Woes of Arabia Felix

The Human Rights Situation in Yemen in 2017
A photo for a child after an airstrike conducted by the Saudi and Emirati-led coalition on August 25th, 2017 in Attan, Sana’a.

Photo credit: Mohammed Al Mekhlafi, August 2017
The devastating conflict in Yemen enters its fourth year with no end in sight. In 2017, this conflict cast a dark shadow over the humanitarian situation of the country, which was classified as the poorest country in the region even before the crisis.

Yemen, which was once known as 'Arabia Felix', is now going through its most miserable times. It is torn apart between the local, regional and international parties to the conflict, whose practices are marked with recklessness and bullying. Those parties' practices have produced the worst humanitarian disaster crushing millions of Yemenis alongside an overall volatile region, and an international scene where the interests of regimes and governments prevail over values of justice and human rights.

From 2011 till now, Yemen has undergone drastic changes, which have changed the map of the players in the political scene. These changes have affected the political players’ tools, priorities, alliances, rhetoric and mechanisms of action. Political dynamics have given way to military action; and the military has taken different sides among the parties to the conflict. The armed group of Ansar Allah (the Houthis) overtook the capital city of Sana’a on 21 September 2014 while expanding to other parts of the country. Four months later, they placed President Abdurbo Mansour Hadi, the Prime Minister Khalid Mahfouz Bahah and most of the ministers are under house arrests on January 20, 2015.

After nearly a month of being placed under house arrest in Sana’a, President Hadi fled to Aden on February 21, 2015. By then Ansar Allah (the Houthis) group took control of most of the northern governorates and were preparing fighters to head south towards Aden, which President Hadi announced as a "temporary capital", especially after the departure of embassies and diplomatic missions from the capital city of Sana’a.
Ansar Allah (the Houthi) group, allied with the armed forces loyal to the former President Ali Abdullah Saleh, were able to take control of the city of Aden. This coincided with the intensification of tension in the governorate of Taizz, located on the road to Aden from the north. Fighting continued on the outskirts of two southern governorates: Shabwah and Abyan. President Hadi managed to escape to the Saudi capital of Riyadh on March 25, 2015.

Hours after President Hadi fled to Riyadh, warplanes of the Saudi-led Coalition of nine Arab countries, launched heavy raids against the Ansar Allah (the Houthi) group and pro-Saleh forces. The dawn of Thursday, March 26, 2015 marked the beginning of a war that has extended to all the Yemeni governorates and has not stopped until now.

Humanitarian reports indicate that Yemen is witnessing what could be the world worst humanitarian crisis, in addition to human rights abuses that are in violation of the International Humanitarian Law and international human rights law; and which have been committed against civilians by all parties to the conflict. With a deteriorating health system\(^1\), and blockade on food and medical assistance, the country has witnessed the worst outbreak of Cholera and some other epidemic diseases like diphtheria.

In a statement on January 11, 2018, the UN Humanitarian Coordinator for Yemen, Jamie McGoldrick said, “the lives of Yemenis, of whom more than 22 million are in need of humanitarian assistance, depend on keeping the ports open without interruptions or delays. I therefore urge all parties to the conflict to refrain from any disruptive action which may lead to further suffering of the Yemeni people.”\(^2\)

Since August 2016, Yemenis have lived under severe conditions, especially after the stoppage of salaries by the main authorities in Sana’a and Aden. The situation has been made worse by the frequent shortages of fuel, its high prices as well as the unprecedented high exchange rates of US dollar \(^3\) which led to the increase of food prices to more than double. Sana’a airport remains closed before commercial flights and Al Hudaydah seaport is not fully nor regularly operational. This has negatively affected the humanitarian situation in Yemen.\(^4\)

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\(^2\) Reliefweb website, a statement by the Humanitarian Coordinator for Yemen, Jamie McGoldrick, on the vital importance of keeping Yemen’s entry points open, https://reliefweb.int/sites/reliefweb.int/files/resources/HC%20Statement_%20Vital%20importance%20of%20keeping%20Yemen%27s%20entry%20points%20open_11%20January%202018%20FINAL.pdf

\(^3\) The exchange rate of the US Dollar has reached 530 YR. At the time of writing this report the exchange rate fluctuates between 500 and 480YR. Before the outbreak of the war, the exchange rate was 221 YR.

One of the reasons for this catastrophic humanitarian crisis is the stagnation that prevailed over the political file where no progress was made at all. Ismael Ould Cheikh Ahmad, the former UN Special Envoy to Yemen, has made many visits to the states of the region, the capitals of influential countries, and Yemen. He had met the parties to the conflict in Sana’a and Aden, but his efforts did not yield any solutions to the crisis.

On May 22, 2017, a group of protesters waited for the convoy of Ould Cheikh after arriving at Sana’a International Airport\(^{(5)}\), and shot at his motorcade while en route to the mission’s residence. Ansar Allah (the Houthis) denied any connection to this but ended up refusing to meet with him, requesting his departure and finally preventing him from visiting Sana’a. This forced Ould Cheikh to delegate his deputy Mr. Maeen Shuraim, to meet the representatives of Ansar Allah to the negotiations\(^{(6)}\).

On October 10, 2017, during his briefing in the Security Council, Ould Cheikh announced a humanitarian initiative as part of a comprehensive proposal to return to the negotiation table. Given the details of this initiative\(^{(7)}\), the parties to the conflict did not take a single step towards its implementation. Ould Cheikh’s efforts in Yemen ended and he resigned from his mission at the end of January 2018\(^{(8)}\). The British national, Martin Griffiths was appointed as his successor.

In 2017, the political scene in Yemen underwent changes that led to complicating the crisis even further. On Monday, December 4, 2017, former Yemeni President Ali Abdullah Saleh (President for 33 years) was killed in the fierce clashes that broke out in the capital city of Sana’a and lasted for almost a week. The clashes broke out between the pro-Saleh forces and Ansar Allah militants following the collapse of the otherwise fragile alliance between the two parties that lasted for nearly three years. The bloody fighting ended with the full takeover of Sana’a by Ansar Allah (Houthis).

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\(^{(5)}\) RT website, Amid reports of an assassination attempt against him Ould Cheikh arrives in Sana’a, https://arabic.rt.com/middle_east/879701-%D9%88%D9%84%D8%AF-%D8%A7%D9%84%D8%B4%D9%8A%D8%AE-%D8%B5%D9%86%D8%B9%D8%A7%D8%A1-%D9%87%D8%AF%D9%86%D8%A9-%D8%B1%D9%85%D8%B6%D8%A7%D9%86/

\(^{(6)}\) Al-Jazeera, deputy UN envoy arrives in Sana’a to meet the Houthis, http://www.aljazeera.net/news/arabic/2018/1/6/%D9%86%D8%A7%D9%8A%D8%AB-%D8%A7%D9%85%D8%A8%D8%B9%D9%88%D8%AB-%D8%A7%D9%84%D8%A3%D9%85-%D9%85%D9%8A-%D9%8A%D8%B5%D9%84-%D8%B5%D9%86%D8%B9%D8%A7%D8%A1-%D9%84%D9%82%D8%A7%D8%A1-%D8%A7%D9%84%D8%AD%D9%88%D8%AB%D9%8A%D9%8A-%D9%86


\(^{(8)}\) The UN Twitter account: International Envoy to Yemen Ismael Ould Cheikh Ahmed tells UN Secretary-General that he will leave his current post at the end of February (January 22, 2018). https://twitter.com/unarabic/status/955501057798541312?lang=ar
A few months earlier, the relations of the two allied parties suffered a strain that manifested itself in the form of media campaigns and security-related incidents, including the armed clashes that broke out in August 2017 between a convoy belonging to one of Saleh’s son, and a Houthi-run security checkpoint in the Misbahti Roundabout downtown Sana’ā. Khaled Al-Radhi, a senior officer close to Saleh, and three members of the Houthi-run security checkpoint were killed in these clashes.

Although the alliance between former president, Saleh and Ansar Allah has actually come to an end, the latter made sure to retain the formal authority of the Supreme Political Council (a council formed by both parties in July 2016) and the coalition government that sprang out of it.

In the Southern parts of the country, the political, security and humanitarian situation remains tense in spite of the defeat of the Houthi-Saleh forces in most of the southern governorates in July 2015. These governorates came under the authority of President Hadi and his government currently residing in Riyadh. However, UAE-backed parties strengthened their grip over the city of Aden, which is used by the internationally recognized government of President Hadi, as the temporary capital of the country. These parties also tightened their grip on other cities in the south. Sharp differences emerged between the UAE and President Hadi, following decisions taken by the latter, which aimed at reducing the UAE influence.

On April 27, 2017, President Hadi relieved Adiros Zubaidi of his post as governor of Aden and appointed businessman Abdul Aziz Al-Muflihi in office. Hadi also relieved the Salafi cleric Hani Bin Buraik from his post as commander of the UAE-backed Security Belt. The decision included referring Hani Bin Bin Buraik for investigation. These resolutions led to demonstrations by supporters of the parties to support or condemn them.

Al-Muflihi failed to carry out his duties as governor and was also banned from entering the headquarters of the governorate. He eventually left for Egypt and announced his

(9) Monte Carlo International website, Yemen. Tension Rises in the Capital City of Sana’a https://www.mc-doualiya.com/articles/20170827-%D8%A7%D9%84%D9%8A%D9%85%D9%86-%D8%AA%D9%88%D8%AA%D8%B1-%D8%A3%D9%85%D9%86%D9%8A-%D9%81%D9%8A-%D8%A7-%D9%84%D8%B9%D8%A7%D8%B5%D9%85%D8%A9-%D8%B5%D9%86%D8%B9%D8%A7%D8%A1-%D9%88%D8%AA%D8%B5%D8%B9%D8%A8-%D8%B9%D8%B3%D9%83%D8%B1%D9%8A-%D8%B9%86%D8%AF-%D8%A7%D9%84%D8%AD%D8%AF%D9%88%D8%AF-%D9%85%D9%8A-%D9%84%D8%B3%D8%B9%D8%AF%D9%8A%D8%9
resignation\(^{(11)}\) from there. Three other governors were dismissed by Hadi in late June 2017: the governor of Hadramaut, Ahmed Bin Buraik; the governor of Shabwah, Ahmed Hamid Al-Amlas; and the governor of Socotra, Salem Al-Sokotri; a move that was closely linked to the reports of the UAE influence\(^{(12)}\).

With Emirati support, the parties affected by Hadi’s decisions sought to organize themselves. In less than a month since the dismissal of Al-Zubaidi and Hani Bin Buraik, the so-called Southern Transitional Council was announced on May 11, 2017. The dismissed Aden governor, Adiros Al-Zubaidi was declared to be the head of the new council.

These developments have led to a state of tension between two active forces on the ground in Aden: the “Security Belt” forces, which is a splinter well-armed group of the pro-Hadi forces on the one hand and on the other hand the Hadi-backed Presidential Guards forces, which appear to lack control and popular support. As the relations between Hadi and the Arab Coalition cooled down, the Transitional Council declared the so-called “Popular Uprising” late January 2018. The so-called “Popular Uprising” was followed by military encounters between the Aden Security Belt forces and the Presidential Guards forces. The fighting lasted for three days and claimed the lives of a number of innocent civilians\(^{(13)}\). The ICRC Head of mission to Aden, Carlos Batallas, stated that 36 people were killed and 185 others wounded in the Aden clashes\(^{(14)}\). The clashes ended with almost a full takeover of several Southern governorates, especially Aden and Al Dhale’e by the “Southern Transitional Council”\(^{(15)}\).

The Arab Coalition is to blame for eroding Hadi’s authority and for preventing him from returning to the city of Aden to carry out his duties. There has also been much debate about whether or not he was placed under house arrest in the Saudi capital Riyadh.

\(^{(11)}\) Al-Jazeera net. Al-Maflahi blames the government of Ahmed Obeid Bin Daghr and accuses it of corruption, http://www.aljazeera.net/news/arabic/2017/11/17/%D9%85%D8%AD%D8%A7%D9%81%D8%B8-%D8%B9%D8%AF%D9%86-%D9%8A%D9%82%D8%AF%D9%85-%D8%A7%D8%B3%D8%AA%D9%82%D8%A7%D9%84%D8%AA%D9%87-%D9%88%D8%A7%D9%84%D8%B1%D8%A6%D9%8A%D8%B3-%D9%87%D8%A7%D8%AF%D9%8A-%D9%8A%D8%B1%D9%81%D8%B6%D9%87%D8%A7

\(^{(12)}\) Al-Arabi Al-Jadeed (the New Arab), Yemeni governors dismissed... A Blow to the Abu Dhabi Council and a response is expected shortly. https://www.alaraby.co.uk/politics/a3b66063-9a41-477d-9532-177600b9f62


In terms of the Arab coalition military operations, many fighting fronts remained the same, with the exception of some advances of UAE-backed forces on the West Coast as well as Shabwah and Al-Bayda governorates in the eastern part of the country. On February 10, 2017, government forces backed by the Arab Coalition announced their capture of the strategic port of Mocha to the west of Taizz\(^\text{(16)}\).

In the governorate of Shabwah, forces of the “26” infantry brigade, with the participation of the Shabwani Elite forces, managed to take over the districts of Bayhan and Asylan. These two districts were the last two strongholds of Ansar Allah group in the governorate, and the clashes extended to include parts of the district of Nata’a in the governorate of Al-Bayda\(^\text{(17)}\).

Although the military scene maintains its bloody rivalry between two parties, the Arab Coalition and the pro-Hadi forces on the one hand, and the Houthis and their military allies on the other, deep differences have begun to emerge with the protracted crisis.

The Arab Coalition, as it became clear in 2017, would provide its support for forces that are not actually loyal to the pro-Hadi government. Such forces seem sometimes like splinter groups that take orders from UAE forces or its local proxies, including: the Security Belt forces, Shabwani Elite forces and the Hadrami Elite Forces. There are military brigades with marginal support under President Hadi’s authority such as the presidential Guards forces stationed in Aden and other forces in Abyan, Taizz and Marib, as well as the so-called “popular resistance”, which is popular militias formed since the beginning of the war.

After the death of Saleh by the end of 2017, the Ansar Allah forces became known as unilateral forces. Even though pro-Saleh military personnel take part in the fighting, it is Ansar Allah (the Houthis) now that run the military operations. In its media outlets though, the group continues to speak of the “Popular Committees”, the original name of its militias since it took over the capital Sana’a by force on September 21, 2014.

With regard to the freedom of movement, Ansar Allah continue to impose a partial siege on the city of Taizz which forces people to travel through dangerous and rugged

\(^{\text{(16) }}\) France 24, Yemen: Pro-Hadi government forces capture the city of Mocha and advance towards Hodeidah, http://www.france24.com/ar/20170210-%D8%A7%D9%84%D9%8A%D9%85%D9%86-%D8%A7%D9%84%D9%85%D8%AE%D8%A7-%D8%B3%D9%8A%D8%B7%D8%B1%D8%A9-%D9%82%D9%88%D8%A7%D8%AA-%D8%AD%D9%83%D9%88%D9%85%D9%8A%D8%A9-%D8%AA%D8%AD%D8%B0%D9%8A%D8%B1-%D8%A3%D9%85%D9%85%D9%8A-%D9%88%D8%B6%D8%B9-%D8%A5%D9%86%D8%B3%D8%A7%D9%86%D9%8A

\(^{\text{(17) }}\) Xinhua News Agency, The pro-Hadi forces take over the last stronghold of the Houthis in Shabwah in the eastern part of Yemen. http://arabic.news.cn/2017-12/15/c_136829162.htm
secondary roads. People spend a lot of money, effort and time (about 3-4 hours to get to the city from the suburbs and back) to exercise their right to movement to and from Taizz.

Due to the closure of Sana’a International Airport since August 2016, Yemeni people are left with only Aden and Sayun air ports to fly out of the country. Yemenis are forced to take a road trip, at first, by bus to Sayun (almost 22 hours away from Sana’a), or to Aden (almost 9 hours away from Sana’a). Some of them might find themselves compelled to take a road trip to the Sultanate of Oman to the east of Yemen, in a journey that takes more than 24 hours, in order to take a flight from Salalah International Airport. This trip is very tiring especially for those who require medical attention. Passengers face the risk of being potential victims, of arbitrary detention in many checkpoints run by both parties to the conflict. On the way from the Capital city of Sana’a to Sayun in Hadramaut, public buses take a detour to Al-Bayda governorate to avoid entering into the military closed area of Nihm. In Al-Bayda, passengers are subjected to thorough inspection especially in the Houthi-run Abu Hashim checkpoint in Al-Bayda. They are nonetheless subjected to the same thorough inspection in Bab al-Falaj checkpoint which is run by pro-Hadi forces at the entrance of Marib governorate. A number of travelers may be arbitrarily detained for reasons related to their family names(18), for doubts about their connections with one party to the conflict or for being members of the opposition.

In the southern parts of the country, in late 2017, so-called Security Belt forces did not allow some travelers to enter into the city because their IDs were not issued from the southern governorates (i.e. they don’t come from southern governorates). Those passengers were ordered to get off the buses and wait by the roadside(19). Since the expulsion of Ansar Allah-Saleh forces from Aden and some southern areas in 2015, these forces allow those who do not have identification documents issued from the southern governorates to enter the city of Aden only when they have a passport and a plane ticket from Aden International Airport.

Constraints on movement continue to be imposed on Yemeni people including entry into Arab and foreign countries as the armed conflict continues and the lack of a political solution in sight.

(18) Mwatana has documented a number of arbitrary arrests at the Bab al-Falaj checkpoint in the governorate of Mareb, which is under the control of the pro-Hadi forces on the basis of their family names as members of Hashimite families, and therefore supporters of Ansar Allah (the Houthis).

(19) Al-Jazeera Net, pro-UAE forces prevent IDPs from entering Aden. http://www.aljazeera.net/news/arabic/2017/12/19/%D9%82%D9%88%D8%A7%D8%AA-%D9%85%D9%88%D8%A7%D9%84%D9%8A%D8%A9-%D9%84%D9%84%D8%A5%D9%85%D8%A7%D8%B1%D8%A7%D8%AA-%D8%AA%D9%85%D9%-86%D8%B9-%D8%A7%D9%84%D8%AE%D9%88-%D8%B2%D8%AD%D9%8A%D9%86-%D9%85%D9%86-%D8%A9-%D8%AF%D8%AE%D9%88%D9%84-%D8%B9%D8%AF%D9%86
At the beginning of 2017, Donald Trump, the US president, signed an executive order banning citizens of six countries, including Yemen, from entering into the US.\(^{(20)}\)

The war has created a fertile environment for radical jihadist groups, with operations targeting security and military personnel, Islamic imams, opinion leaders and government headquarters in the governorates of Aden, Shabwah and Hadramaut. Some of these operations have been organized by the so-called ISIS.

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\(^{(20)}\) Euronews, Trump is passing a new executive order about immigration, https://www.youtube.com/watch?v=1K0xaRnHWgo
In 2017, all parties to the conflict in Yemen committed violations against International Humanitarian Law and International Human Rights Law. Woes of “Arabia Felix” is the first annual report released by Mwatana for Human Rights, documenting violations committed by parties to the conflict, as well as referencing significant developments related to human rights issues in Yemen within international mechanisms.

