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# They Are Not Here

Incidents of Arbitrary Detention and Enforced  
Disappearance under the defacto authority of  
Houthi armed group in Yemen







Sit-in of families of detainees and forcibly detainees in front of the residence of the UN Envoy to Yemen at Sheraton Hotel, east of Sana'a, May 1 - 2016

Report

# They Are Not Here

Incidents of Arbitrary Detention and Forcibly Disappearance under  
Ansar Allah (Al-Houthis) Armed Group Authority in Yemen

May 2015 – Yemen



Mwatana Organization  
For Human Rights

[www.mwatana.org](http://www.mwatana.org)

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## ■ ■ Terms

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Whenever each of the following terms come in the report context—for purpose of abbreviation—and is not accompanied by an illustrative phrase, each one is meant as follow:

- The Group: it means Ansar Allah Armed Group (Al–Houthis).
- Arab Coalition: Arab military coalition included nine Arab states led by Saudi Arabia, backer of President Hadi.
- Al–Houthi/Saleh alliance: the concrete military alliance that is in existence between Ansar Allah (Al– Houthis) Group and troops loyal to former President Ali Abdullah Saleh.
- The Resistance: armed groups and political parties that are fighting on the side of President Hadi and his allies, but it isn't part of the government military.

## ■ ■ Background

Yemen has witnessed drastic upheavals over the recent five years. Since 2011 up to date. Generally, the map of the influential forces has been changed in political landscape. Methods, priorities, alliances, discourse and action mechanisms of political forces have been changed as well. Above and beyond political motion has decreased and given way for military action. Accordingly, many young people moved from peaceful—sit ins squares to armed conflict battlefields, and military institution divided between the parties to the conflict.

Then an armed group took over the capital Sana'a and seized power, and President Hadi government went away abroad. The embassies in the capital Sana'a closed and diplomatic missions departed the country. An all—out civil war broke out and regional powers involved in, thereby national political forces re—arranged and aligned with the parties to the conflict in line with new developments. All of this combined with a high grade humanitarian crisis and an alarming economic decline, with an emergence of militant groups as the state's apparatuses and institutions are almost missing

Meanwhile, public freedoms and civic activity have been reduced and most of media outlets in the country have ceased to operate. Against this background, the country has been split into two parts: one is under Al—Houthis/Saleh alliance, the defacto authority in Sana'a and the other part is under President Hadi and his government that nominally operates in Aden (as temporary capital) while bona fide authority is seated in Saudi Arabia capital Riyadh, where President Hadi and his key aides are residing.

The 2011 events or the so—called (Arab Spring) forced the former President (Ali Abdullah Saleh) to step down, after 33 years in office, the longest reign in Yemen's modern history. Yet consequences of that tumultuous upheavals afterwards gave rise to an engagement by the regional and international community that sponsored hard—hitting negotiations between the concerned stakeholders.

As a result, a peace agreement realized known as the GCC's plan to resolve the Yemeni

political crisis. There were two broad camps. One included opposition parties that demanded an end of Saleh' regime (Joint Meeting Parties and their Partners). The other bloc involved Saleh's supporters (General People Congress and its Allies).

The compromise agreement signed on by Yemeni political leaders in Saudi capital Riyadh, given that Saudi Arabia is the key sponsor of the GCC's initiative, on November 23, 2011. Under that agreement ex-President Saleh was ousted and his deputy (incumbent President) Abd Rabo Mansour Hadi took the office as a consensual President to lead two-year transitional process, set to be ended in electing new president.

Political transition process was planned to commence with establishing a national unity government from the political parties that signed on the GCC's – brokered deal, besides conducting an inclusive national dialogue, drafting a new constitution that should reflect the outcomes of that dialogue. Afterward the new constitution draft is set to be put to a referendum and general elections ought to be held in accordance with the articles of the executive mechanism of the GCC's brokered-proposal. (The scheduled two year transitional period ended on February 21, 2014).

Ansar Allah Group, known as Al-Houthis, was one of the most prominent parties that did not show up at the moment of signing on the GCC's Initiative, however, the Group joined to the agreement political course through engagement as a key party in National Dialogue Conference (NDC) stipulated by the agreement. The Group participation started with preparation for dialogue up to practically implementing some of its outcomes during the period (March 2013–January 20, 2014).

Ansar Allah Group (Al-Houthis) established in the beginning of Third Millennium by Hussein Badr Addin Al-Houthi, a former member of the Yemeni parliament, son of a renowned Zaidi religious scholar, Badr Addin Al-Houthi. The Group has gone through development phases since the 80s of the previous century. It started with social and educational activities, earlier known as the "Youth Believer Forums". The name changed in 1990s to be "Youth Believers Organization". Then the Group went on building its organization until appeared as armed group in 2004. The Group is named after its widely famous founder, Hussein Badr Addin Al-Houthi. After that it called itself (Ansar Allah Group) once it started to participate politically in the (NDC) in the onset of 2013. The Group emerged as a Zaidi-oriented movement aimed to revitalize Zaid doctrine, categorized as one of the Shiite Islam doctrines (Zaidi doctrine is largely dominant in the northern region of Yemen).

The founder of the Group aimed to concentrate his organization's activity initially on

Sa'ada governorate given that it is one of the most famous strongholds of the Zaidism in Yemen. The founder intended to concentrate the group's action on Sa'ada in order to counter Sunni radical groups that were operating there to change the governorate's spiritual identity. Since 2004, the Group has been distinguished as a militant militia oriented organization.

Prior to 2011, Al-Houthi Group fought six rounds of armed conflict known as (Sa'ada six wars) against government's troops. First round of fighting started in the onset of 2004 and the last one stopped on February 11, 2011. The Group's influence was confined to some districts of Sa'ada governorate until government's control declined due to political conflict in Sana'a at the begging of 2011, later on the Group forcefully took over the governorate of Saada.

After the GCC's brokered-agreement had managed to defuse prospects of armed conflict between Saleh's regime and his opponents in 2011, Yemenis looked forward to initiate a new start-up of political transition peacefully in their own country, but the political transition process experienced political and security tumults from 2012. A series of armed conflicts broke out between Houthi Group— which constantly continued to be one party to such violent confrontations—and tribal influential centers. Besides Salafist militants and others were classified as affiliates to the Yemeni Congregation of Reform (Al-Islah Party). These are the most prominent representatives of the Sunni political Islam group and they are considered to be the traditional intellectual rival of the Houthis.

The conflicts scope centered in the two governorates of Sa'ada and Amran, northern Yemen. Armed conflict practically erupted early prior to the GCC's agreement and continued sporadically between the Group and the Salafists of Damaj area in Sa'ada governorate since 2011. The cycles of that bloody conflict ceased with a truce agreement between the two sides resulted in collectively evacuation of the Salafists from Damaj area on January 15, 2014. The displaced Salafists were redistributed to different Yemeni regions and this, thus, marked the first collective displacement in Yemen's modern history.

Then, Al-Houthis' strife with Al-Ahmer tribal Sheikhs—used to be allied to Al-Islah Party—further developed so that the range of conflict and confrontation largely extended to reach Amran governorate, the stronghold center of Hashid influential tribe. Al-Houthis managed to takeover Al-Ahmer Sheikhs' center in February 2014.

With taking control over the stronghold of Yemen's strongest and most influential tribes and the most influential one, the Group gained significant symbolic victory encouraged Al-Houthis to challenge the (310 Brigade) stationed in the central city of Amran (some 50km northern the capital Sana'a. After brief battles with the brigade's troops, the Group's militants took over the brigade's command headquarters and killed

its commander, Hameed Al-Qoshaibi; simultaneously they put governorate of Amran—the northern entrance of the Yemeni capital Sana'a—under their control in July 2014. Practically, Amran served as a launching pad that Al-Houthis used to carry out their campaign to take over the capital Sana'a in September 2015.

After Al-Houthis Group had taken over in Sana'a, they moved on January 19, 2015, putting the President of the republic Abd Rabo Hadi, Prime Minister of his government and members of the cabinet under house arrest. Yet one month later, President Hadi managed surprisingly to flee his residence and arrived in Aden on February 21, 2015. That actually presaged more violent escalations as confrontations broke out soon in Aden and air forces jet fighters—after Al-Houthis had taken over—bombed the presidential compound in Aden that used to be residence of President Hadi.

