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Human Rights Agenda "HRA": an independent NGO that defends human rights in Yemen by building collaboration within the human rights and civil society space, advocacy, documentation of Human Rights violations, and building the capabilities of organizations and workers on human rights. Human Rights Agenda is a catalyst that works in partnership with community-level, national, and international civil society to amplify our collective impact and realize the enjoyment of human rights for all.

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Association of Mothers of Abductees: a human Rights Yemeni-based organization. It was fundamentally formed by the mothers, wives, and female relatives of abductees and forcibly disappeared detainees, along with female human rights activists. The association's main focus is the cause of abductees, detention-related abuses.

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Musaala for Human Rights: A Yemeni non-profit NGO defending and protecting human rights, through monitoring and documenting human rights violations, supporting and seeking redress for victims, and holding perpetrators accountable the parties responsible for violations in order to stop these violations and ensure non-repetition.

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Dhameer for Rights and Freedoms: A Yemeni Human rights organization based in Shabwah governorate. Dhameer defends human rights through documentation of human rights violations and advocating for victims' rights.

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Part One: Introduction

1. The armed conflict in Yemen broke out in September 2014, with the Ansar Allah armed group (Houthis) forcibly taking control of the capital, Sanaa, in cooperation of forces loyal to former president Ali Abdullah Saleh. House arrest was imposed on the then President (Hadi), and the group continued, with support from Saleh forces, to expand its control over land and governmental institutions. In March 2015, Saudi Arabia, along with nine other countries, formed a military coalition at the request and consent of President Hadi and announced an aerial campaign, followed by ground military operations in various parts of the country at later times.¹ Hostilities continued at varying levels since then and have a severe impact on civilians. All warring parties in Yemen bear responsibility for serious violations of IHL and IHRL.
2. The bipolar conflict landscape between the Yemeni government and the coalition on the one hand and the Ansar Allah (Houthis) and forces loyal to the former president (Saleh) on the other hand has become increasingly turbulent due to changing loyalties, the disintegration of factions, and the spread of proxy armed groups.² For example, tension escalated between the Ansar Allah (Houthis) and Saleh forces until it reached an armed clash in, Sana'a, and ended with Saleh's death by the his former ally in December 2017. On the other hand, the UAE consolidated its influence over southern parts of Yemen by establishing proxy armed groups that on many occasions have been in hostile acts against the Yemeni government.
3. In April 2022, the UN OSESGY was able to facilitate a truce for two months, the deal included opening of Sana'a Airport and easing of restrictions on the sea port of Hudaydah. The truce was renewed twice for two months each.³ Since the end of the truce in October 2022, and despite the noticeable decline in military operations, human rights violations continue to accrue.⁴
4. The devastating impact of the conflict is compounded by food insecurity, limited access to medical care and restrictions on imports of basic goods. The stoppage of public sector salaries and the division of financial institutions and banknotes, between Houthi-controlled areas and areas controlled by the Internationally recognized government and STC, had a devastating impact on the lives of civilians. Since March 2017, OCHA has considered Yemen to be the largest humanitarian crisis in the world. Currently, out of a population of 29.3 million, 21.6 are in need of humanitarian assistance, including 17.3 in urgent need. Needs extend across all sectors, including health, food, water, protection and education.⁵

¹ "Report of the OHCHR containing the findings of the GEE and a summary of technical assistance provided by the Office of the High Commissioner to NCOI", August 17, 2018, The GEE, para. 17 and 18, https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/39/43.

² *Supra* 1 at para. 23.

³ "UN Initiative for A Two-Month Truce" April 2022, OSESGY, <https://osesgy.unmissions.org/united-nations-initiative-two-month-truce-0> .

⁴ "A Dark Year Despite the Truce", January 5, 2023, Mwatana, <https://www.mwatana.org/posts-en/annualbreif2022>.

⁵ "Yemen Humanitarian Response Plan 2023", 5 January 2023, UN OCHA, <https://reliefweb.int/report/yemen/yemen-humanitarian-response-plan-2023-january-2023-enar>.