Mwatana for Human Rights produced Woes of “Arabia Felix” report based on investigative field research in 18 Yemeni governorates. In 2017, Mwatana conducted more than 1637 interviews in Arabic with the victims, victims’ families, eye witnesses as well as medical and humanitarian workers. The field research team conducted the interviews and researches while the research unit collected, reviewed, verified the information and visited several Yemeni governorates in separate field missions. An International Law expert reviewed the report and conducted legal analysis on the report. The English version of the report was then translated from Arabic.

Research was based on taking testimonies and information from main sources of information relating to human rights violations. Mwatana never offered financial or in-kind contributions to those who testified in the report. The identities of some of the witnesses are withheld for their protection.
This report is divided into two main chapters:

Chapter One:

The Situation in Yemen under International Humanitarian Law (IHL) and international Mechanisms.

- This chapter is divided into four sections:

  - **Section One: The Situation of the Yemeni conflict in the Context of International Humanitarian Law**

    Although Ansar Allah (the Houthis) group is widely considered de facto authority in the ongoing conflict in Yemen, the general frame through which the International Humanitarian Law (laws of war) views the conflict has not changed. Hence, the ongoing conflict in Yemen is not considered an international armed conflict, based on provisions of the Geneva Conventions of 1949.

    However, the fact that the conflict in Yemen is not of an international armed conflict doesn’t exempt the parties to the conflict from complying with the rules of the International Humanitarian Law, especially the common Article No. 3 of the Geneva Conventions and the customary rules of International Humanitarian Law. These Articles and Rules provide for a humane and non-discriminatory treatment for every person in captivity and care for injured persons during hostilities; including enemy’s combatants and injured, without discrimination. Moreover, the strict compliance with the rules of the humanitarian international law, in armed conflicts (international or otherwise), doesn’t require or presume reciprocity. In other words, the parties to the conflict are expected to comply with these rules, regardless of whether the other party complied with them or not.

  - **Section Two: Yemen in the UN Security Council**

    In 2017, the UN Security Council discussed the situation in Yemen in nine sessions. During UN Security Council session held on May 30, 2017, Radiya Al-Mutawakil, the head of Mwatana for Human Rights presented a briefing (first of its kind by a Yemeni organization) briefing in a plenary session of the Security Council, together with the UN Special envoy, Ismail Ould Cheikh and the Under Secretary-General
for Humanitarian Affairs and Emergency Relief, Stephen O’Brien. In her briefing, Al-Mutawakil called upon the UN Security Council and the international community to undertake their responsibility towards the tragic situation in Yemen.

Al-Mutawakil’s briefing emphasized a number of important issues and demands related to human rights situation, most notably the establishment of an Independent International Inquiry Mechanism to investigate the violations committed by all parties to the conflict.

Section Three: Yemen in Human Rights Council and the Establishment of International Inquiry Mechanism

Having faced a mounting pressure during the two rounds of 2015 and 2016, which was exerted by Saudi Arabia and its allies – primarily the U.S., UK and France – to hamper the establishment of an International Inquiry Mechanism; the United Nations Human Rights Council finally decided, during its 36th session on September 29, 2017, to establish an international and regional panel of outstanding experts, and delegated the task to the High Commissioner for Human Rights. The Panel is intended to investigate alleged human rights violations committed by all parties to the conflict, in addition to submitting a report to the High Commissioner during Human Rights Council’s next session in September 2018.

Section Four: UN Secretary General’s List of Shame

Amid threats by Saudi Arabia and its allies that they would withdraw hundreds of millions, the UN Secretary General announced on June 6, 2016 that he would de-list the Saudi-led Coalition from the “List of Shame”, pending the results that would come out of “a joint review” of the information mentioned in his annual report, which was published in April 2016.

However, the unabated serious violations against Yemen’s children, and growing calls by rights groups, resulted on October 6, 2017 in an announcement by the UN, listing all parties to the conflict in Yemen, notably the Arab Coalition led by Saudi Arabia; on the “List of Shame”: a list produced by the UN Secretary General every year, which includes the perpetrators of the six serious violations against children.
Chapter Two:
Most Significant Patterns of Human Rights Violations in Yemen

This chapter consists of 14 sections highlighting the most significant patterns of human rights violations committed by parties to the conflict in Yemen.

- **Section One: Starvation as War Tactic and Denying Access to Humanitarian Aid**

  During 2017, the two parties to the conflict in Yemen: the Arab Coalition led by Saudi Arabia and the UAE and the government of President Hadi on the one hand; Ansar Allah (Houthis) group and their former ally President Saleh, on the other; both used starvation as war tactic and denied access to humanitarian aid.

  In 2017, Mwatana documented no less than 26 incidents of denying access to humanitarian aid. Ansar Allah was responsible for most of these incidents in Sa’ada governorate (23 incidents). Popular Resistance forces and the pro-Hadi forces were responsible for three incidents in Al Dhale’e, Shabwah and Taizz. In 2017, Mwatana documented no less than 26 incidents of access denial of humanitarian aid.

  The blockade and the closure of Sana’a International Airport before commercial flights by the Saudi-led Arab Coalition have worsened the situation in Yemen. Pro-Hadi armed groups denied access to trucks carrying food or demanded money to grant them access.

  Similarly, Ansar Allah (the Houthis) and the forces loyal to their former ally, President Saleh, blocked and confiscated trucks carrying humanitarian aid (food and in kind). They also intervened in the delivery of such humanitarian aid to the beneficiaries and imposed rigid restrictions on the work of humanitarian organizations in the areas under their control.

- **Section Two: Aerial Attacks**

  During 2017, Mwatana documented as many as 89 attacks, which the Saudi-Emirati-led Coalition carried out against civilians and civilian objects in 10 Yemeni governorates. These attacks have resulted in killing at least 357 civilians, including 161 children and 45 women, and wounding 294 others, including 101 children and 56 women. The Coalition has also carried out attacks against houses, markets, schools
and farms, as well as fishermen.

On March 24, 2017, Mwatana released a press statement, in which it condemned the Coalition’s attacks, documented by Mwatana and which led to the death and injury of hundreds of civilians. The statement called on the countries providing support to the Coalition, the U.S. and UK in particular, to stop arms sales to Saudi Arabia, because they might be used against civilians and civilian objects. Mwatana also indicated in this statement that it has also documented the Coalition’s use of Italian-made weapons, in addition to other attacks, in which U.S. and UK-made weapons were used.

Section Three: Indiscriminate Ground Attacks:

During 2017, Mwatana documented no less than 89 ground attacks, most of which in Taizz (66 incidents) in addition to other governorates such as Al-Jawf, Marib, Sana’a, Abyan and Lahj. Ansar Allah (the Houthis) group was responsible for most of these bloody indiscriminate attacks, while the Popular Resistance and pro-Hadi forces were responsible for at least two of these attacks, as verified by Mwatana.

These attacks have led to the killing of no less than 160 civilians, including 99 children and 14 women, and wounding 184 civilians, including 92 children and 30 women.

In its report “Chapters from Hell”, released in November 2016, Mwatana has documented the use of indiscriminate weapons by the parties to the conflict. Such indiscriminate weapons include the high-explosive guided mortar (HEGM), the RPG-7 and the M-21 Grad Rockets that are launched from BM-21 Grad Rockets Launchers.

Section Four: Civilian Casualties of Landmines

In 2017, Mwatana documented no less than 25 incidents of landmine explosions mostly in Taizz which were planted by Ansar Allah (the Houthis) group and the Pro-Saleh forces. In these incidents, Mwatana documented the death of at least 14 civilians, including three women and two children, and injuring of at least 46 others, including 19 women and 14 children.

On April 4, 2017, Mwatana released “Concealed Killer” report where it documented 33 incidents of explosion of landmines planted by Ansar Allah (the Houthis) and the Pro-Saleh forces. Mwatana verified such
incidents during the period between July 2015 and October 2016 in six governorates.

Section Five: Enforced Disappearance

During 2017, Mwatana documented 33 enforced disappearance cases, which Ansar Allah (the Houthis) carried in six Yemeni governorates: Sa’ada, Sana’a, Al Bayda, Dhamar, Al Hudaydah and Taizz. It also documented 68 cases, which armed groups – affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces – carried in six Yemeni governorates: Aden, Abyan, Lahj, Marib, Hadramaut and Shabwah.

Section Six: Arbitrary Detention

In 2017, a total of 69 cases of arbitrary detention, carried out by the Ansar Allah (the Houthis) in seven Yemeni governorates - Sa’ada, Sana’a, Al Jawf, Al Bayda, Taizz, Dhamar and Al Hudaydah - were documented. Fifty-one cases of detention were carried by armed groups affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces in seven Yemeni governorates - Aden, Abyan, Lahj, Al Dhale’e, Marib, Taizz and Hadramaut.

Section Seven: Torture

During 2017, Mwatana documented “29 incidents committed by Ansar Allah (the Houthis), three of which led to death, in four Yemeni governorates, Sa’ada, Sana’a, Taizz and Al Hudaydah. Fifty-two incidents of torture committed by armed groups affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces in six Yemeni governorates: Aden, Abyan, Lahj, Hadramaut, and Shabwah, including 14 cases where torture led to death.

On June 24, 2017, Mwatana published “Torture in Yemen”: Multiple Powers and one Behavior” which shed light on the use of torture in detention centers run by all parties to the conflict in several Yemeni governorates.

Section Eight: Violations against the Baha’i Minority

Seven Baha’is, who have been detained over the year 2017, are still in prisons run by the Houthis in Sana’a. Four of them were forcibly disappeared.
Section Nine: Violations Against the Press and Journalists

During 2017, Mwatana documented nine cases of violations against fifty journalists. Eight incidents took place in areas under Ansar Allah (the Houthis) control alongside December events in Sana’a. Ansar Allah (Houthis) detained 41 workers in Yemen Today TV affiliated with the family of former President Saleh and the mouthpiece of the GPC and released them two weeks later. Mwatana documented another incident in an area under the pro-Hadi forces. Twelve journalists remain in captivity at detention centers run by Ansar Allah (Houthis).

Section Ten: Recruitment of Child Soldiers:

During 2017, Mwatana verified the recruitment and use of as many as 879 children, through 607 observations and interviews conducted by the Mwatana team. Ansar Allah (the Houthis) group and forces loyal to its former ally, Saleh, have recruited 58% of those children, particularly in Sana’a and Sa’ada. The Security Belt forces and the Hadramaut Elite forces, affiliated to the Saudi-Emirati-led Coalition, recruited 21%, particularly in Abyan and Lahj. The pro-Hadi forces and Popular Resistance groups recruited 20%, particularly in Abyan and Al Jawf. The Jihadi groups recruited 1% in the governorates of Lahj and Taizz.

Section Eleven: Attack on Hospitals and Medical Teams

In 2017, Mwatana documented no less than 18 cases of attacks on hospitals and medical centers. These attacks were carried by Ansar Allah (the Houthis); the popular resistance groups and the Security Belt forces. Abdul Qader Al-Mutawakil Hospital in Sana’a was occupied by Ansar Allah (the Houthis) in early December 2017.

Section Twelve: Attacks on and Use of Schools

During 2017, Mwatana documented 24 incidents in eight Yemeni governorates, where parties to the conflict subjected schools to direct attacks.

Section thirteen: Drone Attacks and U.S. Ground Operations

During 2017, after the US President Donald Trump took office earlier in the year, Mwatana documented five drone attacks in Al Bayda and Abyan governorates, in which 9 civilians, including two children and
two women, were killed. Mwatana also documented two incidents of U.S. forces landing in Marib and Al Bayda governorates, in which no less than 19 civilians, including 12 children, were killed and no less than 53 others were wounded, including 5 children and 43 women.

Section Fourteen: Sana’a Events

In the morning of November 29, 2017, tension soared up between the alliance of Ansar Allah and pro-Saleh forces. Clashes erupted between two parties around Al-Saleh Mosque in Sana’a, as well as near houses belonging to Saleh’s relatives. On Friday, December 1st, 2017, there had been a daylong calmness in Sana’a, but the clashes renewed in the evening and intensified over the next two days. The clashes stopped when the Houthis announced the death of former president Saleh on noon of December 4, 2017.

Meanwhile, Mwatana documented the death of as many as 11 civilians, including three children, as well as the injury of 23 others, including nine children. It also documented attacks on the Abdul Qader Al-Mutawakil Hospital, which was subjected to gunshots during the clashes. Patients and their relative escorts, as well as health workers, were all trapped inside the hospital almost for an entire day.
Mwatana for Human Rights calls upon the International Security Council and the UN Special Envoy to:

- Continuously emphasize on the matter of accountability and end to impunity of all parties to the conflict in Yemen
- Oblige all parties to end all measures that have worsened the humanitarian crisis and to open all land, sea and air ports for humanitarian aid and commercial flights.
- Make available public positions, on regular basis, articulating violations committed by all parties to the conflict based on documented facts, and not according to political desires of certain parties to the conflict.

Mwatana for Human Rights calls upon Human Rights Council and High Commissioner for Human Rights to:

- Continue to promote and support the work of the Panel of Experts.
- Continuously emphasize on the matter of accountability and end to impunity of all parties to the conflict in Yemen.
Mwatana for Human Rights calls upon Netherlands, Canada, Ireland, Belgium and other influential countries on Yemen to:

- Exercise pressure on all parties to the conflict, especially the Arab Coalition led by Saudi Arabia and the UAE, to put an end to the human crisis and to open all land, sea and air ports for humanitarian and commercial flights.
- Shed greater light on human rights violations by all parties and to ensure continued accountability and an end to the policy of impunity.
- Support the work of the Panel of Experts established by the High Commissioner for Human Rights.
- Exercise pressure on all parties to release all forcibly disappeared and arbitrarily detained persons.

Mwatana for Human Rights calls upon the Arab Coalition led by Saudi Arabia and the UAE to:

- End all measures that have worsened Yemen’s humanitarian tragedy and to open all land, sea and air ports for humanitarian and commercial flights.
- Cease targeting civilians and civilian objects such as markets, farms, infrastructure and facilities.
- Launch a transparent and impartial investigation into the facts documented by Mwatana and any other facts that resulted in civilian casualties; announce the results of this investigation and hold those responsible accountable.
- Provide compensation to civilian victims and those affected by air strikes, whether in material or in human lives.
- Disclose information on the intended military targets of air strikes that resulted in civilian casualties and all parties involved in such raids.
- Make public the procedures followed before, during and after air strikes and whether any changes were made to ensure that civilians are protected, particularly in light of civilians’ casualties – killed and injured.
- End supporting extremist armed groups involved in human rights violations in various areas under control of the Coalition.
Mwatana for Human Rights calls upon the countries supporting the Arab Coalition, especially the U.S., UK and France to:

- Disclose the fate of the forcibly disappeared and arbitrarily detained persons in detention centers run by the Arab Coalition Forces and groups it supports.
- Investigate all cases of torture against detainees held in detention centers run by the Arab Coalition Forces and groups it supports, and hold those responsible accountable.
- Commit to fund all humanitarian needs of civilians affected by the Coalition attacks and operations.

Mwatana for Human Rights calls upon the U.S. in particular to:

- Assess Drones operations and ground attacks in Yemen; to investigate the attacks that have led to the killing and wounding of civilians and some other civilian damages; to seek justice and compensation for the victims, hold those responsible accountable and prevent the recurrence of such incidents.
- Make public legal grounds on which the U.S. based its targeted killings in Yemen.
• Reveal identity of victims, and the number of civilians killed and wounded as a result of the US attacks in Yemen, in addition to the measures used to establish who is, and who is not, civilian.

• Disclose procedures followed before, during and after air strikes, and whether any changes were made to ensure that civilians are protected.

• Investigate the human rights violations, including cases of torture and the secret prisons, carried out by the UAE forces and UAE supported armed groups, in the name of fighting terrorism, and the extent to which these violations are linked to the US-UAE partnership in the fight against terrorism and to hold those responsible accountable.

Mwatana calls upon other countries involved in arms deals with the Arab Coalition led by Saudi Arabia and UAE, especially Italy to:

• Stop arms deals to Saudi Arabia and the UAE which would possibly be used in attacks, amounting to war crimes, on civilians and civilian objects in Yemen.

• Investigate the Coalition’s attacks documented by Mwatana and other incidents that resulted in civilian casualties in which Italian-made weapons might have been used.

• Support efforts to investigate Coalition’s attacks that resulted in civilian casualties in which weapons manufactured in those countries might have been used or were carried out with logistic, intelligence or any other form of support by those countries.

Mwatana calls upon the pro-Hadi government to:

• Condemn violations against International Humanitarian Law and Customary International Law by the Arab Coalition forces and demand the cessation of attacks against civilians and civilian objects.

• Condemn violations against International Humanitarian Law and International Human Rights Law carried out by pro-Coalition groups and forces.

• Call upon the Arab Coalition to provide detailed information on the intended military objectives of the aerial attacks in which civilians were killed or in which civilian objects were targeted; and publicize them, hold those accountable.
Call upon the Arab Coalition to open all land, sea, and air ports for humanitarian and commercial flights and to end all measures and actions that have exacerbated the human tragedy in Yemen.

Demand that the Arab Coalition bears the full financial cost of the human tragedy caused by its military operations.

Oblige the Yemeni military and security forces and the armed forces it supports to respect International Human Rights Law and the International Humanitarian Law.

Establish a formal mechanism to seek immediate compensation for the damages caused to civilians by US attacks in Yemen.

Mwatana calls upon the Ansar Allah group (the Houthis) to:

Investigate all incidents of restricting, denying or confiscating the humanitarian aid, as well as to hold those responsible accountable and prevent their recurrence.

Put an end to all measures that may hamper access to the humanitarian aid to different areas under its control.

Put an end to all the bureaucratic measures that may affect the efficiency of the humanitarian response.

Stop storing weapons or stationing in populated areas.

Instruct the military leaders, who might be targeted by the Coalition, to move out of the residential areas during times of armed conflict.

Stop carrying out indiscriminate attacks from and against populated areas.

Stop using indiscriminate weapons.

Disclose the procedures followed before, during and after ground attacks and whether any changes were made to ensure that civilians are protected after incidents in which civilians are killed or injured.

Immediately cease recruiting child soldiers and release from duty all child soldiers who are under 18.
• Stop targeting hospitals, medical centers and staff; to neutralize them and stop stationing in or near hospitals and medical centers or using them, fully or partly for combat purposes.

• Evacuate all schools it occupied immediately; and prevent the recurrence of occupying and using them for security and combating purposes, under any circumstances.

• Immediately stop using anti-personnel and anti-vehicle mines, as well as explosive bombs in civilian areas.

• Disclose the maps of the areas that are contaminated with anti-personnel and anti-vehicle mines, particularly non-military areas that are or might be used by the civilians.

• Fully cooperate with all the concerned bodies, including the international and local bodies that are concerned with demining activities, so that such areas contaminated with anti-personnel and anti-vehicle mines can be easily identified.

• Cease using torture in prisons and other detention centers; and to hold accountable those who are responsible for the acts of torture documented by Mwatana, along with the other cases of torture.

• Immediately release all the forcibly detained people; and to reveal the fate of the victims of the enforced disappearance and to release them without any delay that may increase the risks against their lives or may prolong restrictions on their freedom.

• Immediately release all the forcibly detained Baha’is; and to disclose the fate of the victims of the enforced disappearance.

