

## Yemen

The security situation in Yemen continued to deteriorate during 2009. Al-Qa'ida in Yemen (AQY) announced its merger with al-Qa'ida (AQ) elements in Saudi Arabia in January 2009, creating al-Qa'ida in the Arabian Peninsula (AQAP). This strategy of consolidation received significant publicity and demonstrated AQ's reinvigorated recruitment efforts and commitment to expand operations throughout the Peninsula. However, the creation of AQAP coincided with fewer attacks within Yemen. This was due in part to Yemeni security forces' disruptions of the group, but also may have reflected the desire of AQAP's leadership to reduce its attacks within Yemen and use the country – and particularly those regions that were largely outside government control -- as a safe haven for planning future attacks.

The government's response to the terrorist threat was intermittent, and its ability to pursue and prosecute suspected terrorists remained weak throughout most of the year. Draft counterterrorism legislation stalled in Parliament. The government's response, however, improved dramatically in December, exemplified by the heightened pace of counterterrorism operations. Still, the government's focus on other internal security challenges, including the "Sixth War" of the Houthi rebellion in the northern Sa'ada governorate, which began in August and had not ceased by year's end, often diverted it from broader counterterrorism activities.

On December 25, Nigerian citizen Umar Farouk Abdulmutallab attempted to blow himself up while on a flight into Detroit. Abdulmutallab admitted to having been trained by AQAP in Yemen.

There were three terrorist attacks against foreign interests:

- On March 15, four South Korean tourists were killed in a suicide bomb attack in the city of Shibam in Hadramaut province.
- On March 18, a motorcade carrying South Korean government officials was attacked by a suicide bomber on the road to Sana'a International Airport.
- In June, nine foreigners were kidnapped in Sa'ada, resulting in three confirmed deaths. The remaining six were still missing at year's end.

There were a number of terrorist attacks against Yemeni interests, particularly Yemeni security and military targets. Terrorist elements, either explicitly aligned with AQAP or related actors, attacked Yemeni targets of opportunity in Ma'rib and Hadramaut in June, July, October, and November; among these incidents was the assassination of three high-level security officials. AQAP showed signs of financial strain, and Yemeni authorities suspected them to have conducted the sophisticated robbery of a Yemeni bank truck in Aden on August 17 that resulted in the theft of US\$ 500,000.

While attacks inside Yemen decreased from 2008, AQAP launched an attempt on Saudi counterterrorism chief Prince Mohammed bin Nayif's life in Riyadh on August 27. A known AQAP member, Abdullah al-Asiri, claimed he was seeking a royal pardon during Ramadan and gained access to bin Nayif. Al-Asiri detonated a bomb, killing himself but failing to inflict

serious injury on the prince. The suicide bomber was thought to have crossed into Saudi Arabia via the northern Yemeni border.

Despite these security challenges, there were counterterrorism successes in 2009, including:

- On January 19, the Counterterrorism Unit (CTU) conducted a raid on an AQ cell in Sana'a, which resulted in the death of two suspects, and the capture of another suspect and a weapons cache, including machine guns, mortars, and rocket-propelled grenades.
- In March, Abdullah Abdul-Rahman Mohammed al-Harbi, a Saudi AQAP member, was arrested in Ta'iz and later returned to Saudi Arabia. Also in Yemen, Naif Duhais Yahya al-Harbi, another Saudi national AQAP member, surrendered and Hasan Hessian bin Alwan, a Saudi AQAP financier, was arrested in June.
- On December 17, strikes were conducted on two significant AQAP sites. Similar strikes followed on December 24. In the wake of these operations, Yemeni officials affirmed that they will continue to pursue AQAP operatives.

Throughout most of the year, prosecuting terrorists remained extremely difficult for Yemeni courts, largely because current law, as applied to counterterrorism and the financing of terrorism, remained weak. Counterterrorism legislation sent to a Parliamentary committee for review in 2008 remained there at year's end. The absence of effective counterterrorism legislation that criminalized the activities of those engaged in planning and facilitating acts of terrorism, both in Yemen and abroad, contributed to Yemen's appeal as a safe haven and potential base of operations for terrorists. For this reason, the government was forced to apply other available laws, including fraudulent document charges or "membership in an armed gang" charges to thwart foreign fighters going to Iraq and Afghanistan. Those who commit acts of terrorism in Yemen can face punishment for murder or assault under the criminal system, but terrorism itself is not a defined crime, and therefore not illegal. On December 29, however, the Parliament passed long-stalled counterterrorist finance and anti-money laundering legislation that gave the government new powers to investigate and prosecute terrorist financial networks operating inside the country. Legal, political, and logistical hurdles remained a hindrance to an effective detention and rehabilitation program for Guantanamo returnees. The government lacked a secure facility to house Guantanamo returnees, a plan for rehabilitating the returnees, or the legal framework to hold returnees for more than a short amount of time. The government's monitoring program of released Guantanamo returnees remained largely ineffective.

As Saudi security forces have clamped down on terrorism, and foreign fighters have returned from Afghanistan and Pakistan, Yemen's porous borders have allowed many terrorists to seek to base operations within Yemen. The government lacked a strong security apparatus outside major cities and its Counterterrorism Unit and Yemen Special Operations Force, the state's two premier counterterrorism entities, required additional training and funding in order to effectively target terrorist elements. The Department of State provided training and equipment to Yemen's security forces in the Ministry of Interior, including the Yemeni Coast Guard and the Central Security Forces Counterterrorism Units (CTU). The United States also supported regional and multilateral efforts to help Yemen stop the flow of funding to terrorism, including regional training of Yemeni officials from the Central Bank, Ministry of Finance, and Financial Intelligence Unit.