	18	7	5	0	18	0	0	0	0	0	281
	General Assembly	543	157	586	1159	350	835	830	299	55	222	179	64	0	152	0	0	0	0	0	5431
10	No. of branch unions	23	11	11	18	12	3	15	6	7	6	3	12	5	5	1	0	3	2	1	144
	Admin. Leaders	102	44	47	80	46	12	73	26	31	30	13	53	25	15	3	0	9	6	3	618
11	General Assembly	2579	0	655	764	506	127	1030	328	170	194	95	526	134	116	18	0	73	42	25	7382
	No. of branch unions	13	6	1	11	3	1	3	2	2	1	1	1	1	1	0	0	0	0	0	52
12	Admin. Leaders	69	33	7	55	16	7	19	10	35	5	7	7	5	5	0	0	0	0	0	280
	General Assembly	4604	980	349	1001	949	349	926	91	211	28	124	292	117	68	0	0	0	0	0	10089
13	No. of branch unions	10	7	2	8	1	1	3	1	2	2	0	2	1	0	0	0	0	0	0	40
	Admin. Leaders	44	35	11	42	7	6	19	5	10	10	0	10	5	0	0	0	0	0	0	204
14	General Assembly	1658	1323	154	637	383	44	618	42	72	50	0	177	33	0	0	0	0	0	0	5191
	No. of branch unions	4	5	4	15	0	7	2	9	4	4	0	1	1	1	0	0	0	0	0	57
15	Admin. Leaders	22	25	39	75	0	37	10	47	20	20	0	5	5	10	0	0	0	0	0	315
	General Assembly	691	677	-	656	0	319	213	871	246	222	0	29	18	43	0	0	0	0	0	3985
16	No. of branch unions	8	1	2	0	0	1	2	0	0	0	0	1	0	1	0	0	0	0	0	16
	Admin. Leaders	38	9	14	0	0	5	12	0	0	0	0	7	0	5	0	0	0	0	0	90
17	General Assembly	1929	-	545	0	0	43	479	0	0	0	0	136	0	17	0	0	0	0	0	3149
	No. of branch unions	3	0	5	2	2	1	1	1	0	2	0	0	0	2	0	0	0	0	0	19
18	Admin. Leaders	21	0	22	8	12	5	5	5	0	10	0	0	0	6	0	0	0	0	0	94
	General Assembly	586	0	399	82	687	74	55	73	0	54	0	0	0	59	0	0	0	0	0	2069
19	No. of branch unions	1	9	1	3	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	73
	Admin. Leaders	5	45	5	5	15	22	20	0	0	0	0	0	0	0	0	0	0	0	0	117
20	General Assembly	130	1028	184	120	227	259	218	0	0	0	0	0	0	0	0	0	0	0	0	2166
	No. of branch unions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
21	Admin. Leaders	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	General Assembly	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
22	No. of branch unions	113	120	56	122	40	41	62	41	31	32	31	33	13	52	4	4	2	1	0	802
	Admin. Leaders	560	620	282	596	201	224	353	204	166	159	172	165	69	177	16	20	14	6	3	4007
23	General Assembly	24301	16671	5807	10429	8071	3636	9307	3081	2945	1540	2447	3184	242	371	357	282	42	25	93950	
	No. of branch unions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

the source "general union of labor"

Despite this multiplicity, the General Association of Laborer Union is highly inefficient and could not influence a single decision or procedures related to laborer interests, compared, for instance to General Association of Chambers of Commerce and Industry. This is mainly attributed to tow factors:

First: state's regain of its previous domination.

Second: lack of institutionalization in the General Association of Laborer Union and the General Union as well. A study on Laborer Women in Formal and Informal Sectors, by Dr. Abdulsalam Al Hakemi, and Ridha Qarhash⁽¹⁾, describes state of union in Yemen following unity by stating that "during 1990-1992 a series of meetings have been convened for the General Association and the General Unions leaders to draft the articles of association, the organizational bylaws, and elections regulations; due to a number of political and partisan factors it was not possible to held democratic elections from button to top as planned. Elections did not follow its due course, as a result of differences between unions and the government. These differences have their negative impact, where government prohibited establishment of unions at government institutions, and called for elections in the productive facilities at the private and public

(1) Dr. Abdulsalam Al Hakemi, and Ridha Qarhash, Gender Equality in Union Activity in Yemen, Study on Labor Women in Formal and Informal Sectors, Sana'a, General Association of Labor Unions, 2006, p.46-50.

sectors, thereby encouraged businesses and productive factories to reject unions activities, due to political conflicts between political parties following unity and to 1994 war and its consequences that limited attempts to unify unions in addition to lack of infrastructure for associations facilities and the destruction and ransacks they experienced during the war, particularly in Aden. Unions in Yemen experience numerous challenges either with respect to unifying them or when practicing their tasks independently without being obliged to join in the General Association of Laborers, particularly unions that located in Aden. The state of fragmentation that the union movement suffers, is attributed to subjective factors, as seen in poor institutionalization, and objective reasons resulted from 1994 war, that delayed unification of unions, and turned unions into an arena for political, partisan and regional struggle between union activists, resulted from the PGC, who won 1994 war, strive to dominate unions, countered with individual or group reactions expressing regional affiliations or identities (particularly southern identity) that almost disappear behind unions affiliations⁽¹⁾.

(1)The researcher based his viewpoint on filed survey in preparation for study on union movement in Yemen.

Fourth: Societies' Relation to Authorities and Community:

Freedom of association could not be addressed without exploring societies' relations to authorities and community. Relation to community, specifically means extend of societies' spread in the community. When measuring level of such relation, we will manage to assess be able to measure their performance, that in turn reflects their capacity and efficiency. On the other hand relations to authorities will enable us to determine extend of freedom they enjoy. Relations that based on respect and mutual recognition that derived from democratic principles and values and on tripartite partnership between civil society, private sector and the state.