• Revoke death sentence delivered by the Specialized Penal Court against the Baha’i man, Hamed Kamal Mohammed Haidara, and release him immediately.

• Immediately cease all the acts of harassment and the arbitrary measures against the members of the Baha’i minority.

• Immediately release all the detained journalists.

• Immediately put an end to all the restrictions imposed on work of the press; and to stop harassment against journalists.
Mwatana calls upon the leadership of the local authority, pro-Hadi military forces and the resistance armed groups in Taizz to:

- Avoid stationing near residential areas, where civilians and civilian objects are located, and avoid launching attacks from these areas.
- Abide by International Humanitarian Law and Humanitarian Customary Law and to distinguish between civilian objects and military targets. To abide by the international humanitarian law and the humanitarian Customary law and to distinguish between civilian objects and military targets.
- Cease shelling of any civilian residential areas indiscriminately without distinguishing between civilian objects and military targets or without complying with the criterion of proportionality.
- Disclose the procedures followed before, during and after ground attacks and whether any changes were made to ensure that civilians are protected after incidents in which civilians are killed or injured.
- Immediately cease recruiting child soldiers and release from duty all child soldiers who are under 18.
- Stop targeting hospitals, medical centers and staff; to neutralize them and stop stationing in or near hospitals and medical centers or using them, fully or partly, for combat purposes.
- Move out of all the occupied schools immediately and to neutralize schools in the armed conflict with the Ansar Allah (the Houthi) group.
- Release all arbitrary detainees and to reveal the fate of the victims of enforced disappearance.

Mwatana calls upon the leadership of the local authority, pro-Hadi military forces and the resistance armed groups in Marib to:

- Release all arbitrary detainees and to reveal the fate of the victims of enforced disappearance.
- Instruct all checkpoints officers, on the Road of Sana’a, Marib, Sayun to stop all forms of arbitrary practices against some travelers, based on their home
Mwatana for Human Rights calls upon the Security Belt forces to:

- Immediately cease recruiting child soldiers and release from duty all child soldiers who are under 18.
- Activate the role of the Public Prosecution and the courts to look into the charges filed against tens of detainees.

Mwatana for Human Rights calls upon the Hadrami Elite Forces and Shabwani Elite Forces to:

- Release all arbitrary detainees and to reveal the fate of the victims of enforced disappearance.
- Investigate all torture cases documented by Mwatana and other incidents and hold accountable those who are responsible.
- Stop targeting hospitals, medical centers and staff; investigate all incidents documented by Mwatana and other incidents and hold those responsible accountable.
- Immediately cease using schools for military purposes.
- Instruct all checkpoints to cease all forms of arbitrary practices against travelers based on their home regions and to guarantee freedom of movement in all territories under their control.
- Immediately cease recruiting child soldiers and release from duty all child soldiers who are under 18.
Mwatana for Human Rights has prepared the Woes of “Arabia Felix” report based on investigative field research in 18 Yemeni governorates during the period between January 2017 and February 2018. During this period, Mwatana documented the most significant patterns of human rights violations committed by parties to the conflict in Yemen in 2017. Woes of “Arabia Felix” report was written and finalized from December 2017 to May 2018.

Mwatana conducted more than 1,637 interviews in Arabic with the victims, victims’ families, eye witnesses and medical and humanitarian workers. Mwatana also documented the recruitment and use of children for military purposes, through 607 child-recruitment-related observations and interviews. The field research team conducted the interviews and researches while the research unit collected, reviewed, verified the information and visited several Yemeni governorates in separate field missions.

Research was based on taking testimonies and information from main sources of information relating to human rights violations. Mwatana never offered financial or in-kind contributions to those who testified in the report. The identities of some of the witnesses are withheld for their protection.

The facts described in the report were arranged from oldest to newest; they refer to the most prominent patterns verified by Mwatana during 2017, and to name a few. The organization continues to document the various violations that occurred since the beginning of 2018.

Mwatana for Human Rights
The report consists of two chapters.

- **Chapter One: The Situation in Yemen under the International Humanitarian Law (IHL) and international Mechanisms.**

  This chapter is divided into four sections highlighting the most significant events relating to human rights issues in Yemen at the international level during the year 2017. Chapter One discusses the situation of the Yemeni conflict in the Context of International Humanitarian Law; Chapter Two discusses ; Chapter Three highlights Yemen in the Human Rights Council and the establishment of International Inquiry Mechanism while Chapter Four discusses the Secretary General’s List of Shame.

- **Chapter Two: The Most Significant Patterns of Human Rights Violations in Yemen in 2017.** This chapter is divided into four sections:

  - Section One: Starvation as War Tactic and Denying Access to Humanitarian Aid
  - Section Two: Aerial Attacks
  - Section Three: Ground Attacks
  - Section Four: Civilian Casualties of Landmines.
  - Section Five: Enforced Disappearance
  - Section Six: Arbitrary Detention
  - Section Seven: Torture
  - Section Eight: Violations against the Baha’i Minority
  - Section Nine: Violations against the Press and Journalists
  - Section Ten: Recruitment of Child Soldiers
  - Section Eleven: Attack on Hospitals and Medical Teams
  - Section Twelve: Attacks on and Use of Schools
  - Section thirteen: Drone Attacks and U.S. Ground Operations
  - Section Fourteen: The Sana’a Events

An International Law expert reviewed the report and conducted legal analysis. The report was translated into English from Arabic.
Chapter One

The Situation in Yemen under the International Humanitarian Law and the international Mechanisms.
Although Ansar Allah group (the Houthis) is widely considered de facto authority in the ongoing conflict in Yemen, the general frame through which the International Humanitarian Law (laws of war) views the conflict has not changed. Hence, the ongoing conflict in Yemen is not considered an international armed conflict, based on provisions of the Geneva Conventions of 1949.

Pursuant to International Humanitarian Law, “non-international” armed conflict is characterized by one party to the conflict is a non-State armed group, so that the conflict as a whole is not between “states”. According to provisions of the International Humanitarian Law, the ongoing armed in Yemen is not an international armed conflict.

Although the above-mentioned facts might not answer questions about the current and real trajectory of military actions which are often characterized by the International Humanitarian Law as “hostilities” regardless of the legitimacy of such actions, it is well-known that Ansar Allah group (the Houthis) has not provided enough ground to treat it as a state in the ongoing conflict, according to the International Law. However, this does not mean that Ansar Allah group (the Houthis), or any other party to the conflict, is exempt of its responsibility for any violations against the International Humanitarian Law or the International Human Rights Law.

The participation of many countries in the conflict in Yemen does not make it an “international” armed conflict for the same reason mentioned above.

However, the fact that the conflict in Yemen is not an international armed conflict doesn’t exempt the parties to the conflict from complying with the rules of the International Humanitarian Law, especially the common Article No. 3 of the Geneva Conventions and the customary rules of International Humanitarian Law. These Articles and Rules provide for a humane and non-discriminatory treatment for every person in captivity and care for injured persons during hostilities; including enemy’s combatants and injured, without discrimination. Moreover, the strict compliance with the rules of the
humanitarian international law, in armed conflicts (international or otherwise), doesn’t require or presume reciprocity. In other words, the parties to the conflict are expected to comply with these rules, regardless of whether the other party complied with them or not.

Basically, the only difference between international and non-international armed conflicts is how combatants or soldiers captured during hostilities are dealt with. The term ‘prisoner of war’ indicates a special status which is provided by the Third Geneva Convention for the enemy combatants who are captured during international armed conflicts only.

At any case, the International Human Rights Law remains applicable during the ongoing armed conflict in Yemen. Parties that assume responsibility over territories, areas or sites have to bear the full responsibility of protecting the rights of individuals in the areas under its control without discrimination including political rights.

The basic premise of the International Humanitarian Law is the protection of civilians against the ravages of armed conflicts by all parties to the conflict. It is also based on obliging all parties to target only military targets including military objects and personnel who are actively involved in military hostilities, and on the necessity of categorically distinguishing between military and civilian targets during attacks and the need to avoid civilian objects such as buildings houses, apartments, places of worship, hospitals, schools, etc., which are prohibited unless they are used for military purposes.
In 2017, the UN Security Council discussed the situation in Yemen in nine sessions.

On February 23, 2017, the Security Council adopted Resolution No. 2342 on the extension of the sanctions imposed on former President Ali Abdullah Saleh, his son Ahmed Ali and a number of leading figures of Ansar Allah group (the Houthis). The Council also extended the mandate of the Panel of Experts on Yemen until March 28, 2018.\(^\text{(21)}\)

During UN Security Council session held on May 30, 2017, Radhya Al-Mutawakil, the head of Mwatana for Human Rights presented a briefing (first of its kind by a Yemeni organization), together with the former UN Envoy, Ismail Ould Cheikh and the Under Secretary-General for Humanitarian Affairs and Emergency Relief, Stephen O’Brien. In her briefing, Al-Mutawakil called upon the UN Security Council and the international community to undertake their responsibility towards the tragic situation in Yemen.\(^\text{(22)}\)

Al-Mutawakil’s briefing emphasized a number of important issues and demands related to the human rights and humanitarian situation in Yemen as well as the importance of putting an end to the war and returning to the peace negotiation table. The issues and demands include:

- The establishment of an Independent International Inquiry Mechanism to investigate the violations committed by all parties to the conflict.
- Stopping arms deals with all parties involved in violations against human rights in Yemen
- Demanding the cessation of targeting the civilian population and objects by air strikes or ground attacks.

• Securing the release of all civilian detainees and forcibly disappeared persons under the authority of Ansar Allah-Saleh alliance on the one hand and the authority of the Hadi government and its allies on the other.

• Putting an end to all measures that may hamper access to humanitarian aid to different areas and groups that need help.

• Securing the reopening of Sana’a International airport.

• Emphasizing the importance of an urgent arrangement for a mechanism for all parties to pay the salaries of public sector employees.

• Securing the protection of Al Hudaydah seaport from the ravages of armed conflict and restoring it to its full capacity so that it can better respond to the needs of millions of Yemenis.

• Demanding that the restrictions on the work of civil society organizations are lifted, the freedom of the press is granted, and all detained journalists are released. [23]

On June 15, 2017, the UN Security Council released a statement by its President in which the Council called upon “all parties to comply with International Humanitarian Law, including to at all times distinguish between the civilian population and combatants, and between civilian objects and military objectives, and by taking all feasible precautions to avoid, and in any event minimize harm to civilians and civilian objects, and to end the recruitment and use of children in violation of applicable international law, in order to prevent further suffering of civilians.” The statement continues: “The Security Council further underlines the need to ensure the security of humanitarian and United Nations personnel. The Security Council calls on all parties to respect and protect medical facilities and personnel. The Security Council further calls on the parties to allow the safe, rapid and unhindered access for humanitarian supplies and personnel to the populations of all affected governorates, and to facilitate access for essential imports of food, fuel and, medical supplies into the country and their distribution throughout. In this regard, the Security Council stresses the importance of keeping all Yemen’s ports functioning, including Al Hudaydah port, as a critical lifeline for humanitarian support and other essential supplies.” [24]

[23] Ibid.
Section Three

Yemen in Human Rights Council and the Establishment of International Inquiry Mechanism

Since the beginning of the conflict in Yemen in March 2015, independent human rights organizations, together with the High Commissioner for Human Rights, called for the establishment of an International Mechanism to investigate human rights violations committed by all parties to the conflict in Yemen. However, the United Nations Human Rights Council, during the two rounds of 2015 and 2016, faced a mounting pressure to hamper the establishment of an International Inquiry Mechanism. Such pressure was exerted by Saudi Arabia and its allies – primarily the U.S. and UK.

On September 19, 2017, Mwatana called upon the United Nations Human Rights Council, to establish an Independent International Inquiry Mechanism and to take tangible measures to end the policy of impunity.[25]

After lobbying, advocacy and repeated calls from various organizations and governments, the UN Human Rights Council, at its 36th Session, on September 29, 2017, authorized the High Commissioner to establish a Panel of International and Regional Experts to investigate allegations of human rights violations by all parties; and to report to the High Commissioner for Human Rights at the Council session in September 2018.

In a press release on December 4, 2017, the UN High Commissioner for Human Rights, Mr Zeid Ra’ad Al- Hussein announced the appointment of the members of the Eminent Panel of Experts established by Human Rights Council on Yemen. The members of the Panel of Experts are Kamel Jendoubi (Tunisia), as chairperson, together with two other members: Charles Garraway (United Kingdom) and Melissa Parke (Australia).[26]

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In his press release, the UN High Commissioner for Human Rights also said: “The group’s creation is an important step toward accountability and ending impunity for the serious violations of human rights committed by all sides in Yemen amid a worsening humanitarian crisis in the country and ensuring justice and remedy for the victims.” (27)

The Panel of Eminent Experts is established with the following mandates:

- To monitor and report on the situation of human rights,
- To carry out a comprehensive examination of all alleged violations and abuses of international human rights and other appropriate and applicable fields of international law committed by all parties to the conflict since September 2014, including the possible gender dimensions of such violations,
- To establish the facts and circumstances surrounding the alleged violations and abuses, and,
- where possible, to identify those responsible
- To make general recommendations on improving respect for and the protection and fulfilment of human rights,
- To provide guidance on access to justice, accountability, reconciliation and healing, as appropriate.
- To engage with Yemeni authorities and all stakeholders, in particular relevant United Nations agencies, the field presence of the Office of the High Commissioner in Yemen, the authorities of the Gulf States and the League of Arab States, with a view to exchanging information and providing support for national, regional and international efforts to promote accountability for human rights violations and abuses in Yemen;
- To submit a comprehensive written report to the High Commissioner, by the time of the thirty-ninth session of the Human Rights Council, to be followed by an interactive dialogue. (28)

(27) ibid.
On April 20, 2016, the UN Secretary General put all parties to the conflict in Yemen: the Saudi-led Arab Coalition, Ansar Allah group (the Houthis), Al-Qaeda in the Arabian Peninsula, Ansar Al-Sharia group, military forces loyal to the Hadi government, and the militias supported by the Hadi government, on the “List of Shame”, a list produced by the UN every year, which includes the perpetrators of the six serious violations against children. (29)

But on June 6, 2016, the UN Secretary General removed the Arab Coalition from the “list of shame,” pending the conclusions of the joint review of the cases and numbers cited in his annual report. (30)

Media reports say that Saudi Arabia and its allies warned they would pull hundreds of millions of dollars from U.N. programs if the Saudi-led Arab Coalition was singled out for killing and maiming children in Yemen. (31)

However, the unabated serious violations against Yemen’s children, and growing calls by rights groups, resulted on October 6, 2017 in an announcement by the UN, listing all parties to the conflict in Yemen on the “List of Shame”: a list produced by the UN Secretary General every year, which includes the perpetrators of the six serious violations against children. (32) The report of the Secretary General said that the United Nations verified that air strikes attributable to the Saudi-led Arab Coalition killed or injured 700 children

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(30) UN Secretary General, Statement attributable to the Spokesman for the Secretary-General on the Annual Report of the Secretary-General on Children and Armed Conflict. https://goo.gl/v9Xy8Q.
and destroyed or damaged 40 Schools and hospitals.\textsuperscript{(33)} Despite assurances from Saudi Arabia to improve its compliance with the laws of war, losses in children’s lives continued to rise with more airstrikes killing entire families\textsuperscript{(34)}. 


Most Significant Patterns of Human Rights Violations in Yemen

This chapter consists of 14 sections, highlighting the most significant patterns of violations to the International Humanitarian Law and the International Human Rights Law in Yemen which Mwatana verified were committed by all parties to the conflict in Yemen during 2017. The patterns and incidents mentioned in this chapter are mentioned just as examples. It is important to note that some other patterns and incidents could not be documented due to complications.
During 2017, the two parties to the conflict in Yemen: the Arab Coalition led by Saudi Arabia and the UAE and the government of President Hadi on the one hand; Ansar Allah (Houthis) group and their former ally President Saleh, on the other; both used starvation as war tactic and denied access to humanitarian aid.

In 2017, Mwatana documented no less than 26 incidents of access denial of humanitarian aid. Ansar Allah was responsible for most of them in Sa’ada governorate (23 incidents). Popular Resistance forces and the pro-Hadi forces committed 3 incidents in Al Dhale’e, Shabwah and Taizz.

The blockade and the closure of Sana’a International Airport before commercial flights by the Saudi-led Arab Coalition have worsened the situation in Yemen. “Popular Resistance” and pro-Hadi armed groups denied access to trucks carrying food or demanded money to grant them access.

Similarly, Ansar Allah (the Houthis) and the forces loyal to their former ally, former President Saleh, blocked and confiscated trucks carrying humanitarian aid (food and in kind). They also intervened in the delivery of such humanitarian aid to the beneficiaries and imposed rigid restrictions on the work of humanitarian organizations in the areas under their control.

Bill Van Esveld, senior children’s rights researcher at Human Rights Watch, said: “The Saudi-led coalition’s cruel restrictions on fuel to Yemen, effectively shutting water taps and hospitals, have turned an impoverished country into a humanitarian disaster. Meanwhile, Houthi-Saleh forces have repeatedly blocked groups bringing vaccines into Yemen and kept aid from reaching people who desperately need it”(35).

The Legal Framework:

Air blockade violates the provisions of International Humanitarian Law if it leads to harming civilian lives and interests, and if the suffering of civilians exceeds the anticipated military advantages to be gained by the blockade.

Intentionally directing attacks against the civilian population and depriving them of basic supplies such as water, food and medicine is a war crime and a grave violation of the International Humanitarian Law. The Rome Statute of the International Criminal Court of 1998 categorizes “intentionally causing great suffering, or serious injury to body or to mental or physical health” as “serious violations”. Paragraph XXV of Article 8 (b) provides that “intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including willfully impeding relief supplies as provided for under the Geneva Conventions,” is a war crime.

Article No. 17 of Convention IV of the Geneva Conventions provides that the Parties to the conflict shall “endeavor to conclude local agreements for the removal from besieged or encircled areas, of wounded, sick, infirm, and aged persons, children and maternity cases, and for the passage of ministers of all religions, medical personnel and medical equipment on their way to such areas”.

On April 12, 2017, Idriss Jazairy, the UN Special Rapporteur on Human Rights and International Sanctions said, “the aerial and naval blockade imposed on Yemen by the coalition forces was one of the main causes of the humanitarian catastrophe” and that it “involves grave breaches of the most basic norms of human rights law, as well as of the law of armed conflict”.

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Incidents:

- On Monday November 6, 2017, the Saudi-led Arab Coalition decided to "temporarily close all Yemen’s air, land, and sea ports." This decision included the closure of Aden and Sayun airports which used to be open before commercial flights. The decision came following the missile attack launched by Ansar Allah group (the Houthis) and was intercepted by Saudi Arabia near King Khaled International Airport in Riyadh on Saturday November 4, 2017.

On Sunday November 12, 2017, Mwatana for Human Rights released a statement in which it called upon the Arab Coalition to open all ports in Yemen including Sana’a International airport before commercial and humanitarian flights immediately. (37)

On November 17, 2017, Philip Luther, Research and Advocacy Director for the Middle East and North Africa at Amnesty International said: "The looming prospect of famine is becoming a reality because of the new restrictions by the Saudi Arabia–led coalition, which appear to amount to collective punishment of Yemen’s civilians." (38)

On November 23, 2017, the Arab Coalition announced that Red Sea port of Al Hudaydah would be reopened to receive food aid and humanitarian relief, and Sana’a airport would be open for UN flights with humanitarian relief. (39) Aden International airport was reopened on November 13, 2017, while Sayun airport was reopened on November 14, 2017. (40) But Sana’a International airport remains closed before commercial flights since August 2016 until the time of writing this report.