Part Two: The Human Rights Violations

Section One: Attacks on civilians and civilian objects

5. Since the Saudi/UAE Coalition announced the launch of its aerial campaign in Yemen in March 2015, it has launched more than 23,000 airstrikes in Yemen, directly affecting 18,000 civilians.⁶ The air attacks were targeted to densely populated areas, markets, hospitals, schools, fishing boats, and sources and supplies of food, water, and power.
6. Living in a country that is subject to an average of 10 airstrikes a day has robbed Yemenis of feeling safe. Despite the fluctuation in frequency and intensity of airstrikes, and the warring parties entering into a truce, airstrikes have repeatedly had a devastating impact on civilians and have failed regularly to fulfill obligations to take precautions to minimize civilian harm and respect the principles of proportionality, distinction, which may amount to a war crime.⁷ The coalition-established (JIAT) repeatedly justified many attacks as a “technical error” without leading to clear changes in coalition procedures and rules of engagement.⁸
7. *January 21, a Saudi/UAE-led coalition airstrike targeted a Houthi-controlled detention center in Saada Governorate. After the airstrike, Houthi forces guarding it targeted detainees who attempted to escape with gunshots. The attack resulted in at least 82 deaths and 162 injuries. According to the medical staff, 16 of the dead and 35 of the wounded were hit by gunshots. A detainee reported that the facility included a section for detained children and that at least three children were victims of the attack.*⁹
8. Ground attacks did not comply with the principles of IHL, as well. Warring parties continued to launch indiscriminate and disproportionate ground attacks that harmed civilians. Warring parties did not hesitate to deliberately use civilians and civilian objects to shield military operations, and to carry out hostilities from populated neighborhoods, which made millions of civilians and their property more vulnerable to hostilities. This actually led to the killing and wounding of many civilians and caused severe damage to public and private property, vital infrastructure, schools, hospitals, and sources and supplies of food, water and power. In most attacks, the warring parties used weapons that were imprecise and had excessive impact, and in frequent cases they were not directed at a specific military target. Many of them targeted markets and densely populated

⁶ According to the YDP, a total of 8,772 civilians were killed and 9,841 injured. Available at <https://yemendataproject.org/>.

⁷ “A nation abandoned”, 14 September 2021, UN GEE, at para. 20, <https://www.ohchr.org/en/press-releases/2021/09/un-group-eminant-international-and-regional-experts-yemen-presents-its?LangID=A&NewsID=27458>

⁸ *Supra* 7 at para. 23.

⁹ “Yemen: Latest Round of Saudi-UAE-Led Attacks Targets Civilians”, April 18, 2022, Human rights watch, <https://www.hrw.org/news/2022/04/18/yemen-latest-round-saudi-uae-led-attacks-targets-civilians> .

- neighborhoods without taking possible precautions to reduce civilian casualties, which escalated the movement of displacement in search of safe places.¹⁰
9. During the last four years, warring parties launched at least 386 indiscriminate or disproportionate ground attacks that killed 364 civilians, injured 1,032 others, and caused damage to public and private facilities and property. The Ansar Allah (Houthis) bears responsibility for at least 204 attacks, forces affiliated with or loyal to the Yemeni government bear responsibility for 40 attacks, Saudi border guard forces bear responsibility for 52 attacks, and the STC and other non-governmental military forces supported by the UAE bear responsibility for 47 ground attacks.¹¹

Section Two: The use of Landmines

10. In the largest operation of landmines planting since WWII, with an estimate of more than three hundred thousand landmines, the Ansar Allah (Houthis) did not hesitate to use landmines and improvised explosive devices on a large scale.¹² According to GEE's investigations, the group is exclusively and consistently responsible for planting landmines, without fencing procedures or warning signs, and in repeated cases the group did not keep maps of the landmines it planted.¹³ These landmines exacerbated food insecurity.¹⁴ Landmines were planted on coastal roads, farms, and grazing lands, and near water sources, which reduced the access of fishermen, farmers, and herders to food and water sources.¹⁵
11. *On Monday, September 13, 2021, around 5:30 p.m., a landmine planted by the Ansar Allah (Houthis) exploded in the Qataba area, Al-Khawkhah District, Hudaydah Governorate, by a pickup truck, injuring 32 civilians, including 24 children and seven women.*¹⁶
12. The number of child casualties caused by landmines and improvised explosive devices increased eightfold from 2018 to 2022.¹⁷ The truce declared in April 2022 allowed civilians to move more freely, increasing their exposure to landmines and unexploded ordnance, and consequently the number of landmine victims has increased in parts of the country. Across

¹⁰ "A Country Falling Apart", November 10, 2022, Mwatana, At page 50, <https://www.mwatana.org/reports-en/falling-apart-4> .

¹¹ See, *Supra* 4; *Supra* 10, page 50; "A Tragedy Without Justice", September 29, 2021, Mwatana, page 50, <https://www.mwatana.org/reports-en/a-tragedy-without-justice> ; and "Without Accountability", October 18, 2020, Mwatana, page 40, <https://www.mwatana.org/reports-en/without-accountability-6> .