In order to understand aforementioned dilemma, we will depend on a field study published on 2006⁽¹⁾, that elaborated on societies' relations with authorities and community; as follows:

1. Societies' Relations with Authorities:

Addressing societies' relation with authorities has multifaceted dimensions, reflecting the multiple theories, references and objectives of the study. Here we will address this relation from the objective perspective, by analyzing officials and NGOs activists' statements to media outlets. While the first reflects NGOs

(1) see Abdulbagi Shamsan and Mohammed Al Mikhlafi, previous source pages 133 - 146.

image among officials, the later reflects the reverse image.

By identifying such images, we will manage to outline the pattern of such relations. Towards that end we will analyze the discourse and change it into measurable and comparable quantitative figures. The study covers years 2000 - 2004, where we analyzed articles published on civil society, and depict its image, in official newspapers (Al Thawra, Al Gumhurya, Al Wihda, 26 September), and articles on opposition and private newspapers that carries articles on state/authorities and feature their image, such as:

- Al Thawri newspaper (Yemen Social Party mouthpiece);
- Al Shura newspaper (Nasserite Unitarian Public Party mouthpiece)
- Al Sahwa newspaper (Yemeni Congregation for Reform Party mouthpiece)
- Al Ayyam private newspaper.

Analysis indicators have reflected that 8.6 percent of official discourse has accused the CSOs (activists) of incredibility, inefficiency and lack of initiative. Surprisingly enough that this rate (8.6%) resembles the rate of the whole space allocated when addressing partnership with the civil society..! on the other hand authorities are described in the opposition and private newspapers as oppressive, limiting freedoms.. etc. based on that we may safely conclude that relations between authorities and

organizations are not based on partnership and mutual recognition, thereby does not pave the way for health relations.

2. Societies' Relation with the Community:

Relations between CSOs and the community are one of the major benchmarks that determine performance efficiency, by measuring degree of acceptance among the community to the civil society, and by identifying their spread. To achieve that a field research was conducted among a specific specimen in Sana'a university, from Sociology, Psychology, Education, Archaeology, French and English Languages, Political Science, Media, and Law colleges. The specimen included randomly selected 120 male and female students. They responded to a questionnaire of two questions:

Q1. mention some of the human rights NGOs in Yemen?

Q2. do you trust these NGOs: Yes/No and why?

Answers to these two questions have reflected an indicative results that need to be taken in consideration when conducting a study on the civil society. The questionnaire has revealed that only 20 percent of the specimen are concerned or aware of the NGOs, 33% trust them, 54.2% do not trust them and 18.3% of the specimen does not have clear stand thereof. When analyzing the above rates, we conclude that the 54.2% of the specimen believes, due to subjective factors, that, being part of the third world, nothing can compete authority/state's domination, and

due to objective factors that reflects the comprehended image of the NGOs among the specimen, that these NGOs:

- are inefficient and have no influence;
- they are not playing significant role;
- have achieved nothing for human rights cause at the national level;
- does not have any role or stand on Arab issues in Palestine and Iraq.

On spread of these NGOs, results have shown that 75% of the specimen are aware of one NGO, 5.8% of two NGOs, and 5.8% of three NGOs or more. These indicators bears negative connotation in addition to other obstacles facing the civil society organizations in Yemen.

Chapter Three:
Freedom of Association;
Text and Reality

We addressed in previous chapters societal environment in which societies are operating as well as number of societies, types, their operation mechanisms and their relations with authorities and community. Nevertheless, as stressed earlier, and based on academic concern and personal experience, freedom of association issue will be comprehended only through understanding the triangular relations that links societal environment, mechanisms of operation of the societies, and the governing legislations. Also to determine whether such legislations conforms with relevant international standards that Yemen has ratified or not, where such legislations could be very ideal, nevertheless they lack enforcing or implementing mechanisms, not only for reasons attributed to authorities, rather to civil society organizations themselves.

So if we are to measure freedom of association in emerging democracies, and thereby set forth strategies to raise the ceiling of such freedoms, we have to take into account the three afore-

mentioned dimensions. We will endeavor in this chapter to explore relations between legal texts and practices, employing a number of criteria in this respect, such as Casablanca Declaration, October 2000 (non obligatory), and Societies Declaration in Arab States (non obligatory), which are in turn are based on international standards. Following criteria are employed:

1. formation and establishment,
2. dissolve and suspension,
3. organization and administration,
4. funding and taxes,
5. monitoring, management and transparency.

We need to point out that focus will be on laws that govern human rights organizations; i.e. Public Societies and Foundations Law No. (1) of 2001 and Cabinet Decree No. (129) of 2004, for Executive Bylaws of the said Law, and civil law. Valid laws classify human rights organizations under social organizations, according to amended constitution of 2001, where article (58) therein classifies these organizations into: political, unions, scientific, cultural, and social organizations and national associations. The same article stipulated that "all citizens in the Republic shall have the right to organize themselves in political, professional entities and unions, to the extend that conform with constitution provisions, further they shall have the right to establish scientific, cultural, social, organizations and national as-

sociations, to the extent that serves constitution provisions, and the state shall guarantee such right, and exert all necessary efforts and means that enables citizens to practice such right, ensures all freedoms to all political, unions, cultural, scientific and social organizations".

Based on this constitutional article, we may also explore relevant organizing laws, and their conformity with the constitution.

First; Freedom of Association:

Societies and Foundations Law has set forth articles of association provisions in chapter one, articles (4, 5, 6, 7).

* **Article (4)** a society or a foundation shall be formed according to this law provisions and bylaws. It is a precondition for establishing any society or foundation to observe the following:

1. their objectives shall not contradict with the constitution and valid laws and legislations;
2. Shall have articles of association that includes all organizational, financial and administrative issues.. (including incorporation, disintegration, articles of association amendment and dissolving procedures).

*** Article (5):**

a. each individual signed the articles of incorporation, shall be considered as a founding member to such society or foundation.

b. any individual who have been sentenced by a final verdict with a penalizing sentence or imprisonment, in a crime related to honor or integrity, shall not participate in establishing the society, unless been rehabilitated.