In a joint statement on Yemen, on December 2, 2017, UN leaders said: "Without the urgent resumption of commercial imports, especially food, fuel and medicines, millions of children, women and men risk mass hunger, disease and death." The statement added: "Ongoing commercial import restrictions have led to shortages of fuel, food and other essentials, driving up prices and devastating lives and livelihoods. The price of wheat flour has risen by 30 per cent, while the price of fuel has doubled and that of

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(40) Yemen Airlines announcement on its Facebook Page https://www.facebook.com/YemenAirways/.

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trucked water has skyrocketed by 600 per cent in some locations. Urban water networks in seven cities have run out of fuel and now depend on humanitarian organizations to fill in the gap. Other cities will shortly be in a similar situation if the blockade is not lifted, which would leave 11 million people without safe water.”

- On Wednesday January 4, 2017, one of the field operatives of Ansar Allah group (the Houthis) in one of the districts of Sa’ada governorate intervened in the work of aid workers under the pretext that he would review and modify the list of beneficiaries. Dozens of families were denied access to such aid as a result of his intervention.”

- On Monday June 12, 2017, Ansar Allah group (the Houthis) in the Al-Hijah village, Al-Musloub district in al-Jawf governorate intercepted three vehicles carrying humanitarian aid for residents of the village of Mallaha. This humanitarian aid contained food items for 250 families.

One of the beneficiaries from the village of Mallaha said: “We live under difficult circumstances, and when we want to go to the market, we have to walk 15 kilometers from the village of Mallaha to get to the market of Al-Musloub. Our village was ravaged by war: many victims were killed, our houses destroyed, and schools shut down. We want peace and security. We have had enough.”

- On Sunday October 11, 2017 at about 09:40 am, checkpoints under the command of Popular Resistance forces and pro-Hadi forces intercepted cargo trucks in the town of Turbah in Taizz - on the “Public Road” linking the cities of Taizz and Aden. These checkpoints demanded money from every truck to allow them to pass through. As a protest against this policy, truck drivers went on strike and did not move cargo for a few days at the beginning of October 2017. This, in turn, led to shortage of food supplies in the city of Taizz and to increasing food prices.

In an interview with Mwatana, Waseem Abdu (32 years old), a cargo truck driver said: “As soon as I arrived in the town of Turbah, the checkpoint there demanded YR 30,000 (roughly $60). Many other cargo trucks were barked near the checkpoint because they refused to pay this illegal amount of money. The Checkpoint personnel assaulted one of the truck drivers and threatened him. This drove me with a number of truck drivers to...

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(42) Mwatana interviewed local residents on January 15, 16, and 17, 2017.

(43) Mwatana interviewed local residents on June 15 and 16, 2017.

(44) Mwatana interviewed one of the residents in the village of Mallaha in Al-Jawf on June 16, 2017.
stop working as we were being subjected to extortion by checkpoints.”[45]

After the fall of the area between Taizz and Aden into the hands of the “Popular Resistance” and Pro-Hadi forces in mid-March 2016, checkpoints of each resistance faction began collecting money from those who pass through these checkpoints in the name of supporting battlefronts.

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(45) Mwatana interviewed Waseem Abdu on October 12, 2017.
During 2017, Mwatana documented as many as 89 attacks, which the Saudi-Emirati-led Coalition carried out against civilians and civilian objects in 10 Yemeni governorates. These attacks resulted in killing at least 357 civilians, including 161 children and 45 women, and wounding 294 others, including 101 children and 56 women. The Coalition carried out these attacks against houses, markets, schools and farms, as well as fishermen.

Two days before the second anniversary of the start of military operations of the Arab coalition led by Saudi Arabia and the UAE in Yemen, Mwatana for Human Rights released a statement on March 24, 2017, condemning the coalition attacks documented by the organization that killed and injured hundreds of civilians. Mwatana also indicated in its statement that it has also documented the Coalition’s use of Italian-made weapons, in addition to other attacks, in which U.S. and UK-made weapons were used. The statement called on the countries providing support to the Coalition, the U.S. and UK in particular, to stop arms sales to Saudi Arabia, because they might be used against civilians and civilian objects\(^{(46)}\).

\(^{(46)}\) Mwatana for Human Rights, Mwatana: The Saudi-led Coalition Has Been Targeting Civilians in Yemen for Two Years, March 24, 2017.
The Legal Framework:

International Humanitarian Law is a set of rules and principles primarily aiming at protecting those who do not take part in hostilities, namely, civilians. It also sets standards of human conduct and restricts the means and methods of warfare. The fundamental objective of this law is to limit, to the maximum extent possible, human suffering during armed conflicts.

One of the basic rules of IHL is that the Parties to a conflict must at all times distinguish between the civilian population and combatants in order to spare the civilian population and civilian property. Attacks may be made solely against military objectives, subject to military necessity. The Parties to a conflict must also distinguish between civilian objects and military objectives.

A civilian object is any object (buildings, places, properties, etc.) that is not a legitimate military objective. Military targets are all objectives that by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military advantage. Attacks against the civilian population or objects are considered as war crimes.

Bombing civilian areas that are free from military objectives, is considered as a direct attack, and falls under the category of war crimes. The Parties to a conflict must, to the maximum extent feasible, take precautions to protect the civilian population and civilian objects against the effect of an attack.
Incidents:

- At about 02:30 pm on Wednesday February 1, 2017, the Arab Coalition targeted a house in the village of Sana, located in Haddah area in Sana’a. The attack resulted in killing an entire family of five members including two children. Only one girl child survived (Anood, eight years old) because she was outside the house at the time of the attack.

Eyewitness, Abbas Abdulah Hussien Al-Mutta’a (45 years old) said: “I rushed to the location where the bomb struck, with a number of other rescuers. We found the mother under the debris; she was still alive then, and was taken to the hospital. Later, I saw a girl child...” Al-Mutta’a cut his statement short for a few seconds; he was extremely emotional and his eyes were full of tears. He added: “I could not stay much longer; my heart could not bear any more of such scenes”.

- At about 02:20 am on Friday August 25, 2017, the Arab Coalition targeted the Faj Attan area in the Capital city of Sana’a with four bombs. Two bombs fell on a Houthi-run military site, which was continuously targeted by airstrikes. The other two bombs hit a residential building, 200 meters away from the military site.

An Amnesty International arms expert analyzed remnants of a bomb and found that it bore clear markings that matched US-made components commonly used in laser-guided air-dropped bombs.

Although the targeting of a military objectives is part of non-criminal military actions in the laws of war, the fact that laser-guided air-dropped bombs are used has the potential to accurately distinguish civilian objects from military objectives, rendering civilian casualties unlawful and not subject to the rules of inevitable collateral damage. In this case, this damage could have been avoided.

This airstrike killed at least 16 civilians, including seven children and three women, and injured 17 others, including eight children and six women. The residential building was leveled to ground, as if an earthquake had struck and destroyed it on the heads of its inhabitants. The lives of seven families completely changed because of the airstrike, while the rest of the survivors of the attack live in fear and displacement. Painful picture of Buthaina Al-Rimi (seven years old), who lost all members of her family was widely circulated in local and international media. In the picture, Buthaina is seen trying to open...
her right eye to see the remains of her world.

In an interview with Mwatana, Ali Mansour Sa’ad Al-Rimi (32 years old), Buthaina’s uncle, said: “I was talking over the phone with my brother, Mohammed (38 years old), and he asked me: “Where was this airstrike? I replied: Near your place! He replied: They terrified my children. The connection was suddenly lost. I tried calling him back but he did not pick up. I ran to my brother’s house from near YALLI Institute in Baghdad St., because I could not find a taxi at that late hour. I arrived at the area that was struck, to find a number of Ansar Allah gunmen surrounding the place and preventing people from entering into it. The whole place was completely shattered to the extent that I could not recognize my brother’s house. I asked them: Where is the house that was hit? They said, here. I walked toward the house and found that my brother and his entire family (his wife, his brother-in-law, and six of his children) were killed.”

On Tuesday October 17, 2017, at about 09:00 pm, the Arab Coalition targeted the family of Ahmed Nasir Jarullah (45 years old), to the west of Al-Murrah village, Barat Al-Anan district, Al-Jawf governorate. Six civilians of a single family, including three children were killed in the attack, while two other children were wounded. Mwatana for Human Rights visited the location of the incident and found out that it is located in a remote desert area with no military presence.

In an interview with Mwatana, Ahmed Saleh Thwabah (30 years old) who lives 120 meters away from the location of the incident and works as a shepherd, said: “Saudi warplanes targeted the tent of Ahmed Nasir Garullah’s family. Six people were killed in this attack: Ahmed Nasir Hadi Garullah (father), his wife, Rasmah Mohammed Naji (40 years old), his daughters, Hikmah (19 years old), Samra’a (17 years old), Shifa’a (5 years old) and the baby Hablah (one and a half years old). Misha’al (16 years old) sustained burn wounds all over his body and Ali (11 years old) also sustained burn wounds and a fracture in his left thigh.”

Thwabah added: “The first bomb directly hit the tent where the family lived. In about two minutes after the first bomb, the second bomb landed between the kitchen tent and the sheep barn, almost four meters away from the family tent. The third bomb, which was dropped five minutes later, almost 10 meters away from where the second bomb landed, nearly killed us, the rescuers, but thankfully no one was hurt. We could take the wounded to the hospital only after one hour and a half as warplanes were flying overhead. There is no reason for targeting the area; there are no military sites, nor is there even a checkpoint. This is a poor Bedouin family and they have lived here for five years. They have no connections with the Houthis at all. Their bodies were horribly torn

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(50) Mwatana interviewed Ahmed Saleh Thwabah on October 21, 2017
into bits and pieces and we continued to collect their remains until the next morning”.[51]

In addition to the hardships and difficult conditions experienced by civilians as a result of the armed ground conflict, civilians in Taizz governorate also had a share of the Arab Coalition’s airstrikes.

- On Tuesday, December 26, 2017 at about 08:00 am, an Arab Coalition airstrike that targeted a popular market in Al-Haymah Al-Sufla village, Al-Taizziah district, Taizz governorate, resulted in killing 27 civilians, including six children and wounding eight others, including one child.

From the interviews it conducted, Mwatana for Human Rights learnt that a big number of the victims of this incident were khat sellers who had just arrived in the market.

In an interview with Mwatana for Human Rights, Abdullah Mohammed Mudhish (45 years old) whose brother and brother-in-law were killed in the incident, said: "Twelve hours earlier, (on Monday December 25, 2017) at 08:00 pm of the previous day, warplanes could be heard circulating overhead after the Maghrib prayers (about 06:00 pm) and dropped a bomb on the same popular market, but the market was empty at the time. A number of small shop owners in the market came from their villages to find out that the damages were minimal and that their goods were intact.”[52]

He added: "In the next day, at 08:00 am, I was in my house in the village of Wadi Areeq, about 500 meters to the north of the popular market. I heard the warplanes flying and then I heard the explosion which was very loud. I went out about an hour later, and arrived at the market while the victims were still on the street. Rescuers from our village could not take all the victims to the hospital because there were too many victims and their parts were scattered everywhere. It was truly gruesome and I could not bear it any more. The biggest tragedy was when people were trying to identify the victims and get shocked to find out that the victims were their loved ones. The same thing happened with me. Some villagers told me that my brother Sarhan Mohammed Mudhish (57 years old) was one of the victims. I went to look for his body, but the bodies of the victims filled the place. I walked through the bodies feeling nauseous at the sight of scattered body parts of the victims, their burnt and charred bodies on the Public Road in the market. I found my brother’s body face down, at a small distance from the charred and scattered bodies in the market. He sustained a hit in the back of his head and in the back of his right shoulder. I found the body of my brother-in-law, Qaed Ali Naji Al-Waqs (45 years old), next to my brother’s body, his guts were out. I could not have a single bite of food whenever I remembered that scene".[53]

[51] ibid.
[53] ibid.
During 2017, Mwatana has documented as many as 89 incidents of ground attacks, most of which took place in Taizz Governorate (66 incidents). The rest of the incidents occurred in other governorates, including Al-Jawf, Marib, Sana’a, Abyan and Lahj. Ansar Allah group (the Houthis) was responsible for most of these bloody indiscriminate attacks, while the Popular Resistance and pro-Hadi forces were responsible for at least two of these attacks, as verified by Mwatana.

These attacks resulted in killing at least 160 civilians, including 99 children and 14 women, as well as wounding 184 others, including 92 children and 30 women.

Throughout the year 2017, the civilians have suffered from indiscriminate ground attacks, which the parties to the conflict continue to carry out in several Yemeni governorates, particularly in Taizz.

In its report “Chapters from Hell”, released in November 2016, Mwatana documented the use of indiscriminate weapons by parties to the conflict. Such indiscriminate weapons included high-explosive guided mortar (HEGM), the RPG-7 and the M-21 Grad Rockets that are launched from BM-21 Grad Rockets Launchers.
The Legal Framework:

Article (13) of Protocol II relating to the protection of victims of non-international conflicts provides that at all times "all parties shall distinguish between the civilian population and combatants, and between civilian objects and military objectives.

Pursuant to the provisions of this Article, and for the sake of the protection of the civilians, the parties to the conflict shall take all feasible precautions to avoid, and in any event minimize harm to civilians and civilian objects.

Moreover, under the IHL, the parties to the conflict shall distinguish between the civilian and military targets during actions of hostility.

It’s worth mentioning that even the attacks, which are carried out against combatants or military targets, shall be subject to rules that aim to ensure the protection of civilians during actions of hostility. For instance, the parties to the conflict shall assess/evaluate the type, nature, potential effect and range of the weapons they use, and whether they can use another tactic that may serve the protection of civilians and entities in a better way. They shall also assess/evaluate the site, whether they intended to use it for military purposes or/ and combatants. In densely-populated areas, where a military target is located, the parties to the conflict shall only use accurate weapons in a way that minimizes the risks of incurring civilian deaths and/or injuries.

The IHL prohibits the use of unguided projectiles in densely-populated areas, which makes it impossible to be aimed with precision at specific targets. Such projectiles are randomly guided or directed due to their design, and thus their use shall be deemed a war crime. Moreover, the mortars can be described as munitions that lack accuracy. They shall never be used in attacking military targets located in or near civilian areas.

When using precision-guided weapons to attack a military target located in densely-populated areas, the evaluation/assessment shall ensure that the attack is proportionate. Failure to do so, the indiscriminate attacks shall be deemed as violations against the IHL, and as a war crime.
Incidents:

- On Wednesday, January 18, 2017, about 08:45 pm, a projectile landed on the house of Waleed Mohammed Rashed Al-Shameeri, which is located in Madinat Al-Nour in Taizz. Another projectile landed roughly three meters away from the house. This attack resulted in killing nine civilians, including three children, and wounding six others, including two children.

According to the statements obtained by Mwatana for Human Rights, the two projectiles were fired from a point to the north of Taizz City, Al-Siteen St. to be precise, which is half a kilometer away from the scene. Forces allied to Ansar Allah group (the Houthis) were stationed at this point. The nearest checkpoint belonging to the popular resistance was located about 400 meters from the scene.

In his statement to Mwatana for Human Rights, Abdu Ahmed Al-Shameeri, (40 years old), who was wounded together with five others in the attacks, said: “Before the incident, I was in my house, which is located 10 meters from where the projectile landed. I heard something hurtling through with a whoosh. I could realize then that the projectile would land in the neighborhood. Seconds later, I heard a powerful explosion, louder than a clap of thunder. I rushed out of the house, only to see a crowd of local residents outside of the house of our neighbor, Waleed. I then knew that the projectile landed on his house. The house residents were also outside at the time. Then the neighborhood chief came to the scene and dispersed the crowd, fearing that another projectile would be fired, so I went a little away from the crowd at the scene. Four or five minutes later, I heard something whooshing again, and I ran away to the opposite side. The other projectile landed about two or three meters from the crowd. I was screaming, out of fear! People in the neighborhood gathered at the scene and were taking the wounded to the hospital. One of them carried me when he saw blood coming out from my head and right hand.”

Mohammed Mohammed Ali Nasser, a 24-year old eyewitness, spoke to Mwatanah for Human Rights. He said: “I was at a khat-chewing session in the neighborhood, along with other young people. I heard the explosion of the first projectile that landed about 16 meters away. I rushed to the scene and arrived there at the same time as the neighborhood chief. The chief yelled at me: ‘Don’t crowd into the place... They would strike again! The crowd walked to one direction while I walked to the other. One minute later, I heard an explosion of another projectile. I could know that it hit the crowd of people. I ran back to the place only to see people strewn on the ground. I was in a state of shock! I just kept

feeling the bodies around; I had no idea what I was doing!”

Mohammed went on to describe the appalling incident: “I stopped to see Hashem Mohammed Mohammed Saleh (27 years old). He was hewn out of his belly, and his bowels came out of his body; I felt dizzy. One of the rescuers grabbed my arm and dragged me to Ali Mohsen Thabet Al-Wahassi (45 years old), who was crying in pain from wounds in his feet, just to help him carry Ali. I tried to, but my hands were shaking and I was overwhelmed with fear. Every time I tried to carry him, the wounded would fall until we reached the car that took the victims to the hospital. Then I just wept uncontrollably.... After we took the victims to Al-Buraihi Hospital who were later transferred to Al-Thawrah Hospital, I went back home.

In his statement, chief of the neighborhood Ali Mohsen Al-Wahassi, (45 years old), described the aftermath of the second projectile. Speaking with Mwatana for Human Rights, Al-Wahassi said: “I sustained shrapnel wounds in my right thigh and heel. However, I was still up on my feet; I did not fall. Then all on a sudden, Rani Mohammed Mohammed Saleh, (20 years old), threw himself at me that I fell on the ground. He was bleeding from his head. I turned to ask for help. I saw all the people round me strewn on the ground; I saw bodies with bowels out, others were charred with legs or hands cut off, and several others dead. I turned to check on Rani only to see him breathing his last. I shouted for help so loud that some of the local residents came [to the scene]. I asked them to help us, but most of them backed out when they saw the gruesome scene. We remained in that state until relatives of the victims came and took us to Al-Buraihi Hospital. We stayed there for five minutes, then we were taken to Al-Thawrah Hospital.”

Jamal Mohammed Al-Wosabi (16 years old), one of the people wounded in the incident, said that he was taking pictures from the scene where the first projectile landed on the house of his neighbor, Waleed. After the crowd was dispersed by the neighborhood chief, Jamal was sitting with his friend Hussam Adel Qassem Al-Shameeri leafing through the pictures taken. But the second projectile was faster to hit before his finger would touch the phone’s screen. Hussam was killed in this attack.