¹² "The Houthis and the Use of Landmines in Yemen", 6 June 2018, ACLED, <https://acleddata.com/2018/06/06/the-houthis-and-the-use-of-landmines-in-yemen/> .

¹³ "Conference Room Paper - Report of the detailed findings of the GEE A/HRC/45/CRP.7" September 29, 2020, UNGEE, para 69, <https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/GEE-Yemen/A-HRC-45-CRP.7-en.pdf> .

¹⁴ *Supra* 13 at para. 124 and 125.

¹⁵ "Starvation Makers", September 1, 2021, GRC and Mwatana, Page 279, <https://www.mwatana.org/reports-en/starvation-makers-e> .

¹⁶ *Supra* 10, Page 80.

¹⁷ "Children In Yemen Face Highest Risk From Landmines And Explosive Devices In At Least Five Years", 23 March 2023, Save the Children, <https://www.savethechildren.net/news/children-yemen-face-highest-risk-landmines-and-explosive-devices-least-five-years-save-children> .

Yemen, landmines emerged as a major conflict-related cause of civilian casualties after the truce, demonstrating the deadly legacy of the conflict.¹⁸

13. Although the Ansar Allah (Houthis) bears responsibility for planting mines, this does not exempt the Yemeni government and other parties from their obligations to clear and remove mines from the areas under their control. Unless this is done, landmines will remain a threat to the lives of civilians in both war and peace.¹⁹

Section Three: Detention-related abuses.

14. All warring parties in Yemen continue the practice of deprivation of liberty, as well as enforced disappearance and torture, as a regular behavior towards civilians either based on their political backgrounds, to punish them for their religious ideas, to restrict their rights and personal freedoms, or to legitimize their powers by spreading terror.²⁰ The behavior of detaining civilians without arrest warrants has been frequent practice by all warring parties. Detainees remain detained for long periods without being charged or being subject to legal action, and in many cases, detainees remain detained for years without being brought before a public prosecutor or any judicial authority and without access to any form of legal assistance.²¹
15. Warring parties have also used secret or unofficial detention facilities in a way that shows the absence of judicial oversight. The secret detention facilities included homes, mosques, camps, governmental and service facilities. All parties have repeatedly practiced enforced disappearance and denied detainees' families their right to know the whereabouts of their loved ones. Majority of detainees were subjected to varying periods of enforced disappearance. There have also been repeated incidents of victims being transferred to other detention facilities, which increases the suffering of their families in searching for them. In some cases, families of victims were forced to pay large amounts of money to intermediaries who claimed to be able to inform families of the exact places where their loved ones were being held or to help them communicate with them in detention facilities.²²
16. Detainees face poor detention conditions, including being served poor food, being held in places without proper ventilation, and being denied exposure to sunlight. During the spread of the pandemic (Covid-19), the warring parties in Yemen did not take into account requirements to ensure the health and safety of detainees during times of the pandemic.²³
17. In many cases, Civilians in detention facilities are also subjected to torture and other forms of cruel, inhuman or degrading treatment, including severe beatings, electric shocks,

¹⁸ "Yemen: Explosive remnants of war cause more civilian casualties", 15 November 2022, UN News, <https://news.un.org/ar/story/2022/11/1115562> .

¹⁹ *Supra* 15, page 319.

²⁰ *Supra* 7 at para.38.

²¹ "Mothers at the Gates of Justice 4", July 22, 2023, Association of Mothers of Abductees, <https://ama-ye.org/mothers-at-the-gates-of-justice-4/> .

²² See, *Supra* 21, and "Conference Room Paper - Report of the detailed findings of the GEE A/HRC/42/CRP.1" September 3, 2019, UNGEE, https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/GEE-Yemen/A_HRC_42_CRP_1.PDF .

²³ "Yemen: Aden Detainees Face Dire Covid-19 Risk", July 2, 2020, HRW, <https://www.hrw.org/news/2020/07/02/yemen-aden-detainees-face-dire-covid-19-risk> .

kicking, slapping, burning, waterboarding, pulling out fingernails, being crammed into narrow rooms, handcuffing, depriving of medical care, and other violations of a sexual nature, such as beatings on the genitals, forced nudity, and threats of rape.²⁴ In repeated cases, deaths have been documented inside detention facilities or shortly after release as a result of poor sanitary conditions inside detention centers or because of the torture they were subjected to that led to death.²⁵