Second; Supervision:

Article (6, 7) has endowed political and technical entities, with the right of supervision over societies:

Article (6), "the Ministry shall maintain legal supervision and monitoring over public societies', foundations' and their associations' status and activities. Further shall support and foster them to enable them to succeed and attain their objectives".

Article (7):

a. Ministry of Culture and Tourism shall maintain technical supervision over status and activities of public societies and foundations, of artistic and cultural nature and their associations. Further shall support and foster them to enable them to succeed and attain their objectives".

b. Ministry of Youth and Sports shall maintain technical support over status and activities of clubs, sports and Youth associations. Further shall support and foster them to enable them to succeed and attain their objectives.

Third; Registration:

According to law provisions, particularly article (8):

a. a written application form for registration, according to the Ministry template, shall be completed and signed by at least 21 founding members of the society, shall be submitted to the concerned department. The application shall include information on the society, the founder/s, or their legal representatives..

b. The following documents shall be attached with the application form:

1. three copies of the articles of association and articles of incorporation of the society or foundation that need to be registered.

2. list contains full names of founders, their address, profession, age, signature, and ID or passport copy.

3. a resolution by the founders stating name/s of authorized person/s to follow-up registration procedures according to the ministry template.

4. proposed name of the society/foundation, with two alternate names.

5. bank deposit note with the amount allocated for establishment of the foundation.

6. any other documents required by the registration application form.

Within the same context, article (8-b), stipulates that "registration application shall be registered by the concerned department, and applicants shall receive a receipt stating all docu-

ments submitted, date of application, and date for return/check signed by concerned staff, according to the approved template by the Ministry.

Most of the Law and bylaw provisions, represent constrains that limits freedom of association, for instance articles (4 and 5), that represent a clear legal impedances, among various other obstacles. Further, the aforementioned regulations provisions, does not require prior permission by official authorities, according to the following legal mechanisms:

Article (12):

a. concerned department shall declare the establishment of the society or foundation within one month from the date of receiving registration application, unless such department objected the application and rejected it with a resolution".

b. In case of one month period elapsed since date of application without taking approval or rejection decision, such application shall be deemed approved by virtue of law.

Previous articles demonstrates procedures of declaration of establishment, however such procedures have been manipulated through administrative means, where concerned staff refrain from handing over the receipt, thereby seeking remedy through judiciary will not help at such instances. Another financial constrains are placed, as seen in the required deposit amount, whereas relevant article did not specify the required amount, an

amount of YR. 1 million is being requested, i.e \$.5000.

Within the same context, specifically legal provision on providing two proposed names for the organization/society. Although the purpose is to choose the alternate name in case of existence of another NGO bears the same name, yet such prerequisite could be employed as an obstacle, how is that? when founding members of Female Journalists without Chain applied for registration under the Female Journalists without Border name, the concerned department in the Ministry of Social Affairs requested them to change it into Without Chains, under the allegation that another NGO has applied with same name before. However according to Ms. Aswan Shahir⁽¹⁾, member of the founding board, another pro government group has applied, at authority's insinuation, to establish female journalists NGO, to thwart opposition application. Further, this group confiscated the name "without border", in spite of pressure exerted on the concerned department at the Ministry. However, they were granted the license only after changing the NGO name into "without Chains". At such instance it will not help if we refer to the documents to verify date of application, whereas the concerned department has access to all documents and can simply alter the application date etc.

(1) Interview conduct by the researcher.

Constant interference of concerned department in the Ministry, in societies' internal affairs and activities, is clearly seen in the term that attached to all legal provisions "i.e. according to the template approved by the Ministry". Thereby, enabled the Ministry to draft templates that they named "a model template" includes instructions on how to draft an article of association, manuals on planning, programming and accountancy, consequently, laid additional impeding tools in the Ministry's hand. It is known that licensing social and cultural organizations used to be the Ministry of Culture's mandate prior enacting Law No. (1) of 2001, following enacting this law, these NGOs have had to apply again for licenses from the Ministry of Social Affairs and Labor. Consequently, well established NGOs have had to start the whole procedures from the beginning, further some of them were instructed to rephrase their articles of association, for instance;⁽¹⁾ National Commission for Defending Rights and Freedoms HOOD, and Press Freedoms Protection and Training Center.

A question arises here, can these NGOs seek remedy through judiciary?, according to:

1. Bylaws of Public Societies and Foundations No. (1) of 2001, article (12,C) which stipulates that " In case of one month

(1) Interview conducted by the researcher with; Mr. Khalid Al Ansi, HOOD, and Mohammed Al Udaini, PFPTC.

period elapsed since date of application without taking approval or rejection decision, such application shall be deemed approved by virtue of law", and

* Civil Law No. (14) of 2002.

The answer is no, simply because of nonexistence of the receipt that proves receiving of registration application, even if it does exist, "the administrative judges, who have been selected carefully by authorities, tend to reject such claims, and even if such claims were accepted, court procedures will be prolonged for years" according to lawyer Khalid Al Ansi⁽¹⁾. On the other hand article (93) of Civil Law stipulates that "the nominal personality of a society shall be proved the moment it has been established, however it shall not have such legal status, unless it has been declared officially in the official records of the concerned authority", while such legal status was not attained due to the aforementioned reasons.

As mentioned earlier, difficulties that faces establishing of societies, could not be attributed only to legal constrains, rather to the weakness and inefficiency of civil society organizations, that could not defend their rights through better coordination and networking, for instance they can at the minimum level, lobby and exert pressure to implement law provisions related to

(1) In an interview conducted by the researcher with.

the receipt of registration application.

Fourth; Dissolving and Suspension:

Freedom of association, without prior license or consent, is the basic legal right that supports societies' argument. Societies shall be considered established at the very moment of founders' will and consent meet to do so. Prior notice could be required, for information purpose, however establishment of societies shall not be subjected to prior interference of administrative or judiciary authorities⁽¹⁾.