Then, Al-Houthis forces managed to take over the seaport city of Aden and President Hadi fled the country on March 26, 2016 to Saudi Arabia capital Riyadh. At the meantime full-out confrontations simultaneously erupted between forces of both Al-Houthi Group's and ex-President Saleh's forces—on one hand, and units of military troops loyal to President Hadi, besides tribal armed groups, Salafist militants, southern movement, tribesmen and militias associate to Al-Islah Party and other political parties, on the other hand. The violent confrontations took place in several governorates such as Taiz, Aden, Marib, Lahj, Al-Baidha, and Abyan.

On February 6, 2015, Al-Houthi Group pronounced what it called a constitutional declaration under which the Group dissolved the existing constitutional authorities; establishing what it called (Supreme Revolutionary Commission) as top authority in the country.

On March 26, 2015, Saudi Arabia Kingdom launched a military operation in Yemen under pretext and stated objective: to reinstate the legitimate leadership (President Hadi and his government). The Saudi-led military operation named "Decisiveness Storm" and has been carried out by military coalition included nine Arab States. Almost all of the key actors in the authority of transitional period settled in Riyadh. Several days later of launching the military operation, the UN Security Council resolution no. (2216) was issued; enlisting Yemen under the seven Chapter of the UN Convention.

Then the entire country went for all-out civil war and fierce battles between two camps: Al-Houthi and the former President Saleh alliance are on one side and on the other's

Hadi's authority backed by Saudi-led coalition. These troubles coincided with wide-range deterioration of humanitarian situations, shrill and rise of sectarian-tensions among Yemeni social components due to an acute polarization triggered by the warfare.

Ever since it has taken over the capital Sana'a and other governorates, the Houthi Group has neutralized the official legal apparatuses such as police stations, security and prosecution apparatuses. The official legal apprentices have been replaced by the Group's militant squads known as (Revolutionary Committees). By doing so, the Group has undermined the governing applicable laws and procedures of arrest, detention, release and referral. Consequentially, grave violations of human rights have been committed against hundreds of civilians whom the group captured and were subjected to a series of violations and accompanying degrading treatments through different stages. In most cases, detainees were held for long times without clear charges.

Many detainees were held in unlawful and inappropriate detention places, lacking services a detainee needs, such as private-owned houses, schools or governmental buildings or military sites occupied by the Group. The detention campaign largely concentrated on the Group's political opponents and journalists, specifically those who are affiliates to the Yemeni Congregation for Reform (Al-Islah Party). Within this course, Al-Houthi Group has compiled a dossier burdened with grave violations and different inhumane maltreatment against its allegedly opponents.

## ■ ■ The Report Methodology

Mwatana Organization for Human Rights issued this report based on field researches about the incidents of the forcibly disappearance and arbitrary detention against the civilians under the authority of Ansar Allah Group (Al-Houthis). The report included cases from governorates of (Sana'a, Taiz, Ibb, Hodeida, Hajjah, Dhamar, Amran) since the violent conflict has broken out in the country after the Group had forcefully taken over the capital Sana'a and several Yemeni governorates by the end of September 2014. Then the Saudi-led Arab coalition launched the war on Al-Houthi group and the troops of the former President Saleh (March 26, 2015).

During January 2015 through May 2016, the Mwatana Organization conducted about 200 interviews with victims, eyewitnesses and relatives of detainees and forcibly disappeared persons, including relatives of the detainees who were killed because they were held in places exposed to bombardment.

**The investigation process into all incidents incorporated in this report went through the following:**

- Following up the incidents of abduction and forcibly disappearance at the early stages, as soon as some people, activists and media outlets revealed certain cases to the public opinion, and given that operations rapidly increased that later turned into a phenomenon, based on discussions by its work team, Mwatana decided that it is very important to act and made a decision to trace, observe and document those incidents.
- Researchers from Mwatana paid field visits to the families of the victims, heard their own narratives, filled interviews with them and with eyewitnesses, interviews also conducted with some released detainees

who were subjected to forcibly disappearance or torture and arbitrary detention and inhumane maltreatment inside the detention centers.

- Receiving notifications about forcibly disappearance and arbitrary detention incidents from the victims' families and eyewitnesses, recording their testimonies by the organization, verifying their authenticity and documenting them.
- Verifying information, getting all necessary details and updating such information throughout work on this report in different stages via phone calls and conducting more interviews.
- Analyzing data and information and checking that with relevant international treaties and local laws, sought for experts' help in different domains pertinent to the incidents so as to come up with accurate legal prescription and concentrated recommendations for the concerned parties.
- Drafting, editing, revising and publishing of the report.

The organization faced several difficulties through field researches process of this report, besides the difficult security situation—in general, it was very difficult for Mwatana's team and families of the victims to give, gather and verify information about several incidents of forcibly disappearance, arbitrary detention as well as torture and maltreatment because of concerns about plenty of restrictions imposed by the authority of Ansar Allah (Al-Houthis). For this reason, a number of the interviewees that Mwatana conducted interviews with them asked to speak on condition of anonymity, they also asked not to mention names of their relatives who were detained or forcibly disappeared.

The report is tabulated according to the types of violation (arbitrary detention, forcibly disappearance, detainees killed for being held in places exposed to bombardment), cases of detention also arranged chronically from the recent to the earliest.

The report only contains the cases that could be verified by Mwatana through the interviews or telephone calls with victims or their relatives or eyewitnesses, however, this is not an inconclusive counting work covering all incidents of detentions and forcibly disappearances in the governorates which were set to be the research's area (Sana'a, Taiz, Hodeida, Hajjah, Ibb, Dhamar and Amran).

## ■ ■ Executive Summary

Since it has seized power in Yemen by the end of September 2014, Al–Houthi armed group (Ansar Allah) carried out wide– scale campaign of arbitrary arrests and enforced disappearances against hundreds of civilians in the governorates under the group’s control; most of these practices occurred through 2015.

The 21<sup>st</sup> of September 2014 was a critical turning point in the political process in Yemen. Ever since armed conflict scope has further widened and violence has been severely intensified; creating a new phase of an unprecedented deterioration of human rights and public liberties.

On September 21, 2014 Al–Houthi armed group (Ansar Allah)—in collaboration with military forces loyal to the former President Ali Abdullah Saleh—coercively took over the capital Sana’a; using military force. By doing so, the Group has made itself a de facto authority on the ground.

With the advancement of (Ansar Allah) and their ally’ s forces towards Taiz governorate (March 21, 2015), reaching out to the edges of Aden city, southern Yemen and forcing President Abd Rabo Mansour Hadi to flee the country to the Saudi capital Riyadh on March 25, 2015. As a result, the violent conflict patch has largely extended; coinciding with the emergence of opposing local armed groups beside governmental forces resisting that expansion. These resistance groups were mainly from Al–Islah Party, Salafi groups, Southern Movement, factions and other political parties loyal to President Hadi. Then, Saudi Arabia Kingdom launched a military campaign on March 26, 2015. The military campaign carried out by the Saudi Arabia–led Arab coalition of ten countries against Al–Houthi’s and Saleh’s forces. The Saudi –led military action came in response to a request by President Hadi to Gulf Cooperation Council (GCC) in order to intervene and reinstate him and uphold his legitimacy.

Ever since it has taken over the capital Sana’a and other governorates, Al–Houthi group has neutralized the official legal apparatuses such as police stations, security and prosecution apparatuses. The official legal apprentices have been replaced by the Group’s militants. By doing so, the Group has undermined the governing applicable laws and

procedures of arrest, detention, release and referral. Consequentially, grave violations of human rights have been committed against hundreds of civilians who were captured by the Group and subjected to a series of violations and accompanying degrading treatments through different stages.

In addition to holding many detainees in unlawful and inappropriate detention places such as private-owned houses, schools or governmental buildings occupied by the Group, three detainees were killed in Dhamar city, northern Yemen, as they were locked up in places exposed to aerial bombardment. Two journalists and a leading member of the Yemeni Congregation for Reform (Al-Islah Party) were killed in an airstrike by the Saudi-led coalition jet fighters that targeted a building in which the unfortunate detainees were locked. The incident has continuously raised concerns of families about the safety of their forcibly disappeared people and arbitrarily detainees.

Mwatana Organization for Human Rights has verified 53 cases of arbitrary detention and 26 cases of enforced disappearance carried out by Al-Houthi Group against civilians of different opinions or opponents; the majority of whom are associated to Al-Islah Party.

Such detention incidents have targeted ordinary people, local journalists, political activists and human rights defenders, physicians, academics, imams, politicians and members of the Jewish minority in Yemen. Three women of the Al-Islah Party leadership were also subjected to arrest and temporary detention.