18. In mid-March 2022, around 04:00 A.M., armed men of Ansar Allah (Houthis) arrested a civilian from his home and took him to unofficial detention center, and he remained five days without his family knowing his whereabouts. During his detention, the victim was beaten with rifle butts, sticks, and electric cables, and was deprived of sleeping, without any official charges being brought against him. He was released on the sixth day after he was warned that he and his family members will be executed if he moves to Ma'rib Governorate (one of the governorates under the internationally recognized government control).²⁶

Section Four: Recruitment and use of children in hostilities

19. The practice of child recruitment continues as a result of the close connection between economic and social roots.²⁷ The warring parties have exploited the living conditions and poverty of many children to recruit them, as many children have engaged in recruitment due to economic challenges of families and the challenges families face to provide a source of income.²⁸ While the psychological conditions of children and societal factors, including a family member's affiliation with an armed group, are considered among the most important reasons for voluntary recruitment. UN reports have confirmed that armed groups have also forcibly recruited children.²⁹ Field studies confirmed that a large percentage of children were forcibly recruited without the consent of their families.³⁰
20. In mid-May 2020, a 16-year-old child was recruited in Al-Khanjar camp in Khub Wash Al-Sha'af District, Al-Jawf Governorate, by the border guard forces of the internationally recognized government, and on September 20, 2021, the child was killed as a result of a landmine explosion.³¹
21. The UNSG CAAC report for 2022 confirmed the recruitment of at least 105 children (including two girls). The Ansar Allah (Houthis) recruited 77 children, the Security Belt recruited 12 children, the Shabwani Elite Forces 10 children, and the forces affiliated with

²⁴ See, *supra* 13 at Para. From 415 to 423; *Supra* 7, page 13; and *Supra* 10, page 80.

²⁵ See, *supra* 13 at para. 423; *Supra* 7, page 13.

²⁶ *Supra* 21, page 66.

²⁷ "Colored Coffins", July 7, 2020, Mwatana, page 100, <https://www.mwatana.org/reports-en/colored-coffins> .

²⁸ "Annual Report 2022" January 2023, Dhameer Organization for Rights and Freedoms, https://drive.google.com/drive/folders/1gZo5mf2aESeizUfedofedPyr0w_4vEsm?usp=sharing.

²⁹ "Children and armed conflict in Yemen; Report of the Secretary-General" August 27, 2021, Security Council Reports, at para 19, https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2021_761.pdf.

³⁰ *Supra* 27, page 103.

³¹ *Supra* 10, page 62.

- the Yemeni government four children, a child who was recruited with the Giants' brigades, and another child for whom the recruiting party was not identified.³²
22. In addition to direct involvement in hostilities, child soldiers were assigned other tasks such as guarding, transporting military supplies, collecting information, planting mines and also use as porters and cooks.³³ Field investigations documented the Ansar Allah (Houthis) recruiting girls under the age of 18, using them in security inspections, and providing logistical services such as cooking and laundry for fighters.³⁴
23. Although IHL prohibits the recruitment and use of children, which may amount to a war crime, the warring parties have not shown a real commitment to stopping these practices.³⁵ It exacerbates the danger of recruitment, the fact that recruited children are more vulnerable to other violations such as killing, maiming, mutilation, dropping out of education, and other violations of a sexual nature.³⁶

Section Five: Education

24. Education in Yemen is particularly important as it is a very young country, with children under the age of fourteen making up nearly half of the population or a little less than that.³⁷ In addition to the real challenges of the country's pre-conflict educational system, education had a large share of the devastating impact of the armed conflict, as it resulted in at least two million children dropping out due to poverty, conflict, and lack of educational opportunities, and 8.1 million children are in need of emergency educational support. Warring parties have destroyed, damaged, or used at least one out of every four educational facilities across the country for non-educational purposes.
25. Given the importance of education as a lever for post-conflict recovery efforts, these lost years of students' educational lives will sow the seeds of conflict and backwardness in future generations, and their consequences will accompany generations of students for long periods of time.³⁸
26. While the armed conflict has caused the displacement of more than 4 million people to more than 1,500 informal camps, where they suffer from prevention or severe restrictions imposed by the warring parties on the access of humanitarian aid, including basic education services, more than 523,000 displaced children suffer from challenges to access education

³² "Secretary-General Annual Report on Children and Armed Conflict", June 5, 2023, the Special Representative for Children and Armed Conflict, para. 207. <https://daccess-ods.un.org/tmp/9555691.4806366.html>

³³ "The Graveyard of Hubris", SanaaCenter, <https://sanaacenter.org/publications/the-yemen-review/16768> .

³⁴ *Supra* 10, page 60.