Jamal added: “I saw Hussam putting his hands on his chest as blood was coming out. I put my hands on his chest too, and was calling out his name; he could hardly see me. Then my hands were awash with blood. I thought it was Hussam’s blood, until I started to feel pain. I found out that I was wounded in my left hand and the left side of my chest and abdomen. I was crying and calling out his name, ‘Hussam’, until some people gathered around and took us to a hospital. I kept holding Hussam’s hand until he died. We were

(56)  “Chief of the neighborhood” is a social dignitary who oversees a residential area.
taken to Al-Buraihi Hospital; Hussam was still alive when we got there. I was begging the medical personnel there to save his life. One of them told me, “He is gone!” I screamed at the top of my voice and continued to look at him in fear until I was sure that he was dead. We were later transferred to Al-Thawrah Hospital”.

- In the evening of Friday, February 24, 2017, around 05:40 pm, a projectile landed near a popular restaurant in downtown Marib, which falls under the control of pro-Hadi forces. The attack resulted in killing three civilians and wounding 16 others, including children.

Eyewitness Aqlan Mohammed Al-Jaberi, (21 years old), said: “As usual, I was in my store selling spices, which is some 150 meters away from the restaurant. When the restaurant workers were preparing for the dinner shift, a big explosion occurred, knocking me off my feet and throwing me inside the store. I jumped up and ran outside to see what that was. I saw smoke and dust engulfing the entire area, which was coming out from the frontal side of the restaurant. I saw people in a frenzy; some were running away and others rushing to the scene. One of the cooks came out running and horrified. He got to my store, screaming and saying that there were seven or eight people dead inside the restaurant. Then I and a group of people, who gathered there, tried to help rescue and take the casualties to the hospital. We started with those who were wounded outside of the restaurant before the fire inside was put off. Then we turned to those who were killed and wounded inside the restaurant. We also rescued the owner of the next-door grocery, whose left leg was cut off while he was chewing khat inside.”

Another eyewitness, Fayyadh Mohammed Hassan, (23 years old), was installing a florescent banner - outside of “Al-Rassam” for Advertising - when the explosion took place. Fayyadh said: “The restaurant was on fire and people were in a frenzy. I saw a child on the ground with blood all over his body. He was taken [to hospital] in a car. I also saw two of the restaurant workers as they were taken to a hospital aboard a Hilux pick-up truck; they were charred due to the explosion of the projectile and the fire that was caused by the explosion of one of the gas cylinders”.

Seven months before the restaurant incident took place, Abbas Hassan Hameed, (15 years old) - one of the survivors of the restaurant incident - left Al Hudaydah for Marib,

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along with his brother, following the death of their father, in search for work. In the evening of that Friday, Abbas was chewing khat, along with his brother and about 10 other people at one of the doshams (small huts built with small rocks, with cardboards and plastic sheets as rooftops). In the spot where cattle feed was being sold. The spot was on the opposite side of the restaurant. Hameed sustained shrapnel wounds to his neck and chest, as well as to his left hand. Four other people also sustained shrapnel wounds to different parts of their bodies.\(^{(61)}\)

One of the rescuers, Mohammed Ateq Al-Kharraz (23 years old), believes that the projectile was fired from the western side, specifically from Sirwah area.\(^{(62)}\)

The areas in western Marib, especially those located between the governorates of Marib and Sana’a - including Sirwah, continue to witness fierce confrontations between pro-Hadi forces and the Saudi-UAE-led Coalition, on the one hand, and the Ansar Allah forces (the Houthis), on the other.

- On Friday, September 8, 2017, around 10:45 pm, a projectile landed on the Al-Qassr crossroad in Taizz City, leaving four civilians dead, including three children. A man and a child were also wounded in this attack.

The projectile is believed to be fired from the western side of the targeted crossroad, where the armed popular resistance in Al-Shammasi area is stationed. Al-Shammasi area is located one and a half kilometers from the Al-Qassr crossroad.\(^{(63)}\)

A number of victims and their relatives spoke to Mwatana for Human Rights about the attack. Fatima Abdul Karim Ahmed (34 years old), who lost two of her sons said: “The warring parties had our wedding party concluded with a projectile that took out two of my sons and another two from our relatives. Another two were also wounded. That day in the evening, the house was full of people; I was sitting with my sisters and the guests who came from Al Hudaydahand Sana’a along with their children. They just attended the wedding party to celebrate with us and share our joys. But they did not only share the joys with us, but also the sorrows on the last day of the wedding”.\(^{(64)}\)

Fatima added: “That day we heard an explosion in the area, about half an hour before

\(^{(63)}\) Mwatana for Human Rights interviewed the relatives of the victims on October 29, 2017.  
\(^{(64)}\) Mwatana for Human Rights interviewed Fatima Abdul Karim Ahmed on October 29, 2017.
the other big blast took place. The explosion we heard was far from our place, and it was not that big. We did not pay attention to the sound of the explosion, because of the hustle and bustle of the party in the house. When the other big blast occurred in our house, which turned our joys of the wedding and Eid into sorrows, I was with my sisters, along with the other women and girls, in the northern apartment of the house. My husband, Jalal Mohammed Hassan, and my son - the groom - were there with me in the same apartment, while the rest of my sons were in the other apartment, along with the young men and children. We heard a big blast just next to our house; it shook the house strongly. The apartment was full of dust and smoke due to the explosion.”

Fatima went on to describe the incident, saying: “Then I immediately went out of the house, along with my husband; the place was overwhelmed with dust and smoke that we were choking. Lights were off in the apartment where the young men were sitting. My husband was calling to our sons, Majed (17 years old) and Ashraf (12 years old); they were not answering. At that time, I shouted at the top of my voice, asking the girls to bring torchlights. When we reached the apartment, the door was torn apart; the window of the sitting room was thrown on the ground; and the whole apartment was full of stones and shrapnel pieces. Then our neighbors came; they carried the victims one after another and brought them all to the street. Every time they brought a victim, they would say: ‘still more are inside’. They brought Basheer Hassan Awadh (24 years old). He was walking, while all the others were carried by the rescuers. I did not know how many victims they were. I passed out when I saw them carrying my son, Ashraf, whose left foot was fractured and bleeding.”

Fatima concluded her statement, saying: “The victims were all taken to the MSF[-run] hospital. Four people were killed, including two of my sons, one of whom died immediately when the blast took place while the other died ten days later.”

For his part, one of the wounded, Basheer Awadh Hassan Mohammed Saleh (24 years old), said in his statement: “Right after the blast, and amidst a cloud of dust and smoke, I saw Jalal Mohammed Hassan heading toward us with a torchlight in his hand. I hurried toward him and threw myself at him to get me out of the place. A bus of one local resident arrived, while the rescuers were evacuating the rest of the victims. I was taken into the bus. A military pick-up truck belonging to the Houthis (the party that has control over the area) arrived to pick up the rest of the victims.”

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(65) ibid.
(66) ibid.
(67) ibid.
(68) Mwatana for Human Rights interviewed Basheer Awadh Hassan Mohammed Saleh on October 29, 2017.
Moreover, Mohammed Abdullah Saeed Al-Sana’ani (35 years old), father of the wounded child, Mahran (12 years old), spoke with us. He said: “At that time, I was in Al-Hawban area; I received a phone call from one of my neighbors who told me that a projectile landed near my house, (on the house of the wedding party), and that my son, Mahran, was injured. I called my wife. And other local residents called me to tell me that all the victims were taken to the MSF[-run] hospital in Al-Hawban area, some three kilometers away, to the east of our area. When I arrived at the hospital, I asked them about my son, Mahran. He sustained some shrapnel wounds, but he was putting one hand on his eye; he sustained a shrapnel wound to his eye in the attack. He was in the same house, along with the other victims. Medical personnel at the hospital said that eye injuries require a specialized doctor, but none is available in our governorate (Taizz). I decided to take my son to Ibb City. When I was leaving the hospital, Fathi Awadh Hassan (22 years old) was transferred to Gulf International Hospital in Al-Hawban area, but he did make it; he died on the next day.”

Al-Sana’ani concluded his statement, saying: “A lot of local residents have abandoned our area as the fighting was coming closer. Following that incident, I moved to Al-Qasr crossroad, along with my family; and I rented a house in the Mafraq Mawiyyah area, in eastern Taizz. I have been taking my son from one clinic to another in Ibb and Sana’a. I have spent more than YR200,000 (roughly $450) all in vain. “My son still needs to undergo a surgical operation to remove the shrapnel pieces from his eye.”

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(70) Ibid.
During 2017, Mwatana documented no less than 25 incidents of explosion of landmines, most of which took place in Taizz. In these incidents, the Mwatana documented the death of at least 14 civilians, including three women and two children, and the wounding of at least 46 others, including 19 women and 14 children. Ansar Allah group (the Houthis) and the forces of their former ally, former President Saleh are responsible for planting these landmines.

On April 4, 2017, Mwatana released “Concealed Killer” report where it documented 33 incidents of explosion of landmines planted by Ansar Allah (the Houthis) and the Pro-Saleh forces. Mwatana verified such incidents during the period between July 2015 and October 2016 in six governorates.\(^\text{(71)}\)

\(^{(71)}\) Mwatana for Human Rights, report of “Concealed Killer”, Fall of civilians by the landmines laid by the Ansar Allah Armed Group (the Houthis) and Saleh Forces (April 2017).
The Legal Framework:

Landmines cause serious damages both to soldiers in the battlefield or civilian victims. By nature, they cause unnecessary suffering and deep wounds. They cause permanent disability to the victims. Landmines exceed the legitimate object set forth in St. Petersburg Declaration that, “the only legitimate object which States should endeavour to accomplish during war is to weaken the military forces of the enemy”. This purpose can be achieved by disabling the greatest possible number of men without causing serious injuries to them exceeding the object. The employment of arms is therefore banned according to the International Humanitarian Law.

Anti-Personnel landmines include every reason for banning them from being used. Long after the end of an armed conflict, they remain in the ground and kill or injure civilians, causing them to suffer permanent disabilities. The Convention on the Prohibition of Anti-Personnel Mines is also officially known as the Convention of the Prohibition of the use, stockpiling, production, development and transfer of anti-personnel mines, (the Ottawa Convention). It imposes a comprehensive ban on anti-personnel mines by prohibiting the use, stockpiling, production, development and transfer of anti-personnel mines. It requires the clearance and destruction of these mines, whether stored or planted on the ground. By adopting this Convention, states agreed for the first time in the history of International Humanitarian Law to ban a weapon that was widely used in many parts of the world.

Incidents:

- On Monday April 3, 2017, at about 11:30 am, a landmine exploded in Al-Jufainah village, Marib governorate as Hussein Ali Hussien Al-Huzmi (10 years old) was trying to remove a stone from the road so that his father, farmer Ali Hussien Al-Huzmi (35 years old), would be able to move ahead with his truck. They were both injured in the explosion.

In his statement to Mwatana for Human Rights, Hussien said: I did not go to school that day to help my father in collecting stones on our truck to sell them. We drove into Al-Jufainah area, collected and loaded stones on the truck. When we finished, we followed the same route back to downtown. We parked by the side of the road because of a large stone blocking our way. My father parked near the stone and asked me to remove it from under the left front wheel. I removed the sand around the stone and tried to move it. I heard a loud explosion. Dust and stones were blown into my face as the explosion threw me to the back. My father was screaming: Hussien! Hussien! Are you alright? I was on the ground and could not reply. I was crying and saying: My eyes and face, dad!

The child then added that his father called his uncle who took them to the Marib General Hospital in the city. He continued: “I am not able to see with my eyes anymore and I have no idea if I would be able to see agai. My face and neck are disfigured because of the shrapnel and small stones. My father became disabled due to the amputation of his left leg, and his physical and psychological health is not well. We depend on agriculture and collecting stones. My father used to manage these things to earn our living. His disability would affect our livelihood”.

Ameen Hussien Ali Al-Huzmi (38 years old) who took his brother and his nephew to the Marib General Hospital on his car, said: “Al-Jufainah area where my brother and his son went was a battle ground of fierce fighting between the Houthis and Popular Resistance. The Houthis planted landmines in the area before withdrawing from it in late 2015”.

- On Sunday June 11, 2017 at about 11:00 am a Toyota pick-up truck was hit in a landmine explosion, in a dirt road connecting Al-Badda’ah area and Salam area, to the north west of Al-Ghail area in Al-Jawf governorate. Aboard the car were a number of women and children en route to Al-Hazm Market to sell goats and buy Eid stuff/ items. About 300 meters away, one of the rescuers’ car was hit by another landmine explosion. The two incidents left one woman dead and 11

(73) ibid.
others wounded, including one child.

In an interview with Mwatana for Human Rights, one of the people injured in the second landmine explosion, Abdullah Naji Gamhous (28 years old), said: “While I was taking the dead woman, Fatima Ali Hussein Al-Nims (31 years old) and some of her female relatives who were not injured from the location of the incident to Salam, another landmine exploded under the left front wheel of my car. I got a fracture in my right leg; my sister, Janiah Naji Gamhous (30 years old) sustained a fracture in her left arm while my brother Ameen Naji Gamhous (20 years old) suffered bruises all over his body.”

Gamhous added that they were all taken to a hospital in Al-Hazm district. Upon asking him about the location of the explosion of the landmine, he answered that it was a dirt road used by the villagers from Al-Badda’ah and Salam. He also pointed out that many families from Al-Ghail live in these two areas, after they left their homes and villages because of the war, and that most of the displaced people in those areas are women and children.

Gamhous concluded his statement, saying: “The incident had a terrible effect on us and we became afraid of walking or driving on roads that were familiar to us. I lost my car which was the source of my income. We are still suffering from health-related issues, and only God knows when we would fully recover from them.”

- On Friday July 7, 2017 at about 09:00 am, a series of landmines exploded in the village of Al-Shaqb Al-Sayahi, in the district of Sabir Al-Mwadim, to the south of the city of Taizz. Afaf Mohammed Ahmed Muqbil (22 years old) was injured in the incident: her left leg and breast were cut off; she also sustained multiple fractures in her right leg, shrapnel wounds and burns in different parts of her body. Dalilah Abdu Ahmed Ahmed Muqbil (25 years old) was injured in the same incident. She had her right leg cut off and she sustained shrapnel wounds and burns in other parts of her body.

In her statement about the incident, Afaf told Mwatana for Human Rights: “Dalilah was walking before me, carrying a pack of firewood over her head. Our goats were following Dalilah and I was walking behind them. I heard a big blast and saw Dalilah flying in the air and falling back to the ground. One of her legs landed next to me. The goats panicked from the sound of the first explosion and started running in every direction. As the goats ran, a series of explosions followed, tossing the goats in the air and tearing them into pieces on the ground. Dalilah’s screams were mixed with the sound of the explosions. She was

(75) Mwatana interviewed Abdullah Naji Gamhous on June 17, 2017.
(76) Ibid.
(77) Ibid.
crawling and shouting for help. But as she crawled, she touched upon another landmine. Dalilah was tossed in the air again. My feet and all my body trembled with fear, and I was mesmerized in my place, as though in a dream. I felt that my mind was paralyzed and my whole body was completely numb.”(78)

Afaf added: “I fell to the ground, and as soon as I did, a landmine exploded, and I was sent flying in the air and I landed on another landmine. I felt like fire had been set on my body, and my screams were mixed with those of Dalilah. I did not know at the time what was left of my body. My brother came to my rescue, and I was asking him in fear: Are my legs cut off? He was crying. I was asking him in fear: Are my hands cut off? What happened to me? Tell me! Are my legs cut off like Dalilah?

According to the interviews conducted by Mwatana for Human Rights, Ansar Allah group (the Houthis) planted landmines at a distance of about 50 meters on the road near Tabat Al-Salhi which is under their control, in order to prevent the progress of Popular Resistance and pro-Hadi forces, which are stationed in Tabat Mza’al, about 100 meters away from the location of the incident.(79)
During 2017, Mwatana documented 33 enforced disappearance cases, carried out by Ansar Allah group (the Houthis) in six Yemeni governorates: Sa’ada, Sana’a, Al Bayda, Dhamar, Al Hudaydah and Taizz. It also documented as many as 68 cases, carried out by armed groups – affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces – in six Yemeni governorates: Aden, Abyan, Lahj, Marib, Hadramaut and Shabwah. All arbitrary detention cases documented in this report took place in 2017; however, some victims remain arbitrarily detained until the time of writing this report.

During the same year, all parties to the conflict in Yemen: Ansar Allah group (the Houthis), armed groups supported by the Saudi-Emirati-led-Arab Coalition, pro-Hadi forces, were responsible for cases of enforced disappearance in the areas under their control. All parties to the conflict committed such violation against their political opponents or against civilians suspected of links with or sympathy for their opponents.
The Legal Framework:

The UN Declaration on the Protection of All Persons from Enforced Disappearance, adopted by the General Assembly in 1992, provides that “enforced disappearances occur, in the sense that persons are arrested, detained or abducted against their will or otherwise deprived of their liberty by officials of different branches or levels of Government, or by organized groups or private individuals acting on behalf of, or with the support, direct or indirect, consent or acquiescence of the Government, followed by a refusal to disclose the fate or whereabouts of the persons concerned or a refusal to acknowledge the deprivation of their liberty, which places such persons outside the protection of the law.”

The Declaration reflects the consensus of the international community to condemn violations against human rights. It can serve as the directional power to review the measures that can ensure the prevention of the occurrence of such violations. Enforced Disappearance is a “two-fold violation of human rights” The Declaration recognizes that any act of “enforced disappearance” is a violation of the right to due process of the law, the right to life, the right to liberty and security of the person and the right not to be subjected to torture in addition to a number of provisions aiming at preventing “enforced disappearance.” It stipulates that “any person deprived of liberty shall be held in an officially recognized place of detention; accurate information on the detention of such persons and their place or places of detention shall be made promptly available to their family members; they shall be allowed to see their counsel; and an official up-to-date register of all persons deprived of their liberty shall be maintained in every place of detention.”

It is clear that armed conflicts cannot be used as a pretext to justify enforced disappearance:

“No circumstance whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.”

In 2006, the prohibition on enforced Disappearance was reinforced by adopting the International Convention for the Protection of Persons from Enforced Disappearance (ICPPED) (Convention for the Protection from Enforced Disappearance). This multilateral Convention was opened for signature in February 2007. Yemen did not sign on the Convention till the time of writing this report.
ICPPED calls upon each State Party to investigate abduction acts and other acts that fall under the definition of “enforced Disappearance”, committed by persons or groups of persons acting without the authorization, support or acquiescence of the State and to bring those responsible to justice. The International Law considers “disappearance” as an ongoing offence as long as the state continues to conceal the fate or whereabouts of the disappeared person” The widespread or systematic practice of enforced disappearance constitutes a crime against humanity as provided in ICPPED and the Rome Statute of the International Criminal Court.

Yemeni Constitution prohibits detention in “centers that do not comply with the Regulation of Prisons Law.” In 1998, Yemen government promulgated a law on Abduction in which it provides for more than 20 years of imprisonment for those who shall be proven to be guilty of taking part in acts of abduction or theft” There is no law in Yemen, however, that criminalizes enforced disappearance.
Incidents:

- At midnight Friday, January 20, 2017, around 12:30 am, the Hadrami Elite Forces detained Adel Abdul Hafeez Al-Soqatri (37 years old) in Al-Shahr District, in Hadramaut Governorate.