Khadija Mohammed Meyas, 46 years old, mother of Sakhr Ahmed Meyas 19 years old, who has been detained since November 25, 2015, says: “ What shall I do? To whom can I resort? I have followed all legal procedures, I have even appealed and approached the offices of the concerned Houthi officials on a daily basis, but in vain; totally injustice, oppression and invented claim. If my son is really wrongdoer, they shall make him stand trial and punish him otherwise they must set him free so as to resume his normal life. My eyes wore out of weeping”.

While Khadija Meyas's words express torment of hundreds of families whose beloved ones have been arbitrarily detained for extended periods, sometimes amounted to one year long without legal charges may justify detention, without trails, and legal procedures, families of forcibly disappeared persons take an extremely bitter and aching share of the misery caused by missing their beloved ones knowing nothing about their destiny.

More than one year has passed while an entire ambiguity is still enveloping the fate of Mohammed Qahtan, 52-year-old, prominent politician of Al-Islah Party. The 4<sup>th</sup> of April 2015 was the last daytime when Mr Qahtan was among his family before a military force associate to Al-Houthi Group storming his house in the Yemeni capital Sana'a.

The Group's gunmen snatched him out of his family to throw him into the bottom of disappearance. Qahtan's family, like dozens of families whose beloved ones forcibly disappeared, has been overwhelmed by constant torment that is severely inflamed by questions never get answers about the fate of the forcibly disappeared person and conditions of his detention.

The civil, political and human rights activities were also targeted by a repressive and guided campaign as well as systemically harassments. The organizers of such activities were targets of arrest, attacks, intimidation and harassments for more than once, whether when they attempted to gather in order to demand uncovering the destiny of the forcibly disappeared and detainees, or while organizing a humanitarian action that AAl–Houthi Group doesn't approve.

On October 12, 2015 the Group's armed men carried out a notable arrest operation storming a hotel in Ibb city, in the central of Yemen. The operation aimed to capture 30 activists and journalists who were planning Water Relief convoy to relieve Taiz city, which was suffering from suffocating siege by Al–Houthi Group. Though the Group has released 28 out of the 30 detainees, however, two of them: Ameen AShafaq, 47–year–old and `Antar Al–Mobarazi, 37– year–old, remained forcibly disappeared up to date.

Mwatana Organization for Human Rights documented testimonies of the victims' relatives who talked about bad conditions and maltreatment that their detained fellows have been subject to, some of them were subjected to torture and long hours of interrogation; health conditions of a number of detainees are deteriorated and they did not receive adequate medical care. The detainees included 10 journalists who remained forcibly disappeared for several months prior to revealing their detention locations. Several of them were held in solitary confinement along with being subjected to torture, according to a statement issued by their relatives in March 2016.

This report sheds lights on incidents of arbitrary arrest and enforced disappearance carried out by Al–Houthi authorities and touched upon civilians in the governorates of Sana'a, Taiz, Hodeida, Hajjah, Ibb, Dhamar and Amran, since the Group seized the power until May 2016.

Mwatana Organization for Human Rights carried out an investigation into 53 cases of arbitrary detentions including 10 journalists and into 26 cases of enforced disappearance through field research and conducting around 200 interviews with families of the victims and relatives, and the released victims and eyewitnesses.

According to The International Covenant on Civil and Political Rights (ICCPR) to which Yemen is a party: "No one shall be subjected to be deprived of his liberty except on such grounds and in accordance with such procedures as prescribed by the applicable law", and "a person who might be detained shall be informed at the time of arrest about the reasons for his arrest, and he/she shall be informed about any charges against him/her", and persons who are accused of criminal acts "shall be immediately appeared before one of authorized judges or one of the entitled officials are legally authorized to exercise

judicial jobs, and the accused shall have the right to stand trial within reasonable period, otherwise he /she shall be released.

The International Law prohibits arbitrary arrest or detention. According to the UN Working Group on arbitrary detention and arrest, a detention is considered to be arbitrary “ if authorities didn’t provide any valid legal ground that can justify the deprivation of freedom. The deprivation of freedom stems out from exercising guaranteed liberties and rights such as freedom of religion, or freedom of expression, or when violations against International Criminal Court Standards are being largely, which lends the deprivation of liberty the characteristic of arbitrary.

According to Convention (IV) relative to the Protection of Civilian Persons in Time of War, Chapter Art. 83: The Detaining Power shall not set up places of internment in areas particularly exposed to the dangers of war, and the Detaining Power shall give the enemy Powers, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of places of internment.

The UN Declaration for Protecting All Persons From Enforced Disappearance, endorsed by the General Assembly in 1992, states that «enforced disappearance take place when government’s officials or agents capture or detain or kidnap persons against their own wills, then decline to disclose any information about their destinies or places where they are locked up, or refuse to acknowledge that such persons are denied of their own freedoms, that consequently makes these persons out of the law protection umbrella».

The Yemeni constitution states that « the State shall ensure the citizens’ personal freedoms, maintain their dignity and security». The constitution prohibits arrests, inspection and detention except for those people who might be caught up as they are acting illegally, or in accordance with arrest warrant by the judiciary or general prosecution».

## ■ ■ Recommendations

The report suggests a set of recommendations to Al–Houthi Group ( Ansar Allah), Yemeni government and the international community.

### ■ **Ansar Allah Group needs to act on the following recommendations:**

- All detainees who are being arbitrarily detained should be released soon. the destiny of forcibly disappeared persons under the Group authority must be disclosed. and the detainees should be set free without any delay that may redouble perils risking their life or further extend restriction of their freedom and deny them their humanitarian rights and dignity.
- Refrain from neutralizing the judiciary system role in judicial supervision on the arrest and detention acts. and enabling judiciary to play its legal role as it used to prior the Group take over.
- Conduct investigation into the actions of arbitrary arrest and enforced disappearance. and the related crimes such as torture. risking detainees' life; identify culprits and hold them accountable for their role in carrying out these acts;
- Provide fair compensations to the victims of arbitrary detention and enforced disappearance and pertaining violations in conformity with crimes they were subject to.
- Maintain records for every detainee. such records shall be made available for inspection including legal base for detention. information about date and justification of the detention. the person who carried out the detention. procedures used upon the detention; whether the prisoner appeared before a judge or not. and when did that occur.
- Human rights organizations should be enabled to visit prisons and

detentions places and follow up the detainees' issues and provide them with necessary legal support.

- Children under the legal age shall never be detained, except for when this measure is the ultimate solution, and it should be for the shortest possible period, and it should be in compliance with the criteria of the juveniles' justice. Moreover, it should be ensured that children should never be held in the centers of adults' detention.

■ **Yemeni government is called upon to:**

- Support efforts aiming to establish an independent international investigation mechanism to investigate into all cases of enforced disappearance and arbitrary detention, torture; prepare complete legal files to recompense the victims and hold wrongdoers accountable for these crimes.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and to sign on the Rome Statute of International Criminal Court.
- Legislations need to be enacted to criminalize forced disappearance with punishments compatible to the crime grave.

■ **International community is called upon to:**

- Mount pressure on Ansar Allah group (Al-Houthi) to set free all arbitrarily detainees forcibly disappeared within its authority.
- Support establishing an independent international committee to investigate into violations against human rights in Yemen including the all incidents of arbitrary detention and enforced disappearance particularly those committed since the ongoing conflict has erupted in Yemen.
- Mount pressure upon the Yemeni government to ratify the International

Convention for the Protection of All Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court.

- Provide the needed support to the efforts aiming to set an independent international mechanism to compensate victims and bring them justice and hold wrongdoers accountable.

## ■ ■ Legal Framework

As Ansar Allah Group (Al-Houthis) is an armed group, and a party to the armed conflict and it does exercise control over certain regions including population of these regions. And given that the Group has taken over the State's civil, security and military institutions, the rules of International Humanitarian Law are governing actions that even may occur outside the range of armed operations in case that actions are relevant or pertinent to the conflict; including attempt to undertake judicial or semi judicial roles or enforcing laws as part of exercising authority over the region or population or both of them.

Third Joint Article of Geneva Conventions states that primary elements and procedures of justice shall be observed, and it prohibits arbitrary detention and forcibly disappearance and torture, and ensures the right to protection from abuses, the right to legal counsel.