Such will to establish, is the same will that have the right to dissolve, at the same time, these societies shall commit to good administration principles and criteria. Article (17) in Declaration of Freedom of Association in Arab States (non obligatory, as the case with constitution and national legislations, and ratified human rights institutions) states that "no public administration shall have the right to dissolve societies. Societies shall not submit to dissolve, unless by a resolution taken by their own entities, or by a final judiciary ruling, provided that such association have had benefited from the right of defense in a public fair

(1)Article 4, Declaration on Freedom of Association in Arab States.

* laws that organizes establishment of societies in Yemen, does not contradict with the constitution articles (42-58) only, rather with international conventions ratified by Yemen and with concerned declarations. The supervising department grants licenses on requires annual renewal of licenses, upon submission of final annual reports.

trial, and at instances provided for candidly and exclusively by law". In Yemen, article (81) of the Law has stated among other conditions to establish a public societies or foundation, procedures pertaining to dissolving of a society or a foundation, or its integration with another public society or foundation, and identifying the party that shall take over its financial assets and properties. Article (44) of chapter four in the law has been allocated entirely for dissolve and integration:

a. the Ministry is authorized to file a law suit to dissolve a society or a foundation with the competent court, at the instance that such society or foundation has committed a serious violation to this law and other valid laws provisions.

b. Such law suit shall not be filed, unless the Ministry has notified the concerned society or foundation three times, within a period of six months, to undertake corrective measures.

c. Dissolve shall be enforced only with a final ruling by the competent court.

Dissolving and suspension procedures has been breached only once, (during Sa'da war, 2007), when newspapers have quoted Deputy Minister for Social Development, in Ministry of Social Affairs and Labor, announcing suspension of a number of societies, for violating laws and regulations, where he meant that they provide political support to the rebels who are involved in violent military struggle with the state. It is obvious

that dissolving and suspension was based on political background and was extrajudiciary. It is indeed a unique case, whereas Yemeni authorities rarely tend to dissolve or suspend a society, understanding that such practices will cause local and international negative reactions, they rather employ other planned means or administrative measure or both.

1. reasons resulted for administrative performance or both:

We mentioned earlier that NGOs number exceeds 5 thousand, consequently, supervising them became beyond Ministry's capacity, rather the ministry prefer to let things loose, and employ law pragmatically when needed, encouraged by lack of awareness among societies' activists. Table (10) demonstrates several societies that are illegitimate due to expiration of their board of members' and administrative councils' tenure, (i.e. 1297 societies representing 23.02% out of total number). Concerned authority intentionally leaves such societies under illegitimate status, also refrain from implementing law provisions, will disenable such societies from identifying law loopholes. Such societies shall have conducted elections on time.

Table (10) Number of Illegitimate Societies and Cooperative Associations and their branches, Public Organizations and their branches till December 2006

Srl	Governorate	No. of NGOs + Branches	No. of Suspended or Expired NGOs	% Out of Total No. in the Governorate	Justification	Type of NGO
1	Ibb	300	65	21.7	Expiration of board of member's or administrative councils' tenure	Social, Charity, Agriculture, Consumption
2	Abyan	370	62	16.7	=	Social, Charity, Agriculture
3	Sana'a, the capital	561	308	47.3	=	Cultural, Charity, Agriculture, Professional, Club, Fraternity
4	Ministry	412	10	2.4	=	Social, Cultural, Charity, Agriculture, Association
5	Albaidha	97	4	4.1	=	Charity
6	Taiz	529	217	41.02	=	Social, Charity, Agriculture, Consumption
7	Al Gouf	44	7	15.9	=	Social, Charity
8	Hajja	195	10	5.01	=	Agriculture
9	Hodiedah	506	118	23.3	=	Charity, Social
10	Hadramout- Mukalla	286	36	12.5	=	Association, Charity, Social
11	Dhamar	154	56	36.3	=	Social, Charity, Agriculture, Consumption
12	Shabwa	158	35	22.1	=	Charity, Housing, Association, Agriculture
13	Sa'da	97	15	15.4	=	Charity, Agriculture
14	Sana'a	207	65	31.4	=	Charity, Agriculture, Consumption
15	Aden	506	103	31.4	=	Social, Charity, Housing, Human Rights
16	Lahej	323	99	30.6	=	Charity, Agriculture, Housing
17	Mareb	77	6	7.8	=	Charity, Agriculture, Consumption, Human Rights Society branch
18	Almahwet	143	15	7.8	=	Charity, Agriculture, Consumption
19	Almahar	89	13	10.4	=	Social, Agriculture
20	Amran	183	13	7.1	=	Social, Agriculture
21	Addalie	133	9	6.7	=	Social, Agriculture
22	Hadramout-Syun	118	8	6.8	=	Social, Agriculture
23	Raima	54	23	42.6	=	Social, Agriculture
	Total	5632	1297	23.02		

Source: NGOs Information Section, Social Development Department, Ministry of Social Affairs and Labor

2. Preplanned Reasons: (cloning)

By cloning we mean split a group from a party, a society, an organization or even a newspaper, carrying the same name or similar name of such entity.

2.1. Political Parties:

It is very common to see a pro-authority group splits from a political party and claim that they represent the legal entity, they apply for a license, and normally they get it with minor alteration to the name of the original party. The original party exerts most of its efforts proving its legitimacy, instead of directing them towards the authority. Further a party could be cloned into more than one party:

- a. Arab Ba'th Party - Ba'th National Party - Ba'th Party Organization (Shakir).
- b. National Front - National Front (AlGarmouZR "name of the party's president").
- c. Yemeni Sons League - Yemeni Sons League (Legitimate Leadership).
- d. Nasserite Unitarian Party - Nasserite Correction Party - Nasserite Democratic Party.
- e. Association of Yemeni Public Forces - Association of Public Forces

2.2. Societies:

- a. Female Journalists Without Chains - Female Journalists

Without Border.

b. HOOD - NOOD.