In her statement to Mwatana for Human Rights, Ibtisam Mohammed Abdullah Basowdan (33 years old) said: “Someone knocked at the door and asked my husband to come out. My husband looked through the window; he could recognize them. Before he came out, he told me that they were from the Hadrami Elite Forces. The moment he came out, they asked him whether his name was Adel Al-Soqatri. He answered with yes. They immediately folded his eyes, tied his hands and pushed him into a Hilux pick-up truck, where a group of five people, with folded eyes and tied hands, were on board. On the next day, Saturday January 21, 2017, Adel’s father went to Al-Dhabbah Detention Center to look for his son. There, they told him that my husband was there, but he was not allowed to have any visitors. They asked Adel’s father not to show up again to the advantage of his son. Since then, we have done nothing; we are just waiting for God’s grace.” (80)

Ibtisam believes that the reason behind her husband’s arrest could be his attendance at a mosque, frequented by people accused of being al-Qaeda affiliates. (81)

- In the evening of Saturday, February 4, 2017, the Ansar Allah group (the Houthis) detained Abdul Razzaq Ahmed Salem (40 years old) as he was working in his office at the premises of the Water & Sanitation Corporation in Al-Hawak District, in Al Hudaydah Governorate.

According to interviews Mwatana for Human Rights conducted with his relatives, Abdul Razzaq used to work till late hours. On the day he was detained, a military pick-up truck belonging to the Ansar Allah group (the Houthis) drove to the office. Abdul Razzaq was taken to unknown destination. His family did not know his whereabouts until after six months. After six months, he could talk with his wife and his mother on the phone and told them that he was fine. Abdul Razzaq’s family met with a former pensioner at the prison of the Political Security Apparatus. He said that he had met with Abdul Razzaq for one week before the latter disappeared. On January 15, 2017, Al-Masirah, the Houthi-affiliated TV Channel, aired footage, in which Abdul Razzaq Ahmed Salem confessed that he had contacted leaders in Marib and gave them the coordinates of positions of the pro-Houthi popular committees. (82)

(81) ibid.
• On Thursday, April 27, 2017, pro-Hadi forces detained Sana’a University professor Mustafa Hussein Mohammed Al-Mutawakil (61 years old) at a checkpoint in Bab Al-Falaj, in Marib Governorate. Al-Mutawakil was detained when he was coming back from a trip to Morocco, via Sayun airport, heading for Sana’a. Since then, he continues to be forcibly disappeared.

His wife, Elham Mohammed Abdul Malek Al-Mutawakil (59 years old), also a Sana’a University professor at Sharia and Law College, said: “My husband received an official invitation from Morocco to attend an annual investment conference for investment authorities from Arab countries. He traveled on April 13, 2017 via Sayun airport, after he passed through Marib. When he was done with the conference in Morocco, he went back to Yemen after two weeks on April 27, 2017. He took a bus and headed for Sana’a. According to accounts by travelers, who were on the same bus, the bus was stopped at a checkpoint in Bab Al-Falaj in Marib, where three soldiers came in and took him out of the bus. That day he called me, around 07:00 am, to tell me that he was detained by pro-Hadi forces. Since then I have lost contact with him.”

Fatima Mustafa Al-Mutawakil (31 years old) said: “My mother decided to visit Marib, along with lawyers and a team of Sana’a University professors, who are my father’s friends, to meet with the officials there. However, that did not work out as they could not talk the officials into releasing him or allowing us to visit him”.

Professor Mustafa Hussein Mohammed Al-Mutawakil was appointed as the Chairman of the General Investment Authority in November 2016, upon a decision by the Supreme Political Council that was established jointly by Ansar Allah (the Houthis) and their former ally Saleh. His family believes that his family name was the reason for detaining him.

• On Monday December 11, 2017, the family of Salem Ahmed Al-Oulaqi, Deputy of the Youth Constituency at the General People’s Congress party (GPC), tried to reach him on the phone while he was traveling on his car to Aden. On the next day, and after they contacted the car driver, some of Salem’s friends told his family that the Ansar Allah group (the Houthis) detained him in Jaref area, to the south of Sana’a.

Al-Oulaqi remained forcibly disappeared until he was released on Monday January 29, 2018.

(84) Mwatana for Human Rights interviewed Fatima Mustafa Al-Mutawakil on September 24, 2017.

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Mwatana for Human Rights documented as many as 69 arbitrary detention cases during 2017. Ansar Allah group (the Houthis) carried out such detentions in seven governorates- Sa‘ada, Sana‘a, Al-Jawf, Al Bayda, Taizz, Dhamar and Al Hudaydah. Fifty-one cases of detention were carried out by armed groups affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces in seven Yemeni governorates - Aden, Abyan, Lahj, Al Dhale‘e, Marib, Taizz and Hadramaut. All arbitrary detention cases documented in this report took place in 2017; however, some victims remain arbitrarily detained until the time of writing this report.

During the reporting period, all parties to the conflict in Yemen: Ansar Allah group (the Houthis), armed groups affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces practiced arbitrary detention in the areas under their control. All parties to the conflict committed such violation against their political opponents or against civilians suspected of links with or sympathy for their opponents.
The Legal Framework:

According to the International Covenant on Civil and Political Rights of which Yemen is a member State Party, “no one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release.”

International Law prohibits arbitrary arrest and detention. The United Nations Working Group on Arbitrary Detention regards deprivation of liberty as arbitrary when the authorities fail to invoke any legal basis justifying the deprivation of liberty. Such deprivation of liberty results from the exercise of the guaranteed rights or freedoms, like freedom of belief and freedom of expression; or when the non-observance of the international norms relating to the right to a fair trial is of such gravity as to give the deprivation of liberty an arbitrary character.

The UN Human Rights Committee, which monitors state compliance with the ICCPR and provides authoritative interpretation of the Covenant, has explained that: “‘arbitrariness’ is not to be equated with ‘against the law’, but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law.”

The Yemeni Constitution provides that “the state shall guarantee, for its citizens, their personal freedom, dignity, and safety.” It also stipulates that “nobody may be arrested, searched, or detained unless caught in the act; or in implementation of an order, issued by a judge or a prosecutor.” The Constitution which contains the basic elements of the procedures of criminal justice, also states that any person temporarily apprehended on suspicion of committing a crime shall be presented by the Public Prosecutor in front of a court within a maximum of 24 hours from the time of his detention. Only the court may order the release or extension of the period of detention of the accused beyond seven days. The Yemeni Penal Code also provides for “a penalty of up to five years’ imprisonment for officials who deprive people of their liberty by mistake.”
Incidents:

- In the evening of Tuesday, February 28, 2017, between 05:00 pm and 06:00 pm, the Ansar Allah group (the Houthis) detained Basheer Mas’oud Ghaleb Al-Wosabi (23 years old) in the capital, Sana’a.

Fawaz Mas’oud Ghaleb Al-Wosabi, Basheer’s brother said: “My brother works at a Money Exchange outlet in Zaid Ben Sultan St., in Sana’a. I received a phone call from the owner of the outlet; he told me that a field operative from the Ansar Allah group came aboard a Hilux pick-up truck, along with two armed men in civilian uniforms, and took my brother.”

According to the statement of Fawaz, Basheer was working as an escort guard for Sheikh Abdul Majeed Al-Zandani (leader in the Islah party), before the Houthis overran Sana’a in 2014. The Ansar Allah group accuses Basheer of cashing out payments to sleeper cells affiliated to Al-Zandani, through his work at the Money Exchange outlet.

Fawaz added: “I came to know that my brother was detained at the Security Headquarters of the Sixth Region. I tried to follow the case in an attempt to get him out of there. The Ansar Allah told me that the issue would just take three days for carrying out the investigation work. After 10 days, he was transferred to the Criminal Investigation Department (CID). My mother was able to visit him about three times (as of conducting this interview), after five days from being transferred to the CID. Later, the Specialized Penal Prosecution nullified the claim and instructed release. My brother was transferred to the Al-Thawrah reserve prison, and since then has never been released (as of conducting this interview).”

- On Tuesday, August 29, 2017, around 04:30 pm, the Security Belt forces detained Ibrahim Mahmoud Saeed Juamai’ (16 years old) in Khanfar District, in Abyan Governorate.

Speaking to Mwatana for Human Rights, Mahmoud Saeed Juamai’ said: “My son went out with his friends early in the evening as usual. Then someone I know came to me and said, ‘Mohamoud, I saw your son with the military, with tied hands and folded eyes; and one of them said, ‘Tell his father that his son is in the 7th October prison.’ I went there and made sure that my son was inside; they told me that visits were not allowed, but asked me to come back on Thursday morning. On Thursday August 31, 2017, at 09:00 am, I was

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(87) ibid.

(88) ibid.
allowed to visit my son. He told me that he was beaten and kicked with hands and sticks. He said: ‘Dad, get me out of here... I am innocent.’ He told me that they investigated with him as if he was a spy affiliated to al-Qaeda.’

In his statement, the father said that he met with a leader from the Security Belt forces and asked him to release his son. But the leader replied, saying: “The son is with us; he will be out when after he has been disciplined.” Mahmoud Saeed Juamai’ also said that he visits his son every Thursday for thirty minutes, and that his son is not subjected to torture any more (as of conducting this interview).
Section Seven

Torture

81 Torture Incidents

2 Sa’ada
2 Dhamar
15 Taizz
10 Sana’a

52 incidents
By armed groups - affiliated to the Saudi - Emirati - Led Coalition and pro-Hadi forces
14 incidents of torture that led to death

29 incidents
By authorities of Ansar Allah (Houthis)
3 incidents of torture that led to death

28 Abyan
11 Aden
10 Lahj

1 Shabwah
1 Hadramaut
1 Al Dhale’e
During 2017, Mwatana documented 29 incidents committed by Ansar Allah (the Houthis), in four Yemeni governorates, Sa‘ada, Sana‘a, Taizz and Al Hudaydah, including three cases where torture led to death. It also documented 52 cases, which armed groups – affiliated to the Saudi-Emirati-led Coalition and pro-Hadi forces– carried out in six Yemeni governorates: Aden, Abyan, Lahj, Marib, Hadramaut and Shabwah, including 14 cases where torture led to death.

The Ansar Allah (Houthi) group, as well as the armed groups of the Arab Coalition led by Saudi Arabia and the UAE, such as the Security Belt and the Hadrami Elite forces, practice torture and fatal torture, using beatings with batons, metal bars, kicking, slapping, burning and water-boarding. In some of the cases, documented by Mwatana, torture led to death. Torture is used as a means to coerce a confession during interrogations.

On June 24, 2017, Mwatana published “Torture in Yemen”: Multiple Powers and one Behavior” which shed light on the use of torture in detention centers run by all parties to the conflict in several Yemeni governorates.
The Legal Framework:

International Humanitarian Law and International Human Rights Law prohibit torture and other inhuman and degrading treatment and do not justify it under any circumstances. Article 5 of the Universal Declaration of Human Rights enshrines the prohibition of torture, as does Customary International Law.

Article 11 of the Convention against Torture provides that each State shall comply with the rules governing the interrogation, its instructions, methods and practices, as well as the arrangements for the detention and treatment of persons subjected to any form of arrest, detention or imprisonment with a view to preventing any cases of torture.

In 1991, Yemen ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
Incidents:

- On Tuesday, March 7, 2017, around 09:00 pm, the Security Belt forces, backed by the Saudi-UAE-led Arab Coalition, detained eight people in Zunjubar District, in Abyan Governorate. The detainees were subjected to torture with beating and waterboarding, which resulted in the death of Ameen Abdul Aziz Al-Maqtari (23 years old).

  In his statement to Mwatana for Human Rights, Arsalan Mohammed Saleh (22 years old) said: “After Isha time [late in the evening], I went to the Ma’zoub (a small ranch where goats and bees are kept). Then forces from the Security Belt in Zunjubar District, raided the place and fired shots in the air. One of them said: ‘The place is surrounded’. There were about six armored vehicles, along with about 25 masked and armed men wearing civilian uniforms. We were taken to the Police Headquarters in Zunjubar; and each one of us was investigated individually. The investigating officer asked me: ‘Do you belong to the Islamic State (Daesh) or Al-Qaeda organization? We want to know to which organization you belong.’ I told him that I do not belong to any organization. He would hit me strongly with his hand, or kick me and have me provoked. I was taken, along with a group of young men, to the sea; it was a bright moonlit night that made each one on the beach visible. We were put in a row, with a considerable break between one another. Then the forces spread out. They took the first one in the row; it was Ameen Abdul Aziz Al-Maqtari (23 years old). They filled his mouth with sand, tied him up and dragged him into the sea. He was placed in a prone position [on the coast]; and seven people from the Security Belt forces stepped on his back. After few moments, he was taken back; he could hardly breathe. They beat him; he was screaming in pain. They were yelling at him: ‘Admit that you are the leader of the Islamic State.’ Ameen died due to torture. After that, I was subjected to the same kind of torture; I was about to face the same fate of Ameen, if one of the security members had not intervened and said, ‘This is enough!’ I was released on Tuesday March 14, 2017”.

- On Sunday, August 6, 2017, around 07:00 pm, the Security Belt forces, allied to the Saudi-UAE-led Arab Coalition in Abyan Governorate, detained Munaif Haydara Ahmed Salem (32 years old).

  His wife said: “When I visited him, he told me that they interrogated him right from the first day and that he was subjected to beatings. On the first and second days of investigation, they forced him to admit that he was an al-Qaeda affiliate. Each investigation session

lasted for 30 minutes, during which he was subjected to beatings with gun butts and sticks and hot water, as well as slapping on his face. His face was bruised and swollen.”

Munif’s wife believes that the true reason for detaining her husband was his criticism of the Security forces Belt and of their leaders.

- **On Thursday, October 11, 2017, around 05:30 pm, the Ansar Allah group (the Houthis) detained Hussein Abdullah Akhdar (55 years old) while he was strolling in Mazda St. in the capital, Sana’a.**

According to an investigation conducted by Mwatana for Human Rights, the family of Akhdar received him from Al-Jomhori Hospital on a wheel chair, as he was unable to walk. Al-Akhdar was taken once again from his family and was placed in the same room at the hospital. There, he was forced to be recorded in a video and admit that he was not beaten or harmed at all during the period of captivity.

Akhdar was detained in a basement cell at the prison of the Political Security Apparatus in the capital, Sana’a. Traces of burns were seen on his body, all the way from his abdomen to his thighs. One of the detainees died of torture in front of Akhdar’s eyes. During the period of detention, Akhdar used to tell the officers at the prison that he was tired and sick, but they would always reply to him, saying: “Die... You deserve that.”

Akhdar died few days after he was released, on Saturday, December 9, 2107.

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(94) ibid.
(95) ibid.
Ansar Allah group (the Houthis) targeted the Baha’i minority in Yemen. Seven Baha’is, who have been detained over the year 2017, are still in prisons run by Ansar Allah group (the Houthis) in Sana’a, including four victims of enforced disappearance.

The authorities of Aden arrested two members of the Baha’i minority and turned them over to the Emirati authorities who released them several months later. On Wednesday, January 11, 2017, the authorities of Aden International Airport arrested Hishmatullah Ali Mohammed Thabet (75 years) (Iranian) and his son-in-law, Nadim al-Saqqaf (43 years) from one of the Aden International Airport Terminals. They were both turned over to the Emirati authorities which kept them forcibly disappeared without charge or communicating with a lawyer until the beginning of September 2017, when they were released ahead of the 36th Session of the UN Human Rights Council in Geneva.

During 2017, the Specialized Criminal Court (SCC) in Sana’a continued its trial of Hamid Kamal Muhammad Haydara (53 years), a member of the Baha’i minority, with charges of offences punishable by death. On Tuesday morning, January 2, 2018, a verdict of death sentence was issued against Haydara; the confiscation of his property and assets; and the closure of the Baha’i forums in Yemen.\(^{(96)}\)

In a joint letter addressed by Mwatana for Human Rights and Amnesty International in March 2017 to Sana’a-based officials after scrutinizing the case file and information, including some prosecution and defense documents, and records of the interrogation sessions, the two organizations have concluded that Haydara is a prisoner of conscience who is being held and tried on account of his conscientiously held beliefs and peaceful activities as a believer in Baha’i religion.\(^{(97)}\)


Ansar Allah group (the Houthis) arrested dozens of men and women members of the Baha’i minority in Sana’a, for their cultural activities. On April 28, 2017, Lynn Maalouf, Director of Research at Amnesty International regional office, said: “The detention of Baha’is on account of their faith appears to be part of a wider crackdown on minorities by the Houthi-Saleh authorities, and is making entire families live in fear for their safety and the safety of their loved ones – not to mention that they are a clear violation of Yemen’s obligations under international law”.

During 2017, after undergoing pressure from the various authorities, dozens of members of the Baha’i minority, both Yemenis and foreigners who have legally resided in Yemen for decades, were forced to leave Yemen to other countries.

Article No. 7 of the Human Rights Council Resolution on Yemen 36/31 on September 2017, called upon all parties to immediately release all Baha’i detained in Yemen due to their religious belief.

On Wednesday August 10, 2017, Keyuan Mohammed Ali Qaderi (44 years old) (Iranian) was arrested by Ansar Allah group (the Houthis). He is still held in the prison of the Political Security System in Sana’a. To release him, Ansar Allah group required that he should be deported outside Yemen, which puts his life at risk because of the persecution of the members of the Baha’i minority in Iran.

On Sunday October 22, 2017 at about 09:00 am, Akram Saleh Abdullah Ayyash (36 years old) was arrested in Sana’a by Ansar Allah group (the Houthis). In an interview with Mwatana, Akram’s wife, Islah Hussein Saleh Al-Haymi (32 years old), said that his family knows nothing about his whereabouts and he is still forcibly disappeared (till the time of writing this report).

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(100) Mwatana interviewed Islah Hussien Saleh Al-Haymi on November 6, 2017.
During 2017, Mwatana documented nine cases of violations against 50 journalists. Eight incidents took place in areas under Ansar Allah (the Houthis) control alongside December events in Sana’a. Ansar Allah (Houthis) detained 41 workers in Yemen Today TV affiliated with the family of former President Saleh and the mouthpiece of the GPC. They were released two weeks later. Mwatana documented one incident in an area under the pro-Hadi forces.

During 2017, Ansar Allah group (the Houthis) continued to detain 12 journalists. Wahid Al-Sufi has been under enforced disappearance for almost three years. His fate has not been revealed until the time of writing this report. The group released journalist Yousef Ajlan in a prisoner swap between the group and the forces and groups loyal to Hadi’s government in Marib after he was arrested in front of his house in Sana’a on October 13, 2016.

Many News websites remain blocked in Yemen because Internet service provider, Yemen Net is under the control of Ansar Allah group (the Houthis).

The Saudi-Emirati-led Coalition denied international media and Human Rights organizations access to parts of Yemen under Ansar Allah group (the Houthis). A number of journalists and correspondents in Taizz, Aden, Hadramaut, and Sana’a were harassed and threatened because of their journalistic work.
**Incidents:**

- On Wednesday, April 12, 2107, the Specialized Penal Court in Sana’a “condemned journalist Yahyah Abdurraqib Al-Jubaihi to death for collaborating with a foreign country.”\(^{(101)}\) The decision was made during a court session that did not last more than 20 minutes. On September 6, 2016, armed men belonging to the Ansar Allah group (the Houthis) detained Al-Jubaihi, along with his two sons, Hamzah and Dhi Yazan. They were taken to the building of the Political Security Apparatus in the capital, Sana’a.