## ■ ■ Arbitrary Detention

According to the International Covenant on Civil and Political Rights—Yemen is a State party to —:” No one shall be subjected to be deprived of his liberty except on such grounds and in accordance with such procedures as prescribed by the applicable law”. and “ a person who might be detained shall be informed at the time of arrest about the reasons for his arrest, and he/she shall be informed about any charges against him/her”. and persons who are accused of criminal acts “ shall be immediately appeared before one of authorized judges or one of the entitled officials are legally authorized to exercise judicial jobs, and the accused shall have the right to stand trial within reasonable period, otherwise he /she shall be released”<sup>1</sup>

The International Law prohibits arbitrary arrest or detention. According to the UN Working Group on arbitrary detention and arrest, a detention is considered to be arbitrary “ if authorities failed to provide any valid legal ground that can justify the deprivation of freedom. The deprivation of freedom stems out from exercising guaranteed liberties and rights such as freedom of religion, or freedom of expression, or when violations against International Criminal Court Standards are being largely, which lends the deprivation of liberty the characteristic of arbitrary”.

The UN Commission on Human Rights that is in charge of monitoring States compliance to the International Covenant on Civil and Political Right which is authorized to interpret the Covenant explained that” arbitrary doesn’t equal breaching law, the term rather shall be interpreted in a more general form so as to include elements of disproportional, unfairness and unpredictability, and duly adherence to legal procedures”.

The Yemeni constitution states that « the State shall ensure the citizens’ personal freedom, maintain their dignity and security»<sup>4</sup>. The constitution prohibits arrests, inspection and detention except for those people who might be caught up as they are acting illegally, or in accordance with arrest warrant by the judiciary or general prosecution”<sup>5</sup>.

1 Article (9) from International Covenant on Civil and Political Rights

2 UN Working Group on Arbitrary Detention . Fact Sheet no. 26,» <http://www.unhchr.ch/html/menu6/2/fs26.htm> ( visit paid on September 2008 ).

3 UN Human Rights Committee “ Rafael Marques de Morais v. Angola, Communication No. 1128/2002, U.N. Doc. CCPR/C/83/D/1128/2002 (2005). Manfred Novak official comment on the International Convent added elements of injustice, unpredictability, irrationality, exaggeration and disproportionally i.e. arbitrary, Manfred Novak, the International Covenant on Civil and Political Rights (Second Edition, 2005), P224-225.

4 Republic of Yemen Constitution 2001 Article 48(a)

5 Republic of Yemen Constitution 2001 Article 48(b)

The constitution which includes the fundamental elements for criminal justice procedures does also state that, the general attorney shall articulate the charge of anyone is detained on charge of a crime within 24 hours. and judges only are authorized to extend the order of detention for a period beyond the first seven days<sup>6</sup>.

The Yemeni Penalties Code stipulates that, the officials who may mistakenly deprive persons from their freedoms shall be imprisoned for a period amount to five years”<sup>7</sup> “

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6 Republic of Yemen Constitution 2001 Article 48(d)

7 Criminal Law, Yemen, Article (246)

## ■ ■ Forcibly Disappearance

The UN Declaration for Protecting All Persons from Enforced Disappearance, endorsed by the General Assembly in 1992, states that “An enforced disappearance takes place when a person is arrested, detained or abducted by the state or agents acting for the state, who then deny that the person is being held or conceal their whereabouts, placing them outside the protection of the law.”<sup>8</sup>

The Declaration reflects the international community consensus on renouncing violations against human rights. It also serves as guiding factor to prompt establishing guarantees that ensure preventing such violations, and Enforced disappearances constitute “multiplied violation of human rights”<sup>9</sup>.

The Declaration states that practices of enforced disappearance is “violation of the right to legal prosecution procedures, body’s freedom and safety, and not to be subjected to torture. It also includes a series of rules aimed to” prevent disappearances”. Thus, it stipulates that” detainees shall be held in officially recognized detention places, and their families shall be immediately notified about, detainees shall also be allowed to meet lawyers, and every detention center shall have an up–to–date register for all persons who are deprived of their liberty inside it”

The Declaration made it clear that armed conflicts whether international or non–international should never justify exercising enforced disappearances. It states that „ No exceptional circumstances, whatsoever, whether a state of war or a threat of war or internal political instability, or any other public emergency, may be invoked as a justification for enforced disappearance”.

In 2006, prohibition of enforced disappearance further reinforced by endorsing the International Convention On Protection of All Persons from Enforced Disappearance (Treaty For Protection From Enforced Disappearance). This multi–parties agreement has become available for signature by nations since February 2007, however Yemen did sign on until moment of drafting this report<sup>12</sup>

8 UN Declaration for Protection All Persons from Enforced Disappearance (Declaration Against Enforced Disappearance) 1992

9 UN Human Rights Committee “A Report presented by Manfred Novak in January 8, 2002, the independent expert appointed to check the criminal and juridical framework based to protect all people from involuntary- enforced disappearances. According to the point 11 of the committee decision number 46 in the year 2001, New York, UN.

10 UN Declaration for Opposing Enforced Disappearance, Article 10.

11 Declaration Against Enforced Disappearance, Article 7

12 International Convention for the Protection of all persons from Enforced Disappearance was endorsed in December 20, 2006 . it manifests a slightly different definition for enforced disappearance than that of the Declaration, and it includes arresting persons by state actors or by their endorsement “Following a rejection to admit the deprivation of one’s liberty or to conceal the whereabouts and status of the disappeared person making him out of the law protection framework. “Opposing Enforced Disappearance Convention” Article 3.

The Convention Against Enforced Disappearance urges the States Parties to investigate incidents of abduction and suchlike actions covered by the “disappearance “ which committed individually by offenders are not associated to the States. such persons shall be brought to court”<sup>13</sup>, and under the International Law rules “ Acts constituting enforced disappearance shall be considered a continuing offence as long as the perpetrators continue to conceal the fate and the whereabouts of persons who have disappeared”.<sup>14</sup> And the widespread or systematic practices of enforced disappearance constitute crime against humanity as defined in applicable international law, and it is incorporated in the Convention Against Enforced Disappearance, and Roma Statute of International Criminal Court”.<sup>15</sup>

The Yemeni Constitution prohibits detention” in places are not controlled by the Law of Managing Prisons.<sup>16</sup> . And in 1998 Yemen issued Law about kidnapping offenses, stipulated penalties amounted to more than 20 years imprisonment for the officials who proved to have been involved in abduction or robbery actions”;; but there is no Yemeni legislation for the time being prohibits the enforced disappearance—in particular,.

## Exposing Detainees to Danger

Article (83) of the second Chapter of Geneva Fourth on the Protection of Civilians at War Time dated August 12, 1949 states that: The Detaining Power shall not set up places of internment in areas particularly exposed to the dangers of war. It also states that the Detaining Power shall give the enemy Powers, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of places of internment.

Thus, Article (85) states that:” The Detaining Power is bound to take all necessary and possible measures to ensure that protected persons shall, from the outset of their internment, be accommodated in buildings or quarters which afford every possible safeguard as regards hygiene and health, and provide efficient protection against the rigors of the climate and the effects of the war. Also Article(88) of the Chapter states that:” Art. 88. In all places of internment exposed to air raids and other hazards of war, shelters adequate in number and structure to ensure the necessary protection shall be installed. In case of alarms, the measures internees shall be free to enter such shelters as quickly as possible, excepting those who remain for the protection of their quarters against the aforesaid hazards. Any protective measures taken in favor of the population shall also apply to them.

<sup>13</sup> The same above reference.

<sup>14</sup> Declaration Against Enforced Disappearance, article 18.

<sup>15</sup> Enforced Disappearance Opposition Convention, article (5) Rome Statute that established the International Criminal Court, article 1. Yemen is not a state-party to the ICC yet. Yemen’s government signed Rome Statute in December 28, 2000 and it was endorsed by the Parliament in March 24, 2007. But that endorsement was canceled due to the incompleteness of the quorum. Look up the ICC Alliance “Yemen, Regional and State Data”. The visit was paid in September 2d, 200, Wisdom House Seminar, Sana’a regarding International Criminal Court accusation verdict concerning issuing an arrest warrant for Omar Al-Bashir, Sudanese president, Sana’a July 28, 2008. A parliament member “who did not introduce himself” said that voting for endorsement was canceled for not meeting the quorum.