2.3. Unions and Professional Associations:

Same cloning tactics are employed with unions and professional associations, where an association or a union is split into two entities, which is a better solution to authorities than suspension, where split will weaken such party or society from inside, and drag them into legal dispute to prove their legitimacy. Yemeni Observatory for Human Rights 2006 Report⁽¹⁾, describes freedom of association by stating that "civil society organizations are operating in a very discouraging legal environment, manipulated by authorities to restrict CSOs activities. Further, union activists are subject to authorities' harassment and intimidation within this context of official interference in union activities, many violations were perpetuated on activists affiliated to Technical and Medical Professions Union in Taiz, during Administrative Board elections. Authorities exerted pressures on Union branch in Taiz through Unions office in Sana'a to force the elected president to rescind to ruling party candidate. Also Physicians and Pharmacologist Union premises were ransacked and looted; further three cloned unions were established nonetheless, 2006 witnessed positive developments in certain unions' activities', such as Teachers and Education

(1) YOHR Report 2006, previous reference.

Professions Union, although cloned into other unions."

Within this context, Ms. Tawakul Karman, Female Journalists without Chains, says that the security environment in which CSOs are operating became more hostile, where pressures are exerted on landlords force NGOs to evacuate their premises, in addition to harassments and intimidations.

Fifth; Organization and Administration:

According to freedom of association principles; founder of societies have the full right to organize them freely and without interference. Administration may draft optional templates to assist founders during establishment process; on the other hand societies have the right to amend their articles of association freely, including objectives, and areas of operation any time according to the provisions of the articles of association, without interference from Public Administration.

However, these principles are widely violated, where interference is sensed at all steps and details of societies' establishment. Where interference could start from the very moment of structuring the society, where in articles pertaining to formation regulations, in first chapter, we see that nearly all articles are labeled with the phrase "according to template approved by the Ministry". The Ministry indeed issued a series of model templates under Public Activity Legislations; including:

1. Public societies and foundations manual in organizing fi-

Table (10) Number of Illegitimate Societies and Cooperative Associations and their branches, Public Organizations and their branches till December 2006

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12	Shabwa	158	35	22.1	=	Charity, Housing, Association, Agriculture
13	Sa'da	97	15	15.4	=	Charity, Agriculture
14	Sana'a	207	65	31.4	=	Charity, Agriculture, Consumption
15	Aden	506	103	31.4	=	Social, Charity, Housing, Human Rights
16	Lahej	323	99	30.6	=	Charity, Agriculture, Housing
17	Mareb	77	6	7.8	=	Charity, Agriculture, Consumption, Human Rights Society branch
18	Almahwet	143	15	7.8	=	Charity, Agriculture, Consumption
19	Almahar	89	13	10.4	=	Social, Agriculture
20	Amran	183	13	7.1	=	Social, Agriculture
21	Addalie	133	9	6.7	=	Social, Agriculture
22	Hadramout-Syun	118	8	6.8	=	Social, Agriculture
23	Raima	54	23	42.6	=	Social, Agriculture
	Total	5632	1297	23.02		

Source: NGOs Information Section, Social Development Department, Ministry of Social Affairs and Labor

2. Preplanned Reasons: (cloning)

By cloning we mean split a group from a party, a society, an organization or even a newspaper, carrying the same name or similar name of such entity.

2.1. Political Parties:

It is very common to see a pro-authority group splits from a political party and claim that they represent the legal entity, they apply for a license, and normally they get it with minor alteration to the name of the original party. The original party exerts most of its efforts proving its legitimacy, instead of directing them towards the authority. Further a party could be cloned into more than one party:

- a. Arab Ba'th Party - Ba'th National Party - Ba'th Party Organization (Shakir).
- b. National Front - National Front (AlGarmouZR "name of the party's president").
- c. Yemeni Sons League - Yemeni Sons League (Legitimate Leadership).
- d. Nasserite Unitarian Party - Nasserite Correction Party - Nasserite Democratic Party.
- e. Association of Yemeni Public Forces - Association of Public Forces

2.2. Societies:

- a. Female Journalists Without Chains - Female Journalists

Without Border.

b. HOOD - NOOD.

2.3. Unions and Professional Associations:

Same cloning tactics are employed with unions and professional associations, where an association or a union is split into two entities, which is a better solution to authorities than suspension, where split will weaken such party or society from inside, and drag them into legal dispute to prove their legitimacy. Yemeni Observatory for Human Rights 2006 Report⁽¹⁾, describes freedom of association by stating that "civil society organizations are operating in a very discouraging legal environment, manipulated by authorities to restrict CSOs activities. Further, union activists are subject to authorities' harassment and intimidation within this context of official interference in union activities, many violations were perpetuated on activists affiliated to Technical and Medical Professions Union in Taiz, during Administrative Board elections. Authorities exerted pressures on Union branch in Taiz through Unions office in Sana'a to force the elected president to rescind to ruling party candidate. Also Physicians and Pharmacologist Union premises were ransacked and looted; further three cloned unions were established nonetheless, 2006 witnessed positive developments in certain unions' activities', such as Teachers and Education

(1) YOHR Report 2006, previous reference.

Professions Union, although cloned into other unions."

Within this context, Ms. Tawakul Karman, Female Journalists without Chains, says that the security environment in which CSOs are operating became more hostile, where pressures are exerted on landlords force NGOs to evacuate their premises, in addition to harassments and intimidations.

Fifth; Organization and Administration:

According to freedom of association principles; founder of societies have the full right to organize them freely and without interference. Administration may draft optional templates to assist founders during establishment process; on the other hand societies have the right to amend their articles of association freely, including objectives, and areas of operation any time according to the provisions of the articles of association, without interference from Public Administration.

However, these principles are widely violated, where interference is sensed at all steps and details of societies' establishment. Where interference could start from the very moment of structuring the society, where in articles pertaining to formation regulations, in first chapter, we see that nearly all articles are labeled with the phrase "according to template approved by the Ministry". The Ministry indeed issued a series of model templates under Public Activity Legislations; including:

1. Public societies and foundations manual in organizing fi-

financial register books and bookkeeping.