³⁵ Jo Becker, "Houthis Commit to End Violations Against Children in Yemen", April 19, 2022, HRW, <https://www.hrw.org/news/2022/04/19/houthis-commit-end-violations-against-children-yemen> .

³⁶ *Supra* 29, page 106.

³⁷ "Education Disrupted: Impact of the conflict on children's education in Yemen", July 2021, UNICEF, <https://www.unicef.org/yemen/reports/education-disrupted> .

³⁸ "Yemen: Conflict leaves millions of children without proper education", 13 October 2022, ICRC, <https://www.icrc.org/en/document/yemen-conflict-leaves-millions-children-without-proper-education>.

- due to the lack of sufficient space in current classrooms, schools being damaged by military attacks, being used by warring parties, or being settled by displaced families.³⁹
27. The stoppage of public sector salaries since 2016 has had a severe impact on two-thirds of teachers (about 172,000 teachers), who were forced to stop teaching in search of other income-generating activities or to continue in the teaching profession despite the stoppage of their monthly salaries or their receipt of them irregularly.⁴⁰
 28. During the period from 2020 to 2022, the warring parties in Yemen attacked or used at least 296 schools. The Ansar Allah (Houthis) armed group (Houthis) bears responsibility for 259 incidents that varied between use, bombing, ground attacks, and drone attacks. The forces loyal to the Yemeni internationally recognized government bear responsibility for at least 16 incidents of attacks or use of schools and educational facilities, forces of the Transitional Council bear responsibility for 8 incidents, the joint forces on the West Coast bear responsibility for four incidents, and the Saudi/UAE-led coalition bears responsibility for the least three incidents.⁴¹
 29. Armed groups, in particular the Ansar Allah, have used educational institutions for ideological and religious purposes. The group forced schools to chant the group's slogans in the morning assembly and instituted changes in the school curricula that serve its religious ideas and help the group in combat mobilization and recruitment of children. The changes also affected the removal of school curricula that promoted civic space, civil society, and women's participation.⁴² The group went on to systematically mobilize to launch so-called summer camps, which is another means of instilling jihadist and sectarian ideas.⁴³ The group imposed financial fees, claimed to be voluntary, on students of public schools, however, it later turned out to be mandatory, and students may be subject to expulsion if their families are unable to pay the fees.⁴⁴
 30. With two million children in Yemen remaining outside the educational system, the fears that girls and boys who drop out of education are exposed to early marriage, domestic violence, and recruitment into the troops and armed groups, remain extremely serious and imminent fears.

Section Six: The press and freedom of expression

31. At a time when Yemen is going through the worst humanitarian crisis, the press and journalists are being subjected to various types of violations in order to silence them and

³⁹ *Supra* 40.

⁴⁰ *Supra* 41.

⁴¹ See, *supra* 10; *Supra* 10, page 88; "A Tragedy Without Justice", September 29, 2021, Mwatana, <https://www.mwatana.org/reports-en/a-tragedy-without-justice> .

⁴² See, "Changes to the curricula in Houthi-controlled areas", February 25, 2022, Yemeni Sadaq platform, <https://www.docdroid.net/zPrkij/manahij2022-low-pdf#page=5> ; "Curricula Changes To Mold The Jihadis Of Tomorrow", November 5, 2021, Sanan Center, <https://sanaacenter.org/ypf/curriculum-changes-to-mold-the-jihadis-of-tomorrow/> ; and *Supra* 29.

⁴³ "Curricula and activities of summer camps in Houthi-controlled areas", December 2022, Yemeni Sadaq platform, <https://drive.google.com/file/d/1bb7LpXMT41JAq7RYnjNPxf1UZEjEY3ol/view>

⁴⁴ "The community contribution fees paid by school students are not voluntary as the Houthis claimed", September 3 2022, Yemeni Sadaq platform, <https://sidqyem.com/?s=317>

- prevent them from conveying the suffering of civilians, making Yemen one of the most hostile environments for the press and freedom of expression.⁴⁵ Warring parties in Yemen have violated and restricted press freedoms and freedom of expression, which has become a characteristic of the warring parties.⁴⁶
32. *On the evening of Thursday, August 24, 2023, five armed men affiliated with the Ansar Allah, attacked the journalist: Majli Al-Samadi in front of his home in Sana'a, against the backdrop of his writings demanding the disbursement of public sector salaries. The group had closed the (Voice of Yemen) radio station owned by Al-Samadi on July 11, 2022 and confiscated its broadcasting equipment.*⁴⁷
33. While all warring parties participated in targeting the press and freedom of expression, all parties created press platforms and television and radio stations that promoted their political and ideological agenda and served as military media that worked to justify their violations and military conduct. The journalistic space has become confined to platforms that are biased, polarized, or affiliated with the warring parties, and the very few of what was left of independent platforms or individual independent journalists remains subject to the parties' frequent violations and excessive security measures, which has made obtaining independent information extremely difficult.⁴⁸