<sup>16</sup> Republic of Yemen Constitution 2001 article (48) b

<sup>17</sup> Republic of Yemen Constitution 2001 article (48)

## ■ ■ The Incidents

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### ■ Arbitrary Detention Incidents

Mwatana Organization for Human Rights has verified 53 cases<sup>18</sup> of arbitrary detention including ten journalists carried out by Ansar Allah Group (Al–Houthis) since the Group has taken over the capital Sana’a on September 21, 2014. The detention action in the cases documented by Mwatana Organization took place in some Yemeni governorates: Sana’a, Taiz, Hodeida, Ibb, Hajjah, Dhamar, Amran). Those detentions specifically targeted the Group’s political opponents, mainly those who are affiliated and loyal to the Yemeni Congregation for Reform (Al–Islah Party) either they are leaders or average, or those who are just suspected to be associated or loyal to Al–Islah Party. These detentions also touched upon ordinary citizens and local journalists.

Mwatana Organization verified a number of arbitrary detentions targeted persons released in separated times; periods of their detention varied from days to some months. These detentions included civil activists, academics, human rights advocators, journalists, writers and political activists, among of whom three leading women from Al–Islah Party<sup>19</sup>, almost all of those detained persons wrote critical views, or carried out—or sought to organize—peaceful public rallies to protest against Al–Houthis Group’s practices and violations. Moreover, some ordinary people were detained without clear reason. According to their testimonies to Mwatana Organization, large number of the released detainees were subjected to torture and maltreatment, some of them were held in places exposed to airstrikes by war planes of Saudi–led Arab coalition.

According to dozens of the incidents Mwatana Organization has researched, no clear charges made against the detainees, supposedly legal procedures in such cases were not taken, some detainees remained under arbitrary detention or forcibly disappearance for an approximately one year or above. Thus, a number of detainees were subjected to enforced disappearance for long periods prior to uncover where they are and allow their families to visit them or to know the places where they were locked up. Mwatana Organization documented testimonies by the victims’ relatives, a number of them spoke about bad circumstances and maltreatment their relatives detainees are/were suffering from. They also narrated that some detainees were subjected to torture and different forms of cruel abuses during long hours interrogations. Furthermore, health conditions of some detainees were deteriorated and they didn’t receive adequate medical care, according to their relatives’ accounts.

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18 Attached a list of their names and their basic detention data.

19 They were arrested on August 9, 2015 by gunmen associate to Al–Houthi Group (Ansar Allah), the women were held in Al–Jodairi police station in Sana’a, they were released some 10 hours later

Among the arbitrary detainees 10 journalists remained forcibly disappeared for several months before revealing the place where they were held. meanwhile the journalist, Waheed Al-Sofi, has continued to be forcibly disappeared at the moment this report issued in May 2016.

Since the beginning of this wave of arbitrary detentions, the Legal Assistance Unit in the Mwatana Organization for Human Rights made tireless efforts aimed to follow-up the dossier of dozens of detainees. To this end, field-visits paid and letters were transmitted to the general attorney, security officials of Al-Houthi Group, the Legal Unit established by the Group, Supreme Revolutionary Committee that the Group established to replace the highest official authority, Ministry of Interior, Directorate of Security in capital Sana'a. Mwatana also paid visits to several locations of detentions in the capital Sana'a such as the Criminal Investigation Bureau, Political Security Compound, the Central Prison Facility, the custody detention of Al-Thawrah and the custody detention of Habra in the city of Sana'a.

During the field visits that Mwatana Organization paid and throughout the follow-up contacts on the daily basis, Mwatana was not briefed on any official charge against the detainees. However, Mwatana got closely to know the bad conditions detainees were suffering from inside detention places. Moreover, despite Mwatana managed to obtain release orders for some detainees by the general attorney, such instructions haven't been carried out yet, there is only very limited and futile response in this regard<sup>20</sup>

### **In this report sheds lights on a number of arbitrary detention cases that Mwatana has verified:**

#### **Abdul-Hafez Esmail Jom'an (47-old, retired (Sana'a))**

Altaf Abdul-Hafez Jom'an (27 year-old) is a daughter of a detainee, Abdul-Hafez Joman (47-year-old). She says: On Sunday February 28, 2016, at approximately half past eight in the morning, a group of gunmen of Ansar Allah, boarding a four wheel drive pickup car<sup>21</sup>, belong to the Group, arrested my father while he was having breakfast meal with seven friends in Al-Zobairy Street, in the capital Sana'a. They took my father and his friends to Al-Balayli police station. Then they were transferred the same day to the security directorate of Al-Wahad district in A'sir area. At that time, we were informed that they were transferred to the investigation department in Baghdad Street. However, Ansar Allah Group denied that Jom'an and his friends were held in Al-Balayli police station. They said «We had released them».

20 . Besides security personnel that runs police stations, there are gunmen of Al-Houthi group who share authority and have final word in any detention incident or civil dispute.

21 Four-wheel drive pickup used to board group of security and military personnel, undertake security patrols or carry out orders of arrest or law enforcement

Altaf went on saying:» We desperately kept on looking for my father and his friends. Several weeks passed while we didn't know where they were.<sup>23</sup>. It was not the first time my father was subjected to detention, some months earlier he was detained for nine days, then he was released.<sup>24</sup>, she added.

Abdul–Kareem Jom'an ( 50 years), a brother of the detainee, told Mwatana that his brother Abdul–Hafez was detained along with a number of his friends on February 28,2016, at nearly (8:30 a.m.) from Al–Zubairy Street of the capital Sana'a. He says:» Abdul–Hafez contacted me at nearly (10:30 a.m.), he told me that he was detained with seven friends and they were in Al–Balayli police station. I immediately went to the police station and arrived at nearly(11:00 a.m.). I asked about Abdul–Hafez and his friends. One of the police station personnel said they were inside, meanwhile Ansar Allah militants in the station disclaimed that my brother and his friends were held there. They told me they had released them and they did not have any interest to detain them. After that we learned from different sources that Abdul–Hafez and his friends were moved from Al–Wahdah security area into the Research Center in Baghdad Street, it is civil center for studies and researches, Al–Houthi Group made it a detention center. Later on, they transferred Abdul–Hafez and his friends to Ali Mohsin Al–Ahmer's house<sup>25</sup>, then into the Political Security prison. When I asked about them in those places, they said that they were not there.

On April 26,2016, Abdul–Kareem told Mwatana that Al–Houthi Group allowed his mother to visit his brother on Friday, April 22,2016, and he personally visited him the next day of his mother's visit<sup>26</sup>.

### **Sakher Ahmmed Ahmmed Myas 20 year-old, self-employment (Sana'a)**

According to Khadija Mohammed Myas (46 year–old) mother of a detainee, Sakher Ahmmed Myas (20 year–old), he was arrested at six o'clock in the morning on Monday November 25,2015. He was captured in his house located in Al–Sadiq quarter, in the area of Niqom–Mosaiq, in the capital Sana'a.

In interview with Mwatana, Khadija said:» On Monday, at six o'clock in the morning gunmen in green military uniform, I don't know which military troops famous for, came to our house, three of them entered along with two women, the fourth one remained inside the car. They did not have any official documents such as a request to show up in police station or court. Women proceeded and soldiers followed them upstairs to the second floor, they were shouting: Where is Sakher<sup>24</sup>?

<sup>22</sup> Prominent military commander, dissident of former president regime in 2011, he could flee after Houthi Group took over Sana'a in September 2014, the Group occupied his house and several houses of military and political leaders, his house turned into detention, President Hadi appointed him vice president recently in 2016

<sup>23</sup> An interview with Altaf Abdul-Hafez Jom'an, and Abdul-Kareem Joman, dated: March1,2016, then updated on April26,2016.

<sup>24</sup> An Interview with Khadija Mohammed Meyas, Sakher's mother, dated April 11,2016

Khadija added: My husband heard the voices and moved to open the door to know who were shouting and for what reason. They told him from behind the door that they are his friends and want to talk with him. One of them said: (Where is Sakher? We want to talk to him). At the meantime, Sakher's sister looked out of the window and shouted: These are soldiers, they aren't his friends. Sakher's father opened the door, the three men were equipped with guns and Kalashnikov rifles».

Sakher mother continued to say: Sakher heard our voices and noise due to banging the door by the gunmen, he rushed up from his room to the hall, he assumed there was a familial problem. He was merely wearing his underwear clothes. Once they saw Sakher immediately captured him and took him out of the house. When his father asked about the reasons, they did not give explanation, as he insisted that he should understand what is the matter, one of them said: it was an (inquiry).