2. Manuals on planning, programming, and administration of public societies and foundations.

3. Model articles of association for public societies.

4. Model articles of association for public foundations.

5. Model articles of association for associations.

6. Model articles of association for associations in governo-
rate.

7. model articles of association for general associations

8. Procedural steps to establish and declare public societies, foundations and their associations.

9. Legislative manual for public societies and foundations work.

Authorities justify their interference on the basis of articles (4, 5, and 6) of the PM Decree No. (129) of 2004, on the Executive Bylaws for Public Societies and Foundations No. (1) of 2001:

Article (4): issuance of regulations pertaining to legal supervision and executive procedures to establish, facilitate and declare public societies, foundations and their associations and elections procedures.

Article (5): provide consultancy and technical assistance to public societies, foundations and their associations, whenever requested, further to support and foster them.

Article (6): issuance of model articles of associations and articles of incorporations for public societies and foundations.

However, authorities' interference is not limited to administrative or organizational aspects, rather they interfere in administration of a society meetings, identifying mandates and tasks etc. (see Chapter Six; Public Societies' and Foundations' Management, appendices).

Sixth: Funding and Taxes:

We base our argument here on the principle that the state shall ensure taxes and fees exemption in their pertaining laws for societies, and shall encourage donors by granting reasonable concessions to what they donate from their taxes, however such privileges and tax exemptions shall not be employed as a tools to interfere in societies' affairs. This is with respect to the ideal principle, however, in the local context and practice; article (18) of Law No. (1) of 2001, states that "state shall provide financial and in kind assistance to the societies, provide that:

- a. one year at least should have elapsed since a society have been established and commenced its actual activities.
- b. Their activities shall achieve public interest.
- c. They provide copy of their final statement of account, approved by the general assembly, to the Ministry or the Technical Bureau.

We managed to obtain a list that demonstrates size and dis-

tribution of financial assistance to societies in the country (YR. 266,379,960), and number of benefited societies (369) during 2007. However, no names of these societies were listed in the list, nor conditions considered when granting such assistance. Financial assistances are distributed to each governorate and granted through cooperation process between local council and Social Affairs office therein. Noting that article (b) requires that "societies' activities shall achieve public interest", which is quite obscure condition, whereas "public interest" could have different understanding and meaning among both the supervising party and the civil society organizations. And noting that determining whether such activity "achieves public interest", is within the supervising party hands', thereby, rendering them a free hand to provide assistance according to their wish. Within the same context, article (23) of Law No. (1) of 2001, stipulates that:

a. any public society or foundation is allowed to receive in-kind and financial assistance, with Ministry's knowledge, from a foreign person, or his local representative, also it is allowed to, with Ministry's knowledge, to forward part of such assistance, to foreign persons or organizations, for humanitarian purposes.

b. any public society or foundation may, with Ministry's consent, implement any activity based on foreign party assignment.

c. any public society or foundation may receive books, bulletins, magazines that does not contradict with Islamic values, this law and other valid law.

We notice in the abovementioned clause repetition of "with Ministry's consent", and "that does not contradict with Islamic values" phrases. Such phrases demonstrate authorities' candid interference. Also at practical level, laws provisions are employed pragmatically whenever concerned authorities need. Executive bylaws of Law No. (1) of 2001, chapter four on "Rights and Obligations of Public Societies and Foundations, Their Revenues and Funding Means, and Tax Exemption.. etc", article (16) on Funding and Taxes stipulates that the society or foundation shall have the right to:

1. Rent and own properties needed to administrate its work and activities.
2. Contract staff to run its activities.
3. Open an account with any approved banks.
4. Invest its financial surplus in short term and easily liquefied investments.

Executive bylaws of Public Societies and Foundation Law No. (1) of 2001, elaborates on conditions pertaining to receiving of foreign in kind and financial assistances, where article (17) provided that Social Affairs Ministry shall be provide with the following information:

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2. Manuals on planning, programming, and administration of public societies and foundations.

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c. any public society or foundation may receive books, bulletins, magazines that does not contradict with Islamic values, this law and other valid law.

We notice in the abovementioned clause repetition of "with Ministry's consent", and "that does not contradict with Islamic values" phrases. Such phrases demonstrate authorities' candid interference. Also at practical level, laws provisions are employed pragmatically whenever concerned authorities need. Executive bylaws of Law No. (1) of 2001, chapter four on "Rights and Obligations of Public Societies and Foundations, Their Revenues and Funding Means, and Tax Exemption.. etc", article (16) on Funding and Taxes stipulates that the society or foundation shall have the right to:

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2. Contract staff to run its activities.
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Executive bylaws of Public Societies and Foundation Law No. (1) of 2001, elaborates on conditions pertaining to receiving of foreign in kind and financial assistances, where article (17) provided that Social Affairs Ministry shall be provide with the following information:

Name of society/foundation that receives assistance, number and date of registration certificate, name of foreign person or entity, name of its representative in the Republic of Yemen name of the state and its headquarters. Also to indicate purpose of receiving/sending money, amount, means of receiving or transmitting etc. with respect to revenues, article (39) of Law No. (1) of 2001, permits the society or foundation to generate revenues through:

1. membership fees, and members donations;
2. unconditioned assistances, aids, grants, donations, and wills;
3. revenues attained through society's or foundation's assets, or from economic activities exerted;
4. public societies and foundations may practice legally permissible economic and commercial activities, at the following instances:
 - a. if the objective is to gain profit, in line with the society's purposes and objectives;
 - b. provided that profits gained from such economic activities, shall not be distributed, directly or indirectly, to the society's/foundation's founders, members, senior leaders, board of directors members, staff, or donors.
 - c. Such economic activities shall not represent a financial risk for the society or the foundation.

Also articles (40, 41) of Law No. (1) of 2001, and article (19) of the Bylaws, stipulates that:

Article (40): societies and foundations governed by this law shall enjoy the following privileges:

1. tax exemption on all its revenues and sources of income.
2. tax and customs exemption on all its imported commodities, appliances, equipments, machineries, spare parts, and raw materials whether processed or not processed.
3. customs exemption on all received foreign gifts, and aids, necessary to implement its tasks, based on Social Affairs Minister's recommendation and Minister's of Finance approval.