On September 21, 2017, the day that coincided with the anniversary of the Ansar Allah’s (the Houthis’) takeover of the capital, Sana’a, former head of the Political Supreme Council Saleh Al-Sammad issued a decision, overturning the death sentence and ordered the release of Al-Jubaihi. Al-Jubaihi was released on September 24, 2017, while his son Hamza continues to be detained.\(^{(102)}\)

- On Sunday, September 17, 2017, journalist Nazar Ali Al-Khaled, who used to work for Al-Thawraah Corporation for Press, Printing and Publication, was invited for lunch by Saleh Al-Sammad, the former Head of the Political Supreme Council, and Abu Ali Al-Hakem, a military leader from the Ansar Allah group (the Houthis).

Speaking to Mwatana for Human Rights, Al-Khaled’s wife said: “Soon after he finished the phone call, in which Al-Sammad and A-l-Hakem invited him for lunch, my husband said they would detain him. Since then, I have never received a phone call from him (as of conducting this interview), and he never picked up a call. I do not know where he is, but I do know that he is with the men of Al-Sammad. When I contact his relatives, who belong to the Ansar Allah group, they would reply, saying: ‘Let him get disciplined’.”\(^{(103)}\)

Al-Khaled’s wife believed that her husband was detained against the backdrop of his political affiliation to the GPC party. Al-Khaled was later released on Wednesday, 29 September 2017.

- On Friday, October 27, 2017, the pro-Hadi military police in Marib detained journalist Mohammed Hassan Sha’b. He continued to be detained without

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\(^{(103)}\) Mwatana for Human Rights interviewed the wife of Nazar Ali Al-Khaled on December 27, 2017.
charging him or allowing him to get a legal counsel. Then he was released on Sunday November 26, 2017.

- In the morning of Saturday, December 3, 2017, the Ansar Allah group (the Houthis) detained as many as 41 employees at the building of the "Al-Yaman Al-Youm TV Channel, which is affiliated to the former president, Saleh, and the mouthpiece of the GPC party. That came after a televised statement by former president Saleh, in which he parted allegiance with the group.

One of the detainees at the TV channel building told Mwatana for Human Rights that the security members tried to fend off the Ansar Allah (the Houthis) forces to the last bullet. The shootout erupted in the morning and continued until 08:30 pm when the building was taken over.

He added: “One of their leaders came over and ordered his men to seize our personal belongings, and we were locked up in the building for about a week. Then were transferred to a villa in Attan area in Sana’a. There, we were locked up in the basement for a week too. They released us, they made give a verbal undertaking that we would never attack the Houthis, and that we would never talk about the leader (referring to former president Saleh), and not to travel abroad. They also wanted us to sign on a written undertaking that we would be ready for jihad at any time the country needs us. The undertaking also included the choosing of a nom de guerre, like Abu X, for instance. Some of us signed on this undertaking, while others declined to”.(104)

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(104) Mwatana for Human Rights interviewed one of the detainee from the staff of the Al-Yaman Al-Youm TV Channel on January 11, 2018.
During 2017, Mwatana verified the recruitment and use of as many as 879 children, through 607 observations and interviews conducted by the Mwatana team. Ansar Allah group (the Houthis) and forces loyal to its former ally, Saleh, recruited 58% of those children, mostly in Sana’a and Sa’ada. The Security Belt forces and the Hadramaut Elite forces, affiliated to the Saudi-Emirati-led Coalition, recruited 21%, particularly in Abyan and Lahj. The pro-Hadi forces and Popular Resistance groups recruited 20%, particularly in Abyan and Al Jawf. The Jihadi groups have recruited 1% in the governorates of Lahj and Taizz.

The parties to the conflict in Yemen recruit children under the age of 18 and use them for combat or security purposes, such as working at checkpoints or in logistics related to combat operations. The parties to the conflict have taken advantage of the deteriorating humanitarian and economic conditions in Yemen and of the large number of school dropouts in recruiting children.

The identities of the children recruits are withheld for their protection.
The Legal Framework:

Recruiting children is prohibited in armed groups and the military pursuant to the provisions of Customary Humanitarian Law, Geneva Protocols, the Rights of the child, the Worst Forms of Child Labor Convention and, more recently, the Statute of the International Criminal Court.

According to the Worst Forms of Child Labor and the Optional Protocol to the Convention on the Rights of the Child, children under 18 must not take part in armed forces or armed groups. The Geneva Protocols point out that in recruiting among those persons under the age of 18 years, priority shall be given those who are oldest.

Article 45 of the Yemeni Child Protection Law of 2002 affirms that children shall not directly take part in the war and that no person under the age of 18 shall be recruited.
Incidents:

- The Security Belt forces in Abyan Governorate have recruited two children at two different times. Their father said: “The two sons dropped school and joined the Security Belt forces; I am worried sick that they would go to the front lines. They are still kids; and most of those who went to the front lines, they returned either dead or wounded. I wish the situations get stable and war ends.” (105)

- In Sana’a, the Ansar Allah group (the Houthis) have recruited a number of children, without the knowledge of their relatives. A number of the children’s families have submitted complaints to the prosecution, and continue to follow up on the cases to end the recruitment of their children. (106)

- One of the relatives of the children, who were recruited by pro-Hadi forces in Al-Jawf said: “I tried to convince him not to join, but he did not listen to me.” I want to go there to get him back, but I am afraid I would be arrested. Those who exploit children have no ethics, nor conscience”. (107)

- One of the children, who were recruited by the Security Belt forces in Lahj, said that what prompted him to join the forces was the economic conditions facing his family, in addition to the delay in the payment of his father’s salary.” (108)

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(105) Mwatana for Human Rights interviewed the father on August 17, 2017.
(106) Mwatana for Human Rights interviewed one the relatives of the children on February 21, 2017.
(107) Mwatana for Human Rights interviewed one the relatives of the child on September 24, 2017.
Section Eleven

Attack on Hospitals and medical teams

In 2017, Mwatana documented no less than 18 cases of attacks on hospitals and medical centers. These attacks were carried out by Ansar Allah (the Houthis); the popular resistance groups and the Security Belt forces.

Abdul Qader Al-Mutawakil Hospital in Sana’a was occupied by Ansar Allah (the Houthis) in early December 2017.

The Doctors Without Borders supported Abs Hospital after an airstrike by the Saudi and Emirati-led coalition on August 15th, 2016, Hajjah, Yemen.

Photo credit: Moahmmed Al Mekhlafi, August, 2016
The Legal Framework:

Pursuant to the International Humanitarian Law, warring parties shall ensure that humanitarian aid workers (individuals and agencies) are protected against assault, harassment, intimidation, arbitrary detention, etc. Parties to the conflict must also ensure that humanitarian relief workers have the ability to move in accordance with their missions.

The International Humanitarian Law prohibits targeting civilians and civilian objects. In this regard, hospitals and medical facilities enjoy special protection by virtue of their function and because they are often (run) by civilians. Big numbers of civilians might be present in hospitals. The only exception to this rule is when such hospitals and medical facilities are used for military purposes such as weapon stores.

UN Security Council Resolution 2286/2016 stressed that attacks intentionally directed against hospitals and places where the sick and wounded are collected, provided that they are not military objectives, as well as attacks intentionally directed against buildings, material, medical units and transport and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law are war crimes, are war crimes in accordance with the provisions of International Law.
Incidents:

- At Friday midnight, March 10, 2017, at 12:30 am, a projectile targeted the Laboratory & Emergency building at the Military Hospital, located in southeastern Taizz. The projectile destroyed the wall of the second floor, where the laboratory was located, and shattered windows of the entire building. None of the staff, or any of those who were present at the hospital were injured.

In his statement to Mwatana for Human Rights, Abdul Qawi Al-Mahmoudi, the Deputy Director of the hospital, said that the attack was not the first. The attacks have led to the destruction of the most of the hospital’s buildings and equipment.\textsuperscript{(109)}

According to the interviews conducted by Mwatana for Human Rights, the projectile was fired from Al-Hawban area, “Sofitel Hilltop”, which was under the control of the Ansar Allah group (the Houthis) and pro-Saleh forces. The “Sofitel Hilltop” is located about two kilometers to the north of the Military Hospital.

During the site visit, the field team of Mwatana for Human Rights noticed the presence of military reinforcement belonging to the pro-Hadi forces in the vicinity of the hospital, as the armed clashes were raging on at the front line to the east of Taizz City.

On the western side to the hospital, Al-Kuwait School is less than 100 meters away. The 22nd Mechanized Brigade forces - the 1st Sector, which are allied to president Hadi, uses the school as a command center. On the southern side to the hospital, the warehouses of the water project are about 400 meters away, in which armed men from the Abu Al-Abbas Brigades that are affiliated to the popular resistance, are stationed. On the eastern side, a military checkpoint affiliated to the pro-Hadi forces is located about 600 meters. On the northern side, specifically some 50 meters from the gate of the hospital, a checkpoint and a trench - belonging to the pro-Hadi 22nd Mechanized Brigade - are located.\textsuperscript{(110)}

- After midnight on Monday, November 20, 2017, around 01:00 am, one of the personnel of Al-Razi Hospital in Abyan Governorate was beaten by three members belonging to the Security Belt forces.

The hospital staffer was hit with the gun butts, while working on the night shift. According to the statements obtained by Mwatana for Human Rights, the reason for attacking was that the staffer prevented the armed members from entering the Gynecology &
Obstetrics Unit, who wanted to attack one of a female doctor they believe that she was the reason behind the death of a relative of a Security Belt officer.

An eyewitness told Mwatana for Human Rights that “the Security Belt forces have turned the hospital into a military barracks, because of their constant presence in it”.

- In the evening of Tuesday, December 12, 2017, around 04:30 pm, an armed group affiliated to the popular resistance attacked the Al-Thawrah General Hospital in Taizz City.

Members of the armed group were aboard four vehicles; they attacked the guards at the hospital’s main gate, stormed into the premises and stopped at the Emergency Unit while they kept on firing their guns and threatening the hospital personnel.

The hospital’s Deputy Director for Administrative Affairs, Waleed Mohammed Al-Himyari, said: “The armed group came to search for two wounded people, who were admitted earlier after being attacked by the same group itself. The group traced the two people to the hospital to eliminate them. A shootout ensued inside, leaving one dead and others wounded, including two guards of the hospital and members of the armed group, before fleeing the scene. The attack resulted in destroying the appliances of the emergency unit, on top of causing fear and panic among the patients and the people accompanying them, and the hospital personnel. It also resulted in aggravating the tension in and around the hospital, in addition to shutting down the entire units of this health facility, except for the Intensive Care Unit (ICU), the Inpatient Unit and the Dialysis Center.”

On Sunday, December 17, 2017, some of the units and sections of the hospital resumed operations, while the others resumed on December 20.

Mwatana for Human Rights has documented several attacks on the Al-Thawrah General Hospital in Taizz during 2017. This attack was the latest.

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(111) Mwatana for Human Rights interviewed the eyewitness on December 24, 2017.
During 2017, Mwatana has documented 24 incidents in eight Yemeni governorates, where the parties to the conflict have subjected schools to direct attacks.

The unabated armed conflict in several areas in Yemen affected schools in those areas: rendered them vulnerable to direct or indirect air and ground attacks, or to occupation and use for such combat purposes as turning schools into military barracks, prisons, headquarters of armed groups, supply centers or shelters for military personnel.

Children in front of what’s left of their destroyed school in Hobail Salman, Taizz.

*Photo Credit: Ahmed Al Basha, March 2017*
The Legal Framework:

In addition to the requirement to distinguish between military objectives and civilian objects in the conduct of hostilities in international humanitarian law, UN Security Council Resolution 2225 (2015) on children and armed conflict calls on all parties to conflict to respect the civilian character of schools. This includes not only refraining from targeting schools but also refraining from using schools for military purposes. The Resolution also expresses deep concern that the military use of schools may render them legitimate targets of attack.

Incidents:

- On Thursday, June 11, 2017, at 06:00 pm, the Security Belt forces stormed into both the Education Bureau and Sayfan High School in Mahfad District, in Abyan Governorate. The Security Belt forces continued to occupy the premises while using them as barracks and workshop for repairing the vehicles. The forces moved out from the school on Wednesday July 12, 2017, shattering most of the doors and destroying the water and sanitation network. (114)

- On Sunday, July 23, 2017, around 04:00 pm, the Saudi-led Arab Coalition carried out two airstrikes on 22 May School in Al-Rawal Village in Al-Madan District, in Amran Governorate. The first attack occurred around 04:00 pm, with three bombs, while the second occurred four years later, with one bomb.

The two attacks resulted in the total destruction of the school. This school was one of the oldest schools in the area, which used to receive about 400 male and female students from several villages. Until the day of the air attacks, the school was open, conducting high school exams, and holding special lessons for the students in the area to prepare for the next school year. (115)

- On Tuesday, September 17, 2017, at 03:30 pm, the Saudi-led Arab Coalition targeted Al-Fath Basic School in Yasnam area, in Sa’adah Governorate. The attack left the school totally destroyed.


The first bomb hit near the school, about 200 meters on the eastern side, shattering all the windows. But the second bomb hit the schoolyard, to the eastern side itself, destroying the water tanks and the bathrooms. Five minutes later, the warplanes targeted the school from the southern side with a bomb, leveling the rooftops of three classrooms. A fourth bomb followed from the same side and destroyed the other three classrooms.\(^{(116)}\)

According to the statements obtained by Mwatana for Human Rights, the school was under the control of the Ansar Allah group (the Houthis) that used it as a detention place and a local security station to solve issues among people.\(^{(117)}\)

- **On Thursday, November 9, 2017, at 07:45 am**, a group affiliated to the popular resistance and army members from the 17th Infantry Brigade loyal to president Hadi, stormed into Al-Salam Mankael School in Bani Al-Bukari Sub-district, in Jabal Habashi District, in Taizz Governorate. The school continues to be used as a military barracks belonging to the popular resistance and is a target for the artillery fire of the Ansar Allah group (the Houthis), until the time of writing this report.

- **Between November 29 and December 4, 2017**, fierce clashes erupted between forces loyal to the Ansar Allah group (the Houthis) and forces loyal to former president Ali Abdullah Saleh in a number of residential areas in the capital, Sana’a. The clashes, which lasted for five days with both sides using medium and heavy weapons, resulted in damaging Al-Israa’ School and Ali Abdul Moghni School. Both public schools are located near the house of former president Saleh.\(^{(118)}\)

The armed clashes in the capital, Sana’a, resulted in stopping the entire educational process for about a week. But in the areas, where the armed clashes took place, it was stopped for about two weeks.

- **On Saturday, December 9, 2017, at 08:30 pm**, the Saudi-led Arab Coalition hit Al-Salam School in Washha District, in Hajjah Governorate, with two bombs. The first bomb hit near the school, while the other hit and leveled the entire building.\(^{(119)}\)

During 2017, nine schools in Taizz resumed operating, despite the presence of armed men at some of them. However, 19 other schools continue to be occupied, or used as

\(^{(116)}\) Mwatana for Human Rights interviewed eyewitnesses on September 20, 2017.  
\(^{(117)}\) ibid.  
\(^{(118)}\) Mwatana for Human Rights visited the areas that saw the armed clashes in Sana’a from December 10 - 13, 2017.  
\(^{(119)}\) Mwatana for Human Rights interviewed eyewitnesses on December 18, 2017.
military barracks, detention center and training center for popular resistance groups loyal to president Hadi. At least one school is used as a military barracks by the Ansar Allah group (the Houthis). Moreover, five schools were either partially or completely damaged, being close to the front lines.\(^{(120)}\)

\(^{(120)}\) Mwatana for Human Rights had conducted field visits during February 2018.
In 2017, Mwatana documented five drone attacks in Al Bayda and Abyan governorates. These attacks left 9 civilians, including two children and two women, dead. Mwatana also documented two incidents of U.S. Military landing in Marib and Al Bayda governorates, leaving no less than 19 civilians, including 12 children, killed and no less than 53 others wounded, including 5 children and 43 women.

Since September 11, 2001, the U.S. and the Yemen governments closely cooperated in the fight against terrorism. In 2010, the U.S. State Department designated AQAP as a Foreign Terrorist Organization, and in 2012, amended that designation to include Ansar Al-Sharia as an alias of AQAP.

In a statement, the U.S. Defense Department, said that during 2017, U.S. forces have conducted more than 120 strikes to remove key leaders of Al-Qaida in the Arabian Peninsula, indicating that most of the strikes were conducted by drones. The statement only indicated the results of three of these strikes during October- November 2017.

The U.S. government has admitted that it killed more than 3100 people between 2009 and 2016, in its targeted killings program in Pakistan, Somalia, Yemen and other parts of the world. However, some civil society groups say that the number is higher than that. The U.S. government provided little information on casualties among combatants.

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and civilians and on the legal basis of certain attacks.\(^{(124)}\) U.S. President Donald Trump continued the program that mainly depends on drone strikes and military landing operations. It is said that he is prepared to expand it to areas such as Mali and Niger where U.S. forces are involved in counterterrorism operations.\(^{(125)}\)

### The Legal Framework:

Pursuant to the laws of war applicable to Yemen, warring parties must always ensure that civilians and civilian objects are spared the effects of war. They must take precautionary measures to avoid or minimize the possibility of killing or injuring civilians or destroying their property. Warring parties must reduce the harm to civilians, including refraining from conducting any military operations near densely populated areas, and moving civilians away from military objectives.

Whether targeted killings far away from traditional battlefields carried out by US drone aircraft in Yemen have been subject to the rules of International Humanitarian Law, whose basic principles guarantee the protection of civilians or they have been subject to the norms of International Human Rights Law in the absence of traditional armed conflict, which prohibits the use of lethal force except to protect against an imminent threat to life, or have been subject to the US rules for targeted killing, a policy directive announced by former US President Barack Obama in May 2013 that requires anyone to be attacked outside what the US government deems outside of “active hostilities” to pose a “imminent and continuing threat” to the lives of American citizens, with the requirement of “near certainty” that no civilians are killed or injured, the United States cannot evade the legal and moral responsibility for the civilian casualties of its targeted killings in Yemen. The U.S. government’s continuous attempts to keep these operations in loose frames to protect them and protect their results from evaluation and scrutiny, and to ensure minimum control and maximum secrecy around them, does not absolve it of its responsibility.

On the pretext that they are engaged in a borderless armed conflict with groups such as ISIS and Al-Qaeda, successive US administrations have reduced the level and frequency of high-level inter-agency scrutiny of targeted attacks, giving more power to the CIA and the Department of Defense to carry out drone strikes and other lethal operations outside


the traditional battlefields, thereby causing more civilian casualties.

The military landing operations and drone strikes, which were verified by Mwatana for Human Rights, and which left civilian casualties, may have breached the laws of war. Such strikes did not distinguish between combatants and civilians, or because it resulted in civilian casualties disproportionate to the anticipated military advantage. According to the rules of International Humanitarian Law, only legitimate military objectives can be legally targeted. The attacking party shall take all feasible precautions to verify that the target is a military objective before launching an attack and to minimize the harm to civilians.

While the continued civilian casualties of targeted killings of drone strikes and ground operations in Yemen violate international legal obligations of the United States, it also shows its unwillingness to address, recognize and compensate for the damage to the civilian population in Yemen.
Incidents:

- At midnight Sunday, January 29, 2017, around 02:00 am, U.S. Troops launched a ground offensive in Yakla Village in Walad Rabee District, in Al Bayda governorate. The offensive resulted in killing 15 civilians, including nine children and four women, as well as wounding five others, including four children.