Sakher mother went on:»We then were deeply surprised as my son Sakher is amiable and righteous person, he just got married two months ago. Once they left, I immediately got out from a backdoor and went after them. There was still one of the four soldiers stood over there after he put my son inside the car.. I did not tell him that I'm Sakher's mother.. I asked him: why did you take Sakher? He replied: listen Hajjah!<sup>25</sup> Last week the nearby house was inspected and a big/ sack was detected, it was filled with explosive devices, this young man was caught up while he had had an explosive belt (he did mean Sakher), I could not control myself after I heard this answer from the soldier. I told him: I'm Sakher's mother and assaulted him verbally with torrent of bad words and insults. I told him, your colleagues captured my son in his underwear! Which explosive belt are you talking about?»

Sakher's mother added: My son remained forcibly disappeared for three months, throughout that period I did not stop visiting the Political Security Organization headquarters to follow his case. We were not allowed to meet him or talk with him or to be reassured about his health condition. I couldn't meet anyone of high rank officials in spite of my frequent attempts. I simply used to hear their nicknames (Abo Folan, and Abo Folan.. this phrase means father of ... Folan, here refers to a common name, e.g. Abo Ali). We did approach the office of the Political Security Organization leadership on daily basis in order to meet the officials in charge who were assigned by Ansar Allah Group, but we did not get any official. We received false promises from Al-Houthis and soldiers in the Political Security, they were also demanding money, after three months finally we were allowed to visit him. He was in a miserable state, psychologically and physically. My son lost much of his weight, his skin color got more brunet, his beard and hair had not been cut for long times, he was totally changed. Though he did not tell me that he was subject to torture, but as a mother I could sense that he was subjected to torture.

<sup>25</sup> An adjective that an old woman addressed by to show respect upon chatting with her

Sakher's mother continued to say: "currently, were allowed to visit him once per week, on Wednesday. She talked bitterly about his health conditions saying" My son is in a dark solitary room under the ground. His health is deteriorating, his teeth started to corrode and fell down, one of his eyes capacity seriously deteriorated so that he can hardly see through".

Khaddija, Sakher's mother inquires: "What shall I do? To whom can I go?" I have made all legal procedures. I sent and submitted a series of petitions to the General Attorney, the Penal Prosecution and Political Security. I asked tribal mediation help. I even beseeched and approached the concerned officials and Ansar Allah's, but in vain. If my son is truly wrongdoer, they should bring him to court to stand trial and punish him if pleaded guilty, otherwise he shall be released so as resume his normal life, my eyes wore out of weeping".

### **Ali Abdullah Hameed Al-Qaribi (27 year-old) University Student (Sana'a)**

Najat Abdulrahman Al-Saqaf (45 year-old), mother of a detainee, Ali Abdullah Al-Qaraibi (27 year-old), a student at Sana'a University, reported that on November 23, 2015, at five o'clock afternoon, one of his friends came home and called on him, he got out and they arrested him. At that moment I was back home, I saw my son grabbed by one of Ansar Allah gunmen, meanwhile there were three military vehicles boarding gunmen in military uniform and others in ordinarily uniform, they encircled the zone and took more than twenty young men among of them my son Ali.

At the same moment they stormed Al-Falah Mosque, located in the quarter, in searching for weapons as that mosque has underground floor, according to their argument. When we asked the militants and soldiers why did you arrest these young men, they said: (an inquiry). Most of the quarter's residents headed to Azal police station, the facility where the detainees were moved to. The majority of those young men were released because of pressures by their own families and relatives. Meanwhile my son Ali and four more others remained detained. On that day they didn't allow us to visit him or to provide him with food. Next day we went to the police station and were informed that they were transferred to the Criminal Investigation headquarters. When asked what's charge against them, they replied orally and an informally: "Daw'ish<sup>26</sup>".

Al-Saqaf went on saying: a week later, Al-Houthis told us that my son Ali had vowed allegiance to Amir of Al-Qaeda in the governorate of Ibb prior to his detention. Even though my son has not been to Ibb recently, Al-Houthis, presently, tell us that (the detainees) were deluded.

<sup>26</sup> Daw'ish is a term used by Al-Houthis Group to refer to its opponents that it says they are affiliated to terrorist groups given that they are opponents, have different religious beliefs incompatible with Al-Houthis' views in general, and not sign to truly affiliation to Da'aish organization.

Najat Al–Saqaf, Ali’s mother added: the residents of the quarter bear witness that my son Ali is moderate and good young man... I have gathered signatures by more than 100 persons of the neighboring residents who confirmed their testimonies in favor of my son. Ali’s mother asks: how may more than 100 persons give their signature to somebody, if he isn’t really a good and honest person?

Najat Al–Saqaf noted at the end of her interview with Mwatana dated January 18,2016, that when the headquarters of the Pedestrian Policemen, located nearby the prison of the Criminal Investigation came under attack by air strike carried out by the Saudi–led coalition warplanes (the detainees) were transferred to the Central Prison facility... then we were denied visit. She concluded her speech saying: I’m afraid that my son is likely to be subjected to torture. I do also fear that my complaints may cause him more troubles... he might be transferred to other place or tortured... my son suffers from chestiest //and detention places are inconvenient for his health.<sup>27</sup>.

### **Abdullah Ghalib Abdoh Hizam Al-Amiri, 22 year-old, University student(Sana’a)**

Abdullah dwells in the old airport area northern the city of Taiz (his family permanent residence). He is a third level university student, studying management at Sana’a University. He came to Sana’a to attend the final exam of the second term, a week before his detention.

According to an interview Mwatana filled with the detainee’s brother–in–law, Hafeez Ahmed Arra’ae (37–year–old), Abdullah was on a visit to his mother after he had finished his first term examinations. Abdullah decided to travel to Sana’a in order to get a passport and then he can come back to Taiz to get married... after that he was intended to travel abroad to Russia or Germany to accomplish his studies and live in there.

Once he arrived in the headquarters of passport authority in Sana’a, Khawlan Street, on November 28,2015, at approximately 11.00 before midday, he was arrested by elements of Anasar Allah Group who used to be present in the compound of the passports authority. Then he was moved to the 45 police station, in Al–Safia area of the capital Sana’a, he was held there for nearly one month. Later on, he was transferred to the Criminal Investigation and after that he was sent to the Central Prison in Sana’a.

Abdullah used to work in charity, he would distribute medicines for poor people through the so–called Youth Initiative «Land Constructing». His family was allowed to visit him two days later of his detention.<sup>28</sup>

27 Interview with Najat Abdulrahman Al-Saqaf, dated January 31,2016, updated in April 2016.

28 An interview with Hafid Ahmed Al-Rai dated February 9, 2016 and updated in April 18, 2016.

**Hilmi Ali Mohammed Abdullah Al-Masajidi, 27 year-old (Sana'a).**

Fatima Sa'eed Al-Masajidi (70-year-old), grandmother of Hilmi, a detainee, says: on Monday November 15, 2015, in front of the old university in the capital Sana'a, my grandson went to sell petrol in the street<sup>29</sup>. While he was seeking for his livelihood, a quarrel broke out between some persons nearby his booth, he immediately meddled to stop the fight, he did not realize that it was an invented quarrel.

Later on, gunmen of Al-Houthi Group came and asked him to go with them to bear witness on the problem. He went along with them to prison of Al-Jodairi police station, there they told him that he is a friend of a person belongs to Al-Islah Party and he is (Da'aishi). After that gunmen of Al-Houthis Group came and stormed our house and took three rifles (Kalashnikovs) were kept in our house as mortgage... they had terrified and frightened us... we are poor and powerless people. I used to visit him when he was in Al-Jodairi police station, then they transferred him to the jail of Habrah and did not allow us to visit him. My grandson was our only bread earner<sup>30</sup>

**Ali Ahmed Al-Yafi'ae, University student, 23 year-old (Sana'a).**

Mohammed Ahmed Al-Yafi'ae, 25-year-old, brother of Ali Ahmed Al-Yafi'ae, 23-year old (University student), said that his brother Ali was arrested on September 28, 2015, while he was on his way back home. A number of gunmen associate to Al-Houthis Group captured Ali and moved him to a police station located in Al-Wahada area, in the capital Sana'a, where he remained until October 16, 2015. After that he was transferred while his eyes covered to Al-Thawrah prison. When we went there and asked about him, initially we were told he wasn't there, but ten days later, we were allowed to visit him. His legs were swelling, he said that he had fallen downstairs. However, it seemed that he did not tell the truth, he was afraid as the visit was hastily and in the presence of the guards.