Such term "based on Social Affairs minister's recommendation and Minister's of Finance approval", represents another obstacle when it comes to granting customs exemption.

Article (19) of the Bylaws stipulates procedures to be followed to obtain two ministers' approval. Thereby, restricted such approval to the two ministers, which is on the other hand subject to political manipulation, in addition to administrative bureaucracy. One of Al Islah Charity Society staff, claimed in an interview conducted with the researcher that they could not get customs exemption to import a grant of date shipment, donated by Saudi Arabia during Ramadhan last year, in spite of all documents provided, thereby they have to pay customs to clear their shipment. On the other hand all states potentials are ma-

nipulated in favor of Al Saleh Foundation. Also article (41), Law No. (1) of 2001 stipulates that "all main offices of public societies shall be charged with utilities (water and electricity) tariff equal to houses tariff, further they shall enjoy a discount of 50% in such tariff". However, such concession remains within law texts, and was not interpreted into certain arrangements between Ministry of Social Affairs and Ministry of Electricity, according to an interview with Khaled Al Ansi, HOOD.

Seventh; Monitoring, Management and Transparency:

Freedom of association shall not be interpreted as lack of accountability and monitoring. Societies shall in return operate within good administration criteria, and state should not be blamed in such context. In another study⁽¹⁾, we concluded that civil society organizations lack transparency, and are controlled by their presidents, consequently they lack transparency with respect to information. Also lack of equal treatment by authorities towards societies is noticed.

On monitoring, Law No. (1) of 2001, and the Bylaws, have identified types and roles of monitoring and inspection, either by the society or foundation, or by the Ministry which is man-

(1) See Dr. Abdulbaki Shmsan and Dr. Mohammed Al Mikhlafi, , State of Human Rights NGOs, and its Impact on Partnership in Yemen, previous reference.

dated to supervise by article (3) of the bylaws, which states that the Ministry, represented by concerned department is in-charge of legal supervision and monitoring over public societies and foundations and their associations, to ensure their abidance by this law and bylaws. Towards that end, the Ministry shall practice the following tasks:

1. registration and declaration of public societies, foundations and associations, and provide them with registration certificate;

2. attend and administer public societies' and their associations' elections in democratic manner;

3. inspect and revise administrative and financial works of the public societies and foundations and their associations, to verify their conformity with law and bylaws provision;

4. issue regulations pertaining to legal supervision, and executive procedures to establish, register and declare public societies and foundations and their associations, and their electoral process.

The organizing bylaws have gone even further, where article (4) stipulated that "the Ministry have the authority to invalidate any resolution taken by the administrative board, council of trustees, general board, and/or executive office, when such resolution violates law and bylaws provisions. Such board, council , and/or office may compete such invalidation with the Minister, and further seek remedy in the court. The aforesaid articles have granted authorities with vast powers, or rather they

did not live space for freedom of association to occur. As previously reiterated, how authorities interfere in unions' elections, confiscation of assets, and cloning of alternate entities. To conclude, it is noticed that societies are subject to two authorities:

1. Legal and monitoring authority; and
2. Technical authority.

"Aforementioned articles 6, and 7 of Law No. (1) of 2001"

From the abovementioned, many direct legal obstacles are in place in addition to other illegal practices that minimizes freedom of association, and leaves very narrow space for societies to operate. Further most of law, bylaws and constitution provisions contradict with international institutions on human rights; namely:

a. Legal multiplicity (overlapping of laws) law No. (1) of 2001, contains penal provisions, articles (68, 69), where they provide for imprisonment and fines. "one of human rights guarantees, democratic societies' criteria and penal legitimacy, is not to expand in incrimination, avoid incrimination in other laws rather than Penal Code, avoid incrimination for political motives, including prohibition of imposing penalties on civil work perpetuated by public societies and foundations members, relevant to their activities. However, when criminal acts, criminalized by Penal Code, such as fraud or infidelity, are committed or others, suspect shall be subject to Penal Code provisions. While other acts that are not incriminated by Penal Code, shall

be subject civil penalties, and proportionality of penalty with the crime shall be observed", Dr. Mohammed Al Mikhlafi,⁽¹⁾.

b. Discrimination based on Religion:

As stated earlier, certain constitution and legal provisions are discriminatory provisions on religion basis, including Societies Law. "Societies Law contains seven constrains conform, indirectly, to that constrains stated in human rights institutions. Such constrains are that concerned with foreign communities, where Societies Law has stipulated that none of such communities purposes shall violate Islamic values and constitution provisions.. another provision that provided that societies shall exert their cultural, sport and social activities, provided that none of their purposes shall violates Islamic values.. the same applies on fraternity and friendship societies in the Republic, where it states that its objectives shall include cooperation in cultural, social, artistic, and economic aspects, provided that such objectives does not violate Islamic values, constitution and societies' law provisions", Dr. Salaheddin Haddash⁽²⁾ .

(1) Dr. Mohammed Al Mikhlafi, "Penalties in Public Societies and Foundations Law" a working paper in Symposium on Future of Civil Work in light of new Societies Law and Bylaws", organized by Civil Society Forum, Sana'a, October 2004.

(2) Dr. Salaheddin Haddash, Freedom of Association: Comparative Study on Yemeni Legislations and International Standards in Human Rights Institutions.

Conclusion

We may safely conclude that freedom of association obstacles could be classified into three levels:

First; Constitutional and Legal: where Public Societies and Foundations Law No. (1) of 2001, and its executive bylaws, does not include provisions impedes freedom of association, only, rather it include provisions of other law competency; namely provisions that under Penal Code competence, in addition it contains, so does the constitution, an articles that contradicts with international human rights institutions, that Republic of Yemen has ratifies.

Second; Social: legal texts, which could be ideal texts, are not responsible always for violations or constrains, rather at many instances, societal culture could be the source of such violations and constrains. For instance, law provide for equality, however such concept has implied connotation derived from the societal culture that enrooted deeply in the common subcon-

scious: i.e. women and child status, lower casts including Jewish minority.