Section Seven: Abuses against Minorities

34. The armed conflict has made religious or ethnic differences in Yemen a reason for a life full of persecution for minorities, and an excuse for warring parties to commit violations against them. Minorities are exposed to a lot of violence wherever they are, but the conflict has made the frequency and patterns of violations continuously escalate, making minorities and marginalized groups in a real confrontation targeting whether or not they exist in Yemen.⁴⁹
35. Religious minorities suffered a large share of various violations during the conflict period, for example, arbitrary arrest, enforced disappearance, torture, unfair trials, death sentences, intimidation, forced displacement and constant persecution, which led to a large number of

⁴⁵ See, "Yemen: Journalists under attack from all quarters, says Bachelet", 06 August 2020, OHCHR, <https://www.ohchr.org/en/statements/2020/08/yemen-journalists-under-attack-all-quarters-says-bachelet> ; "No Freedom Without Press Freedom", June 22, 2023, Sana'a Center, <https://www.sanaacenter.org/publications/the-yemen-review/14617> .

⁴⁶ See, " Yemen: Government must stop prosecution and harassment of journalists", August 18, 2022, Amnesty International, <https://www.amnesty.org/en/latest/news/2022/08/yemen-government-must-stop-prosecution-and-harassment-of-journalists/> ; "No Freedom Without Press Freedom", June 22, 2023, Sana'a Center, <https://www.sanaacenter.org/publications/the-yemen-review/14617> .

⁴⁷ "The Journalists Syndicate condemns the attack on our colleague Al-Samadi and is concerned about his safety," August 25, 2023, Yemeni Journalists Syndicate. Human Rights Agenda received a copy of the statement by email.

⁴⁸ "In a new indicator. Yemen is an enemy of the press", May 6, 2023, Independent Arabic, <https://2u.pw/Hu2BdhG> .

⁴⁹ "The Urgency to Protect Yemen's Minorities", July 16, 2021, Sana'a Center, <https://sanaacenter.org/publications/the-yemen-review/14617> .

- them leaving Yemen to escape persecution based on race and religion, which is rejected by the member states of the United Nations, including Yemen.⁵⁰
36. On May 25, the Ansar Allah (Houthis) stormed a Baha'i meeting and arbitrarily detained 17 of them, including 5 women, and took them to an unknown location after confiscating their phones and laptops. This was followed by an incitement and hate speech from the Grand Mufti of the armed group, in which he incited against the Baha'is and described them as traitors and apostates.⁵¹

Section Eight: Using starvation as a weapon of war

37. Historically suffering from food insecurity, Yemen has faced increasing levels of severe food shortages almost every year since the conflict began in 2014, making it the worst humanitarian crisis described. The number of conflict-related deaths in Yemen exceeded 377,000, 60 percent of them died from indirect causes, including restricted access to food, water, and inadequate health care.⁵² By this year, 2.2 million children are at risk of starvation if they do not receive life-saving therapeutic feeding services. 17.3 million people are in need of emergency food assistance. These alarming statistics were not the result of a natural disaster, but a result of man-made deliberate behavior of all warring parties in Yemen.⁵³
38. The warring parties in Yemen, in particular the Saudi/UAE-led coalition, and the Ansar Allah, have repeatedly targeted OIS and used other forms of military tactics that appear intentional, limiting civilians' access to food and water sources and harming their food and water security.⁵⁴
39. On Thursday, March 22, 2018, a coalition aircraft dropped at least one bomb on the Al-Nushoor Water facility, which is a water facility funded by UNICEF to meet the incursions of 10,500 people from the Al-Safra and Sahar districts in Saada governorate. The attack destroyed the water pump and guard room in the facility. One month after the restoration, a coalition aircraft dropped four bombs on the facility, destroying one of the facility's water pumps, a well and damaged the water distribution network and solar panels. On October 5, 2019, at around 5:30 pm, a coalition aircraft dropped a bomb that fell approximately 100-150 meters from the facility site.⁵⁵
40. In addition to direct attacks on OIS, actions and measures taken by all warring parties have contributed to the deterioration of the economic and humanitarian situation in Yemen,

⁵⁰ See, "Yemen: UN experts call for release of disappeared Bahá'ís", 19 June 2023, OHCHR, <https://www.ohchr.org/en/press-releases/2023/06/yemen-un-experts-call-release-disappeared-bahais> ; and "Yemen: Houthis Forcibly Disappear Baha'is: Armed Forces Storm Community Meeting, May 30, 2023, HRW, <https://www.hrw.org/news/2023/05/30/yemen-houthis-forcibly-disappear-bahais> .