Mohammed Al-Yafi'ae added: a week later of last visit we paid him (dated November 4, 2015), my brother telephoned me and said that his health condition was very bad because of a surgery he had experienced four days ago as he suffered from Appendicitis, his leg also endured fracture repaired because it was broken twice in the left foot instep, then he was returned to the prison. Therefore, I visited him on that day, his health condition was extremely difficult, his leg was broken in the left foot, and now he is in prison and needs special medical care, while he was badly dealt with "there is only one General Practitioner who generally visits all detainees every two weeks, medical care is extremely fragile".

29 A phenomenon spreads since the start of the current war in Yemen as people sell petrol on main street as open black market, along with official petrol stations

30 An interview with Fatima Said Al-Masajidi dated December 28, 2015 and updated in April 17, 2016.

According to Mohammed, Ali had suffered leg broken that his family thought was a result of torture, even though the family informally informed by Al–Houthis that Ali’s foot broken as he fall down in the prison toilet<sup>31</sup>.

Mohammed told Mwatana: “They had confiscated Ali’s car and it was held in reserve, with his personal properties (telephones, money, certificates and other documents), no official charge made against him until this day, and there were several release orders for him issued by Al–Houthi’s authorities, however, he is still detained».

According Mohammed’s very testimony, Al–Houthis Group arrested his brother Ali for first time in April, 2015, but he was released a week later. Afterward, they detained him once again in the beginning of September 2015, and released him after 13 days. According to Mohammed’s account, Ali complained that he was subjected to torture during his first and second detention. Mohammed said no formal charge made against his brother neither during the previous detentions nor in the present one, yet Al–Houthis informed us informally that his charge is that ( he supports the aggression on Yemen), in a reference to the Saudi–led military operations in Yemen.

### **Fahd Abdullah Sallam, 38 year-old, headmaster of Al-Nahdhah School(Sana’a)**

In the morning of October 6, 2015, Al–Houthis armed Group abducted Fahd Abdullah Sallam, 38 –year–old). He works as a headmaster of Al–Nahdhah private–owned school in the capital Sana’a. One of his relative women told Mwatana: Fahad left his house located in Arribat Street on October 6, 2015. As he departed he told us he’d be back ten minutes later, but he didn’t. He belated very much more than it might be expected. We tried to contact him but his mobile phone was switched off. Several minutes later, the house was raided and inspected by six gunmen in military uniform and ordinary costume.

The woman whom Mwatana interviewed said:» They told us they were of Ansar Allah Group and Fahd was held in custody within their capacity. The gunmen who broke–in the house were in a military uniform and there were others in ordinary dress. The house was thoroughly searched, they took his personal computer machine, his passport and some of his own objects. Nearly a week later, the gunmen returned to the house once again, they brought back the computer they took earlier, but they took the children’s laptop».

She went on: “They had interrogated Fahd’s children, they were two 7–year–old boys (twin) and 12–year–old girl. They took each of them separately in the house ‘s hall and asked everyone: did your dad hide a memory or flash disk with you? Fahd’s wife asked them: Why did you take my husband? They replied.” He is a terrorist and cell–leader”.

31 An Interview with Mohammed Ahmed Al-Yaffi’ae, dated November 18, 2015, updated in April 2016.

His relative also added that they couldn't visit him or to contact him in the wake of his detention" they told us that he was held in the prison of Political Security Organization, and asked clothes for him, but as we went to visit him, they said that he wasn't there... later on, we were informed by one of them that he was held in the National Security<sup>32</sup> however, I think that all of this is untrue, lies and deception.. until now, we don't know where is he exactly",.

### **Mojahid Ali Ali Hameed,38-year old, Teacher(Hajjah)**

Ali Ali Hameed (56 year—old) is father of the detained Mojahid Ali Hameed (38 year—old), who works as a teacher. He told Mwatana organization:” Mojahid went middy to the qat market<sup>33</sup> in the city of Hajjah, and there he was arrested on October 21,2015 by gunmen who moved him to the prison of Al—Mansourah. We were informed that he was there by friends and friends, however they didn't allow me to visit him or to be reassured about him. He remained there around fifteen days and later on he telephoned us from Al—Thawrah prison in Sana'a, he was allowed to contact us following a visit by international organization. I did not know that he was transferred from Hajjah to Sana'a and I was not allowed to be reassured about him whether his health condition was alright or not. My son was subjected to torture, beating and shackling whilst he was held in the prison of al—Mansourah and upon his detention, according to his account that he narrated once while I was visiting him».

Mojahid's father added: They interrogated him in Hajjah... they told him ( we want your brother who was fighting in Marib», this is only because my sons have got partisan affiliation to Al—Islah Party since 2011 uprising. In Sana'a no charge made against him, nor even he was interrogated».

Mojahid's father continued to say.» We are in hardship, his mother couldn't afford travel fares to Sana'a to visit him... our region is remote, we are too poor to afford the needed expenses to follow up his case, we desperately sought to get him released by all means, we communicated with lawyers and asked many people to help, but it did not work out,<sup>35</sup>.

32 In Yemen there are two organizations of intelligences, the Central Organization of Political Security, the oldest one made of the two intelligence systems in south and north of Yemen before the unity (in May 1990), the other one is the National Security, it the recent one, established around ten years ago with US help

33 33 An interview with one of his female relatives dated 2015 and updated in April 19, 2016.

34 34 Qat a stimulant plant most Yemenis consume afternoon, has its own markets, some countries and organizations including WHO classify it as narcotic.

35 Interview with Ali Ali Hameed dated February 28,2016.

### **Mohammed Abdoh Ahmed Al-Harazi, 35-year old, worker(Sana'a).**

On October 11, 2015, six gunmen of Al-Houthi Group captured Mohammed Al-Harazi, (35 year-old) without any charge against him. His father, Abdoh Al-Harazi (60 year-old) told Mwatana that three gunmen in military uniform came and stood in front of their shop, situated in the northern Sixty Street in Sana'a. He added saying, » My son Mohammed was inside the store (bananas shop) once he got out they encircled him with their rifles (Kalashnikovs) pointed at him and moved him into unknown place. One hour later, they very gunmen returned to our house and searched Mohammed's apartment, they took his own computer and Janpya<sup>36</sup>

Abdoh Al-Harazi continued to say, » We couldn't communicate with him and we did not know anything about his situation and destiny. His mother kept on weeping every day, she desperately wanted to know about Mohammed's fate... She couldn't cope with the matter. We were deeply concerned about his mother's health. We were afraid of her collapse and we can't afford her medication. Her health condition is badly deteriorated due to her concern about her son. He remained concealed for a half month. Now, we can visit him every Monday in Al-Thawrah custody in the capital Sana'a.

My son Mohammed is affiliated to the Yemeni Congregation for Reform (Al-Islah Party), said Al-Harazi as he voices what he believes to be justification for his son detention. Adding that, » Al-Houthi informally accused my son of contacts with persons are wanted on security charges<sup>37</sup>

### **Atif Abdullah Al-Azaqi, 26- year-old, Taxi Driver(Sana'a)**

On October 14, 2015 two gunmen of Al-Houthi Group captured Atif Al-Azaqi (26-year-old), a taxi driver. They brought him to the 22 May prison. His mother, Fatima Al-Azaqi (60-year-old) informed Mwatana Organization that her son told her that he was beaten with the backs of the rifles while he was interrogated in Al-Jodairi prison in Sana'a, after he was moved from the 22 May jail. He appeared to be so tired and weary.

Fatima said, » It was started on October 12, 2015 whilst Atif received one of his friends. At the meantime gunmen came by taxi and asked his friend to go with them, but Atif and his other friends rebuffed gunmen's order, never allowed them to take their friends. Then next day evening gunmen in ordinary dress came to Atif's small shop where he sometimes works and moved him under guns' intimidation to the 22<sup>th</sup> of May prison. He stayed three hours, then they transferred him to Al-Jodairi prison ».

<sup>36</sup> Al-Janbia is a dagger has got envelop and decorated belt wrapped around the waist, men used to wear as an ornament and of the Yemeni traditional costume.

<sup>37</sup> Interview with Abdoh Al-Harazi dated November 17, 2015, updated on April 18,

Atif's mother went on saying:” In the beginning we visited him in Al–Jodairi prison, a week later of his detention he was totally disappeared, for several months we have been knowing nothing about him, nor we could communicate with him<sup>38</sup>».

She added:» Al–Houthis repeatedly promised us that he would be released, but it did happen, my brother used to pay Al–Houthis money so as to save Atif more beating».