According to the statements obtained by Mwatana for Human Rights, helicopters were used in this operation, and the U.S. troops stormed into the village and opened fire indiscriminately. In this area lies the house of Abdul Raoof Ahmed Nasser Al-Thahab (40 years old), who the U.S. Accuses of belonging to al-Qaeda organization. The offensive lasted until dawn, around 05:00 am.

Amer Ali Abdullah (40 years old), who was injured in this incident, said: “A bullet hit my leg. After dawn I went out to check on my relatives; I headed toward the house of my cousin, Ali Musad. There, I was shocked to see my sister, Dhabiyah Al-Ameri (40 years old) dead, with a bullet in her head; her son, Mursal (six years old), was dead next to her.”(126)

Eyewitness Daris Ali Ahmed Al-Ameri (30 years old), said: “I arrived in the house of Mohammed Abdullah Mabkhout; it was on fire. I also saw two bodies of children; they were all charred.”(127)

One of the victim’s relatives, Aziz Mabkhout Mohsen Al-Ameri (55 years old), said: “In the morning, I found my cousin, Futaim Saleh Mabkhout (35 years old), outside of her husband’s house, Mabkhout Al-Ameri. She tried to run from the gunfire. She was killed with shots to her chest; her baby was in her lap, smeared with blood, but unharmed.”(128)

- On May 23, 2017 after midnight at 01:30 am, US troops carried out a ground operation in Al-Atheel village, Al-Jawbah district, Marib governorate. The attack left no less than 5 civilians, including one child dead, and no less than 5 others including one child wounded. Saleh Mohammed Salem Salem Al-A’adhal (22 years old), who is suspected Al-Qaeda member, was also killed in this operation.

According to the statements of the villagers in the interviews conducted by Mwatana with them, a month prior to the incident, drone used to circulate above our heads on a regular basis. Helicopters and drones were used to attack the village and fire was opened indiscriminately. The operation continued until 04:30 am.

Abdrubbo Nasir Al-’adhal Al-Muradi (40 years old), whose father, Nasir Al-’adhal Al-Muradi (90 years old) was killed in the attack, said: “a week before the incident, my father finished building a mosque in the village. He was killed in his mosque.”

Abdul Rahman Saeed Salem Al-’adhal Al-Muradi (42 years old) said: “my cousin, Al-Ghadir Saleh Salem Al-’adhal (35 years old), was asleep with his wife when they heard a movement outside the window. Then suddenly, fire was open on them. Al-Ghadir sustained a shot to his chest and was bleeding. He was groaning in pain and his wife put her hands on his mouth to maim his groaning so that the troops would not hear his groaning. He continued and could not be taken to the hospital until dawn. He died before getting to the hospital."

On Sunday afternoon August 13, 2017, at about 03:30 pm, a drone strike in Al-Khubar-Marwn village, Khanfar district, Abyan governorate, killed Al-Khadar Ali Saeed Jaradah (19 years old) and Ali Haydar Saeed Jaradah (17 years old).

The two young men were sitting under a tree chewing khat leaves, near their bee hives. They transferred their bees to the location where the incident took place just days ago because of the density of the trees there.

Abdullah Saleh Jaradah (30 years old), one of the relatives of the victims and an eyewitness, said: “three days before the incident, I noticed, as did the other villagers in the area, that drones were circulating above on a regular basis. When I heard the explosion, I was at home, about four kilometers away from the spot where the incident took place. I headed to the place. I arrived there at 04:00 pm, and I was shocked to see the remaining body parts and the remaining pieces of their clothes hanging on the tree branches. The place was overwhelmed with the smell of gunpowder. I gathered their remaining body parts, which the other villagers who arrived at the scene before me, did not gather. I buried their parts under the tree. I will continue to recall this incident whenever I hear the sound of a drone hovering above. Drones continue to circulate in the area. Any of us could be killed by these drones. I could be among the next victims.”

One of the relatives of the victims, Yassin Saeed Saleh (22 years old) added: “Al-Khadr and Ali were newly married and they were always thinking of earning their livelihood. Everyone is shocked at this incident. How could drones, known for their high-precision, target people who do not have anything to do with terrorist organizations?”

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(132) Mwatana interviewed Yassin Saeed Saleh on October 5, 2017.
One of the villagers in the area said: It is true that some of the residents in the area are member of Al-Qaeda but they do not live in the villages; they live in the mountains. A similar scenario took place in a nearby village on March 4, 2017, where a drone attack killed Salem Amad Abdullah (34 years old) and Hadi Ali Ahmed Abdullah (28 years old), who do not have anything to do with terrorist organizations. “

- On Thursday November 23, 2017 at 05:30 pm, a drone strike in Wadi Linhas village, in Yakla area, Wald Rabee district, Al Bayda governorate, killed Ahmed Salem Mabkhoot Al-Ameri (25 years old) and Mohammed Mused Abbad (14 years).

They were killed when they went out of the Al-AMeri khat farm. They were on a motorbike, heading for Musad Abbad, the father of the dead child. The house was located 300 meters away from the farm.

In his statement on the incident, Musad Abbad said: “Mohammed’s sisters were crying, screaming and slapping their faces at the site of seeing their brother on fire after the strike. His mother was the first to arrive at the scene. She was hysterically trying to put the fire off with her clothes. I moved to Marib to protect my family.”

- In the same village of Yakla, on Thursday, December 14, 2017, at 06:00 pm, a drone air strike killed Dhabiyah Ali Ahmed Al-Taisi (63 years old) and Hajar Ahmed Saleh Al-Taisi (33 years old).

The attack took place when Dhabiyah was leaving the house of one of her neighbors; she was hit [with the missile], while Hajar was killed with shrapnel pieces. She was at the kitchen, preparing the dinner meal.

In his statement to Mwatana for Human Rights, Dhabiyah’s son, Ahmed Zubaid Al-Taisi (35 years old), said: “Our throats have become sore speaking to one and all about the tragedies facing us. Every time the unmanned aircraft come back to kill innocent people. For God’s sake, what crime the women did to be targeted by the U.S. aircraft?”

Hajar’s husband, Mahmoud Saleh Ahmed (38 years old), said: “Few months earlier, my wife, Hajar, suffered a miscarriage due to a drone air strike that occurred in this area. And this time she was killed in a drone strike when she was pregnant.”

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(133) Mwatana interviewed one of the local residents on October 5, 2017.

(134) Mwatana interviewed Musad Abbad on December 13, 2017.


Mwatana for Human Rights
Section Fourteen

Sana’a Events

The destruction caused by the armed clashes between Ansarullah (Houthis) and the forces loyal to former president Saleh. Algiers St., Sana’a.

Photo Credit: Ma’ad Al Zakri, December, 2017
In the morning of November 29, 2017, tension soared up between the alliance of Ansar Allah and pro-Saleh forces. The three-year alliance ended with clashes which erupted between two parties around Al-Saleh Mosque in Sana’a, as well as near houses belonging to Saleh’s relatives: (Baghdad st., Amman st., Al-Jazair st. and Sakhr st.) as well as Hadda Neighborhood: (The crossroad between Iran st. with Sifr st.). On Friday, December 1, 2017, there had been a daylong calmness in Sana’a, but the clashes renewed in the evening and intensified over the next two days. The clashes stopped when the Houthis announced the death of former president Saleh on noon of December 4, 2017.

During the two months of December 2017 and January 2018, Mwatana for Human Rights conducted no less than 40 interviews with the victims, victims’ family members, eyewitnesses, and medical staff to take their statements on human rights violations during the armed conflict that took place in the period between 29 November and 4 December 2017. Meanwhile, Mwatana documented the death of as many as 11 civilians, including three children, as well as the injury of 23 others, including nine children.

It also documented attacks on the Abdul Qader Al-Mutawakil Hospital, which was subjected to gunshots due to the clashes. The patients and their relative escorts, as well as the health workers, were all trapped inside the hospital almost for an entire day.

In a statement on December 4, 2017, the UN Humanitarian Coordinator for Yemen, Jamie McGoldrick called the parties to the conflict for humanitarian pause “to allow civilians to leave their homes and seek assistance and protection.” The statement continued: “The streets of Sana’a city have become battlegrounds and people are trapped in their homes, unable to move out in search of safety and medical care and to access basic supplies such as food, fuel and safe water. Ambulances and medical teams cannot reach the injured due to ongoing clashes”. (137)

One of the residents of Baghdad street, Sadam (a pseudonym) (29 years old), told Mwatana: “At 08:30 pm on Saturday, the clashes intensified with all kinds of weapons including shellings. A minute after I opened the door to my room on the third floor, I heard a very loud blast and I saw smoke billowing of our backyard. (138)

Saddam added: “I saw my brother, Bilal (a pseudonym) enter into the house shouting that his hand was injured. He was not aware of the shrapnel wounds in different parts of his body. I cannot describe the horror of the situation. We took him to the hospital along with my other brother who was sustained shrapnel wounds in his feet with to Al-Mutawakil Hospital. Gun fire was hailing at us from an eight-storey building housing Al-Mustqbal

(138) Mwatana interviewed the victims’ family members on December 9, 2017.
University in which pro-Tariq Saleh forces were stationed, but we were not injured.”

The Pro-Tariq Saleh forces were stationed 200 meters away from Al-Mutawakil Hospital.

Accompanied by some of his brothers, Saeed Qaed (19 years old) was in the backyard of their house, guarding it against trespassers from both warring parties. In his statement on the events, Saeed told Mwatana: “On Saturday, December 2, 2017 at about 08:30 pm, as we went out to check the doors, one projectile fell in the backyard and exploded. I was sent flying in the air and fell back to the ground. I ran to the backdoor, but it was locked. I heard my family members calling to me and to my brother, Bilal. I went back to the main entrance of the house. I went in... I saw my brother, Bilal, in the middle of the room passed out and covered in blood from shrapnel wounds.”

With regard to taking his brother, Bilal, to the hospital, Saeed continued: “Intermittent clashes were heard in nearby areas. I opened the door of the backyard, just opposite Al-Mutawakil Hospital. Gunfire was hailing at us from Al-Mustqbal University. My cousin was one of the rescuers; he, my brother and I ran under the bullets, despite my shrapnel wounds. As soon as we reached the hospital, I passed out and did not wake up until midnight. When I woke up, everyone was crying and I knew that my brother, Bilal, died of his wounds, just 15 minutes after arriving at the hospital.

In the same neighborhood, Um Khuldoon (a pseudonym)- (46 years), said: “On Saturday afternoon, December 2, 2017, I was standing at the door of the house with my three children. I heard a big explosion. I closed my door and I heard my neighbor screaming: Minutes later, I saw her take her daughter, Eman (4 years) in front of my house. I could not look at my neighbor as she was taking out her two-year-old son, Khaled. One of her children’s guts were out, but I could not tell whose guts they were, Eman’s or Khaled’s. After some time, she went and brought a leg which apparently belonged to her daughter and placed it on her body. She was crying and saying: Oh God! Oh God! You have taken my kids, don’t take my husband too!”

The woman, who lost her daughter, son and her husband, Rasha Ahmed Ali Al-Shuabi (25 years), told Mwatana: “I was preparing lunch. My husband Mohiuddin Numan Radman (27 years ) was standing at the door talking to me, and next to him were Eman and Khaled. I did not know anything All I heard was a buzzing sound and then I saw them that they were torn to pieces. I was shouting, help my husband! But the street was blocked

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(139) ibid.
(140) Mwatana interviewed Saeed Qaed on December 9, 2017.
(141) ibid.
(142) Mwatana interviewed with eyewitnesses on December 13, 2017.
and nobody heard me.”

This was not the only instance in which civilians could not access medical facilities to receive medical assistance because of armed clashes. In her statement to Mwatana, Bushra Abdullah Ali (29 years) said that her niece, Manal (11 years) died as a result of her inability to receive medical care at the time of the clashes. Doctors think that her death might have been caused by appendicitis.

Bushra added: “There were no clashes in their neighborhood but fear prevailed over many neighborhoods in Amant Al-Asimah (Capital Secretariat) and turned it into ghost town. We could not venture out of the house without knowing what was going on in the streets. Fear prevented Manal’s parents from taking her to the hospital. They waited until the clashes calmed down but Manal’s health condition already deteriorated. Manal was rushed to Al-Thawrah Hospital on Tuesday December 5, 2017, but she died Wednesday December 6, 2017 in the morning.”

On Sunday December 3, 2017, at 09:00 am, Sultan Abdullah Hizam Al-Jawfi (37 years) was driving his car at the Crossroads of Iran street with Sifr street. He was on his way to buy bread for his family when he fell dead.

In an interview with Mwatana, Al-Jawfi’s wife, Sana Yehya Muhsin Al-Nushairy (27 years), said: “I was asleep when my husband went out to receive a money transfer and buy bread for breakfast. Our neighbors came to tell me that my husband was injured. I went out to the Crossroads to find his car smashed from an accident; he was injured and bleeding from the chest.”

In his statement on the incident, Hilal Mohammed said: “I was in my shop when a civilian car passed by at the end of Sifr street. Armed gunmen asked the driver of the car to stop but he did not; I don’t know why he did not stop. They opened their gunfire on him and did not allow anyone to come near him to take him to the hospital until his wife came to the scene.”

Sana Al-Nushairy added: “The gunmen put my husband in a military car with two armed men, one wearing civilian clothes, and the other was wearing special security forces Uniform (former the Central Security). I asked them to take him to the hospital but they were looking at me silently. I had an altercation with them and held the shirt of one of them. They took him to Al-Mushiki Hospital and I followed them in a Taxi. When we got to

(145) Mwatana interviewed Sana Yehya Muhsin Al-Nushairy on December 5, 2017.
(146) Mwatana interviewed with eyewitnesses on December 5, 2017.
there, the hospital personnel told us that he was already dead.”

In an interview with Mwatana about another incident, Ahmed Ali (20 years) narrated the last moments in the life of one of his colleagues in a grocery shop, near the crossroads between Baghdad street and Siteen street. Ahmed said: On Saturday December 2, 2017, workers in the grocery shop went to their lodging through the backdoor. Ala’a Mugali (16 years) and I stayed behind to close the doors. After the fighting calmed down, we took the backdoor to follow our colleagues to the lodging.”

Ali Ahmed Al-Sabahi (28 years), the one who opened the lodging door for them, added: “As soon as I opened the door, Ala’a fell in front of me covered in blood.”

Ala’a’s elder brother, Ebrahim (38 years), who took to the hospital on a motorbike, as the clashes continued, told Mwatana: “As soon as we got out of the house, I had a feeling that Alaa was dead. He was hit with two fatal bullets: A bullet to the neck under the left ear, the other under the shoulder to the heart. Someone must have shot him with such precision but I cannot tell from where.”

On Saturday December 2, 2017, Abdul Qader Al-Mutawakil Hospital sent a Distress Message on social media website, Facebook. The Hospital called upon the parties to the conflict to spare the hospital from the ravages of the conflict and to allow the entry of Oxygen cylinders, medicine, water and food for the patients and the hospital personnel.”

In an interview with Mwatana, one eyewitness who was present in Al-Mutawakil Hospital, said: Since the first day of the clashes, the Houthis asked the hospital authorities to allow them to send a sniper on the roof but they refused. That night, no one could leave the hospital because of the situation outside. The clashed intensified in the next days, and heavy weapons and projectiles were used. We had to move all the patients to the basement of the hospital until Sunday afternoon. Everyone was under siege with no food and we had to eat the child nutrition kits.”

Another eye witness who happened to be in the hospital at the time: “We had no food. We had to eat child nutrition kits until some of us could go out to bring bread from outside. We had water until some gunshots hit the water tanks on Saturday. The next day, water

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(147) Mwatana interviewed Sana Yehya Muhsin Al-Nushairy on December 5, 2017.
(151) A Distress Message sent by Abdul Qader Al-Mutawakil Hospital on its Facebook page https://www.facebook.com/almutawakelhospital/posts/176778433232572
(152) Mwatana interviewed with eyewitnesses on December 12, 2017.
pipes were hit by gunshot. We could not get water.”(153)

According to the information gathered by Mwatana, 48 patients almost half of whom were received as a result of the clashes, and their relative escorts, as well as health workers, were all trapped inside the hospital almost for an entire day. The patients were taken down to the basement of the hospital, Saturday noon at 12:00 pm and were then evacuated on Sunday at about 11:30 am.

A third eye witness on the same incident said: On Sunday December 3, 2017, Houthis wanted to enter into the hospital by force and tried to break the door open but they could not. Later, they were allowed to enter into the hospital. When they were asked for the reason of their entry into the hospital, they replied: We are just following orders.”(154)

The eyewitness added, Ansar Allah (the Houthi) gunmen were using code language among themselves. After the Houthi gunmen entered into the hospital, a minimum of one tank was stationed near the hospital.(155)

(153) ibid.
(154) ibid.
(155) ibid.
The Woes of “Arabia Felix” report was prepared by the Mwatana for Human Rights Research Unit, under the supervision of the Executive and Senior administration, with the cooperation of the other units and departments in the organization - the legal support unit, the programs and projects unit, the media and communication unit, Human Resources Department and Finance Department.

Mwatana would like to thank all those who have been interviewed and given their statements victims, victims’ family members, eyewitnesses, workers in the humanitarian and medical fields. It also thanks the consultants who contributed the information and enriched the report during its preparation and review.

Without their help, this report would not have come to light.
WOES OF “ARABIA FELIX”
Situation of Human Rights in Yemen 2017

The destructive conflict in Yemen enters its third year with no ending in the horizon. This conflict has cast a dark shadow on the humanitarian situation the country, described before this crisis as the poorest country in the region. The once known as “Arabia Felix” seems to be in its most unfortunate time. The country is torn apart between local, regional and international conflicting parties lacking any sense of responsibility. Their actions are dominated by recklessness and bullying in a gloomy global reality lacking the most basic moral values. The outcome is millions of people crushed by this fierce war without having a hand in it.

Mwatana for Human Rights has accomplished the “Woes of Arabia Felix” report as the first annual report it issues. The report is founded on investigative field research in 18 provinces of Yemen. During 2017, Mwatana conducted more than 1,637 interviews in Arabic with victims; families of victims; eyewitnesses; and medical and humanitarian workers.

The report composes of two main chapters; Part One, The Status of Yemen under International Humanitarian Law and International Mechanisms. This part contains four chapters casting light on the status of conflict under international humanitarian law and key events related to human rights advocacy at the international level, especially in the UN Security Council and the Human Rights Council.

Part Two, The Most Prominent Patterns of Human Rights Violations in 2017. It consists of 14 chapters addressing human rights violations perpetrated by all parties to the conflict in Yemen in accordance with the international human rights law and international humanitarian law.

The report makes recommendations to parties to the conflict and those having influence on the situation of human rights in Yemen.

Mwatana for Human Rights

An independent Yemeni organization concerned with defending and protecting human rights. It works through investigations and field research to obtain accurate and objective accounts of the incidents that fall within its mandate in order to stop and expose human rights violations, and to provide support and justice for its victims and hold accountable those responsible for the violations and to create effective safeguards in legislation and policy against repetition of such violations.

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