⁵¹ *Supra* 63;

⁵² "Yemen - Conflict and impact on civilians" November 24, 2021, European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations, <https://reliefweb.int/report/yemen/yemen-conflict-and-impact-civilians-dg-echo-un-organisations-media-echo-daily-flash-24> .

⁵³ "Yemen emergency", WFP, <https://www.wfp.org/emergencies/yemen-emergency>.

⁵⁴ See, "Yemen: Coalition Blockade Imperils Civilians" December 7, 2017, Human rights Watch, <https://www.hrw.org/news/2017/12/07/yemen-coalition-blockade-imperils-civilians> ; and *Supra* 13.

⁵⁵ *Supra* 13, page 163.

including restrictions on the access of humanitarian aid, food, medicine and fuel supplies, the stoppage of salaries, as well as the deterioration of currency prices and the imposition of royalties on the commercial sector and doubling the amounts paid as taxes and customs on essential goods.⁵⁶

Section Nine: Violations against hospitals and medical staff

41. Yemen is considered one of the poorest countries in terms of medical infrastructure, as the number of medical facilities is considered very small compared to the population. Therefore, the harm of violations against hospitals and medical teams is not limited to the direct damage of violation, but goes beyond that to disrupting or restricting the capacity of those facilities, which deprives large numbers of civilians of access to health care and services. At the same time, the need for medical care has significantly increased due to the current conflict.⁵⁷
42. *On Friday, March 5, 2021, at around 2:30 p.m., the operations building at Al-Thawra General Hospital, in Al-Thawra neighborhood, Al-Shammasi area, Salah District - Taiz Governorate, was hit by a ground projectile launched by a group. Ansar Allah. The projectile hit the gate wall, wounding two children and their father while they were in the hospital to visit a patient. The building guard was also injured.*⁵⁸
43. Between 2019 to 2022, human rights groups documented 95 violations against hospitals and medical staff. The Ansar Allah (Houthis) group bears responsibility for 41 violations. The internationally recognized government committed 37 violations, the Transitional Council 13 violations, and the Saudi/UAE-led coalition is responsible for at least two violations.⁵⁹

Section Ten: The judicial system

44. After the Ansar Allah (Houthis) took control of the capital, Sana'a, by force in September 2014, and President Hadi moved to Aden declaring it a temporary capital in March 2015, a gradual division of governmental institutions began between the internationally recognized government (Hadi Government) and the Ansar Allah (Houthis)(Houthis), until each of them had a governmental structure of state institutions that is full, identical and parallel to the others. This included two supreme judicial councils, one belonging to the internationally recognized government and the other to the de facto authority in Sana'a (Houthis). Thus, appointments in the judiciary, the work of the courts, and the

⁵⁶ *Supra* 12 at para. 57.

⁵⁷ See, "Hospitals in Yemen attacked, disrupting healthcare for thousands of vulnerable civilians" February 10, 2020, UN News, <https://news.un.org/en/story/2020/02/1057101>; "Constant attacks on hospitals and staff jeopardise healthcare in Taiz" March 20, 2020, MSF, <https://www.msf.org/hospitals-and-staff-under-constant-attack-taiz-yemen>; and "Yemen emergency", WFP, <https://www.wfp.org/emergencies/yemen-emergency>.

⁵⁸ *Supra* 10, page 97.

⁵⁹ See, "Without Accountability" October 18, 2020, Mwatana, page 70, <https://www.mwatana.org/reports-en/without-accountability-6>; "A Tragedy Without Justice", September 29, 2021, Mwatana, page 99, <https://www.mwatana.org/reports-en/a-tragedy-without-justice>; and *Supra* 10, page 95.