Third; Civil Society Organizations: freedom of association could not be tackled objectively apart from addressing CSOs as a major third component in the analysis field. Whereas, legal and social components and CSOs institutionalization are inter-related, and CSOs in Yemen lacks institutionalization (at different degrees), therefore, all three components must be taken into account when interference programs and strategies are planned to expand freedom of association.

Recommendations

1. Noting that most provisions contained in Law No. (1) of 2001 and its executive bylaws, does not conform with:

- * international human rights institutions and declarations on freedom of associations principles (Casablanca Declaration on Freedom of Association, October 2000, Freedom of Association Declaration in Arab States, Amman, May 1999),

- * certain constitution provisions.

We strongly recommend enacting new law that conforms to the constitution, human rights institutions, and freedom of association declarations, and call for invalidating or amending the following issues:

- * invalidate present license procedures, (upon establishment/annual) and adopt notification or publication in newspaper only.

- * Abandon bank deposit condition, which is not identified in the legal provision, at left to the concerned department which

has specified it at \$.5000, and thereby deal selectively with the organizations.

* Adherence to good governance by the concerned department and the CSOs, and enable access into information with transparency.

* Invalidate or amend the term "according to the template approved by the Ministry", including abandon all templates; articles of association, accountancy system, structure.. etc, prepared by the concerned department.

* Invalidate or amend all articles that prevent receiving of national and international donations, grants, and assistance by the societies, thereby minimize authorities' interference in societies' affairs.

* Amend legal provisions that endow concerned department with unrestricted supervising and monitoring role, to the extend of suspending any resolution issued by the board of directors/trustees.. etc.

* Invalidate all legal provisions that discriminate on religion basis in the law organizing CSOs operation.

* Invalidate all penalizing articles in the law organizing CSOs operation.

* Invalidate law provisions that allows concerned department to dissolve societies and grant it to the founders or on the basis of final verdict followed public and fair trial where all de-

fense measure were granted.

* Enact legal provisions that prohibit declaration of societies that bears similar names (cloning).

* Invalidate or amend certain terms in law No. 1 of 2001, particularly article (23) that contains general terms (Ministry's acknowledgment, Ministry's approval, does not contradict with Islamic values).

* Invalidate or amend law provisions pertinent to custom exemption, and simplify them and remove certain terms such as; based on Minister of Social Affair and Labor's recommendation and Minister of Finance's approval.

* Enforce law provision pertinent to water and electricity consumption (50% discount in utilities' bill).

2. Freedom of association derives its connotation and significance from the referential paradigm of democratic values, principles and human rights institutions in addition to freedom of expression and opinion. Freedom of association could never be addressed apart from freedom of peaceful assembly and freedom of expression. Thereby, we recommend alleviating impeding provisions from Press and Publication Law No. (25) of 1990, and Organization of Demonstration and Strikes Law No. (29) of 2003.

3. Authorities or legislations are not always responsible for freedom of association constrains, rather at many instances, it

lies within the civil society organizations' structure. Thereby, we recommend to:

- reinforce institutionalization in the CSOs;
- promote coordination, cooperation and consultancy (building coalitions and advocacy);
- Qualitative networking;
- Capacity and skills building;
- Raise activists awareness;
- Explore means of self-funding;
- Promote good governance: accountability, transparency.. etc;
- Training of activists on teamwork and institutionalized work;
- Create and promote partnership concept based on integration of roles between authorities and CSOs.
- Support and encourage societies to establish internal systems that supports institutionalize
- Support and encourage societies that represent lower categories of the community, particularly that known officially as devastated impoverished organizations;
- Encourage establishment of monitoring, defending, human rights studies, women, and child organizations. Further, we stress on encouraging establishment of combating corruption and revenge organizations, in response to community needs;
- Encourage establishment of organizations or branches in

rural areas which are inhabited by around 70% of population.

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HRITC Profile : Mission & Vision

HRITC was established in November 1995 in accordance with the license of the

Ministry of Culture. It is located in Taiz . It is an NGO established by a number of human rights activists as an independent entity .It works with a political neutrality to offer knowledge and spread human rights conceptions through activists , training workshops , forums , publications and periodical bulletins .

HRITC Vision:

Spreading awareness of universal and local human rights in the society to enable each person to acquire and protect his rights himself .

HRITC Goals :

- To establish a specialized library for all printings that deal with Human Rights .
- To conduct specialized seminars for Human Rights activists and other groups in the society .
- To Conduct forums , meetings and workshops .

HRITC Departments :

1- The Executive Bureau :

It is a department that executes the policies of the center carry ing into effect the different missions . It includes a number of other specialized sections .

2- The Advisory Board :

It includes many political and ideological characters working to evaluate the efforts and needs of the center and also to

provide the required experience, plans and programmes .

Finance

The center accepts unconditional support and donation from local and foreign institutions and individuals .

HRITC General Director :

Mr. Eiz Al Deen Al Asbahy

The Advisory Board :

- Prof. A. Al Aziz Al-Makaleh : President of Sana'a University / Chairman of the Yemeni Center for Studies and Researches

-Yahya Al Arashi : Ex Minister/ Chairman of Yemeni Red Crescent /The Ambassador of Yemen to Tunisia .

- Prof. M.Amin Al - Midani : Chirman of Arab Center for the International Humanitarian Law and Human Rights Education - France .

- Abdullah Khalil : Training Expert in Human Rights , Member of the Secretarial Council in the Egyptian Organization for Human Rights

The Late Prof. Abdul Aziz Al Sakaf : Yemen Times ' Editor -in- Chief , Professor of Economics - Sana'a University .

- Magdi Helmi : Journalist , Training Expert in Human Rights , Cairo Egypt

-Ragi Al Sorani : Director of Palestine Human Rights Center .

- The Late Ahmed Othmani : P. R. I Chairman .

- Prof. Amin Meki Madni : UNHCHR Regional Representative. in Beirut .

The launches of human rights information & training center

(a) The books series

- (1) Women Demands against Poverty and Violence. - Translated by / Haviz Mohammed Zien
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