- administration of the justice system became largely influenced by the political and security agenda of both parties rather than the independence of the judiciary.⁶⁰
45. For example, the Specialized Criminal Court in Sanaa, a court of first instance that was established based on a presidential decree in 1999 and was not included in the Yemeni constitution, became a tool for repression and intimidation of political opponents. The sentences it issued included death penalties and confiscation of property on charges of collaborating with the enemy and betraying the country. The court regularly deprived the defendants of their basic rights to a fair trial.⁶¹
46. On September 18, 2021, the authorities of the Ansar Allah (Houthis)(Houthis) carried out the execution of nine people, including a child, on charges of spying and transmitting sensitive information to the coalition.⁶²
47. Despite the inactivity of the justice system due to the general unrest in areas controlled by the Yemeni government, there are ongoing political interventions that appear to mimic the politicized procedures of the Specialized Criminal Court in Sanaa.⁶³
48. It does not appear at all that the judicial system in Yemen is capable of looking into conflict-related crimes, including war crimes and crimes against humanity, due to its deep-rooted shortcomings, which makes it unable to ensure effective accountability in accordance with recognized standards of IHRL due to its lack of independence, and the relevant laws and capabilities, in addition to its lack of jurisdiction over non-Yemen citizens involved in these crimes. The same thing, for various reasons, applies to various degrees to the justice system in countries involved and participating in the conflict in Yemen, such as Saudi Arabia, Iran, and the UAE.⁶⁴
49. Although the Yemeni government, the coalition, and the Ansar Allah (Houthis)(the Houthis) established bodies that claimed to investigate or look into violations related to the armed conflict or redress the harm of civilians affected by them, these bodies lack independence and have alarming shortcomings.⁶⁵ The UNGEE has repeatedly recommended a referral of the situation in Yemen to the ICC to look into conflict-related crimes.⁶⁶ However, until then, establishing an international criminally-focused mechanism to investigate crimes committed in Yemen remains crucial to prevent the loss of evidence and to build files for individuals involved in these crimes for future accountability.

⁶⁰ *Supra* 12, para. 339.

⁶¹ *Supra* 12, para. 341 to 346.

⁶² "The Houthi execution of 9 people, including a minor, shakes Yemen" September 18, 2021, The Independent Arabic, <https://www.independentarabia.com/node/260151/-9-الأخبار/إعدام-الحوثي> .
أشخاص-بينهم-قاصر-يهدد-اليمن

⁶³ *Supra* 12 at para. 347.

⁶⁴ "The Struggle for Justice" June 12, 2023, Ceasefire Centre and Mwatana, [THE-STRUGGLE-FOR-JUSTICE-2.pdf \(ceasefire.org\)](#).

⁶⁵ "Returned to Zero" June 2022, Yale Law School and Mwatana, [returned-to-zero-report-2022-en-1_compressed.pdf \(yale.edu\)](#).

⁶⁶ *Supra* 17 at para. 92.

Part Three: Suggested questions to ask the Yemeni government:

- What is the role of the Yemeni government in the military operations carried out by its allies, including the coalition, and what measures has it taken to ensure that these operations comply with international laws, and what measures has it taken to hold accountable individuals involved in the violations resulting from those operations and provide reparation to the civilians affected by them?
- What measures has the government taken to ensure an end to the practices of arbitrary detention, enforced disappearance and torture, the release of arbitrarily detained persons, and the disclosure of the fate of the forcibly disappeared?
- What measures has the government taken to ensure freedom of the press and facilitate journalists' access to the affected areas?
- What measures has the government taken to ensure that children do not participate in armed conflict and end child recruitment?
- What measures has the government taken to alleviate the economic suffering of civilians and what reforms has it taken to address the problem of the division of the national currency and the collapse of the value of the Yemeni riyal?
- What measures has the government taken to improve the conditions of the IDPs and facilitate the access of humanitarian aid to places of displacement and what plans has the government worked on to resettle the IDPs?
- What measures has the government taken to promote and protect women's equal rights, and stimulate women's leadership, including ensuring their representation in ministerial portfolios, political consultations and peace talks?
- What measures has the government taken to limit the spread of the pandemic and ensure civilians' ability to access the vaccine in all Yemeni regions?
- What steps has the government taken to pay public sector salaries and mitigate the impact of economic deterioration on civilians?

Part Four: Recommendations

- Full compliance with the rules of IHL and IHRL and ensuring the coalition's compliance with them in its operations in Yemen;
- Holding individuals responsible for human rights violations accountable and providing adequate, prompt and proportionate reparation for civilian harm;
- Immediately release all those arbitrarily detained and reveal the fate of the forcibly disappeared;
- Ratification of the Rome Statute of the ICC, the International Convention for the Protection of All Persons from Enforced Disappearance, the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention against Torture, and harmonization of legislation. Nationalism is completely with it;
- Close all secret and unofficial detention centers and ensure the existence of records of all detainees' names, the dates of their arrest, and the charges against them, under the direct supervision of the Public Prosecution; and
- Guarantee freedom of expression, peaceful assembly and association, and put an end to harassment, intimidation, persecution and arbitrary detention of human rights activists and journalists.