Upon updating information during second visit the family reported that they recently have been able to visit Atif every week, however, they confirmed that he was subjected to torture and lengthening investigation for once.

### **Nabil Mohammed Assdawi ,37-year-old, Engineer (Sana'a).**

Nabil Mohammed Assdawi 37–year–old, is an engineer. He was detained on Monday, midday, September 21, 2015. He was arrested by some elements of Ansar Allah Goup. They captured him in front of Al–Shawqni mosque, located in the Sixty Street of the capital Sana'a. His father, Mohamd Assdawi (60–year–old) said:» Two cars came, one (Najda) and the other (Habah<sup>39</sup>) and movtook Nabil into unknown place. We looked for him in Al–Mo'alim police station but we didn't find him, we asked about him in the Political Security, again we didn't get him, after long search we managed to spot his location, yet they didn't allow us to visit him even for once».

«They prevented his kids and wife from visiting him, detained him without reason or indictment, but his only sin is that he is being affiliated to Al–Islah Party», Nabil's father added.

Mwatana Organization met with Nabil's family in the beginning of April 2016, they reported that Nabil's father managed to visit him on March 9, 2016 in the prison of the Political Security Organization in Sana'a; yet he is still detained at the moment of drafting this report in May 2016.

### **Fowad No'aman Al-Awadhi, 25-year-old (Sana'a)**

Fowad Al–Awadhi (25–year–old) was captured on December 4, 2015, between half past eight and nine o'clock p.m. His brother Aiman Al–Awadhi told Mwatana Organization that Houthis gunmen arrested his brother Fowad in the downtown of Sana'a without any charge.

<sup>38</sup> Interview with Fatima Al-Azaqi dated November 27, 2015.

<sup>39</sup> Annajdah refers to the car that is used by police personnel, recently it means Hunyadi as it is widely used by security forces, while Al-Habah is a Toyota four wheel drive car used by military and security forces in Yemen.

Aiman added:» Fowad was arrested by a military pick up car belongs to Al–Houthis in Sana’a. they captured him nearby the former Azal Hospital at approximately nine o’clock at night. He was taken to Al–Jodairi police station in Sana’a and stayed there until next day afternoon. As we went to give him a lunch meal we were surprised that he was relocated to unknown place. Ever since he remained forcibly disappeared. we didn’t know anything about him. We looked for him everywhere. including the Political Security. National Security. Criminal Investigation but they declined to uncover his place’ «.

According to the latest update of information about him. Al–Awadhi’s family informed Mwatana that recently they have been allowed to visit him regularly every week in the Political Security Organization in Sana’a.

### **Sakher Ali Al-Yafi’ae (19-year-old, High School Students (Sana’a)**

Tuesday morning. August 18,2015. Ansar Allah Group arrested the youngster Sakher (19–year–old) because he pulled the Group’s posters out of walls. They captured him at home and snatched him from among his family members in Sana’a.

His father. Ali Al–Yafi’ae told Mwatana Organization:» My son doesn’t have relation with any group. all the matter is that driven by his youth zealousness. he removed some of Al–Houthis’ slogans and posters were distributed in his quarter. Seeing that we have disputes with some neighbors. they rushed up to inform the Group about my son. Al–Houthis came and arrested him. then he was held in Rslan police station. it is police center associated to the region of Bani Al–Harith region of Sana’a governorate».

Al–Yafi’ae added:” When we wanted to know the reason for his detention they declined to give any information except for their claim that he is of the conspirators who seek to help the resistance to take over the city of Sana’a. Next day we went to visit him but they told us he was transferred to unknown location”.

Sakher remained forcibly disappeared for approximately one and a half months. while his family know nothing about him or where he was held. After that the family received a phone call from a person met with Sakher as he visited one of his relatives was a detainee. Sakher gave him his family’s telephone number and asked him to contact them. After long and constant search campaign throughout jails and police stations. Al–Houthis admitted that Sakher was held under their capacity and let his family to visit him every Thursday. according to father’s account. Sakher’s father said that his son informed him that he was subjected to torture several times and once he was interrogated for six hours straightly (from 8:00. p.m. until 2: 00. p.m.<sup>41</sup>).

40 Interview with Aiman AlAwadhi, dated October 29,2015, updated on April20,2016.

41 Interview with Ali Al-Yafi’ae dated December 21,2015, updated in April 2016.

**Fahmi Qa'id Sailan, 36-years-old, Government Employee (Taiz)**

Al-Houthis gunmen arrested Fahmi Qa'id Sailan (36-year-old) on September 5, 2015. He was captured in the area of Al-Rahida, in Taiz, while he was on his way to the area of Al-Husha in Al-Dhalea governorate where he has got a house in which he settled down recently because of the war.

Sohad Abdullah Hameed (45-year-old) a neighbor and a friend of his family has said to Mwatana Organization, „Fahmi headed to Aden to convey a number of persons by his buss that he works on. On his way back while he was in Arrahida in Taiz, he was arrested by Al-Houthis. Ever since he hasn't returned to his house yet.

She explained that, „He traveled to Aden through Taiz and not Al-Dhalea in order to avoid the local popular resistance fighters... We learned that he was captured in Al-Rahida (Taiz) along with the passengers who were in the buss... No news about him since September 5, 2015.

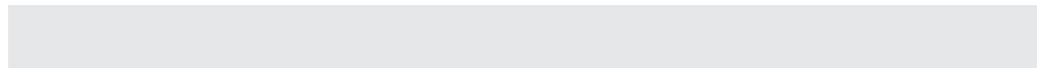
According to Sohad's testimony, Fahmi's car was carefully searched by Al-Houthis. They detected documents related to travel for medical treatment. The travelling documents related to one of his brothers who was engaged in fighting on the side the resistance factions and sustained injuries during the battles.

After that the family was informed by some of passengers who boarded Faham's buss that Fahmi and his companions were detained in Al-Saleh's residential buildings in Taiz—nearby Taiz airport—therefore, there were deep concerns about their safety as Al-Saleh's buildings were expected to be targeted by the coalition warplanes because those buildings were under Al-Houthis' control.

One of Fahmi's relative used to have close ties with Al-Houthis kept on providing the family with some information about him. Afterward the family was informed by one of Fahmi's companions that he was transferred to Sana'a. We kept on looking for him for a week until we learned that he was held in the custody of Al-Thawrah, in Sana'a. The family used to visit him regularly, then he transferred to the Political Security compound in Sana'a

According to Sohad's testimony, Fahami was charged with different accusations but such charges were expressed informally and orally such as he is (Da'ishi) and affiliated to Al-Qaeda.. and seeing that he is bearded and religiously disciplined they are saying so about him. His mother now (at the time of the testimony being recorded) is very ill. she is basically suffered from blood pressure. Fahmi is a good man. He wants his brother to come to Sana'a to follow up his case, but because he is also a bearded man, he fears from detention, he doesn't want to be detained along with his brother.

**Ahmed Qasim Al-Jaberi (32-year-old, Charity Coordinator (Sana'a)).**



Ahmed Qasim Al-Jaberi (32-year-old) was detained on Wednesday August 26, 2015. He was captured in the area of Dar Sulm, the thirtieth Street in Sana'a, around half past five at dawn. Abdul-Haqeem Al-Yahyawe (40-year-old, Ahmed's son-in-law says: "There was a taxi boarding gunmen have been closely watching him since a week nearly. Once he got out of the mosque following the dawn prayers, the taxi moved somewhat away of the mosque and there were also two persons in the mosque watching him"<sup>42</sup>).

According to an eyewitness asked anonymity: "Ahmed was called in by the gunmen in the Taxi. Ahmed looked out right and left as if he sought for help but the street was empty and worshipers still inside the mosque, so he was enforced to board the Taxi, as some worshipers got out the mosque, they tried to catch up the taxi but in vain, it was too late.

Abdulahakeem added: "Then my sister contacted me and came from Amran to look for him. Most information we got indicated that he was detained in the center of (Zain al-A'abedeem) in Heziaz area, southern the capital Sana'a. We exerted efforts and sought for influential mediations to know about his situation and what's problem with him. As a result, Al-Houthis said he was safe and alright, just he is held in reserve because we were in a state of war. One month later, Ahmed phoned us from unknown number for roughly two minutes, he said that he was only allowed to conduct one phone call, he was alright and asked his family clothes and money".

Abdulahakeem said: "One month later of the detention, one of Al-Houthis supervisors told us he would come to the family house to bring the objects Ahmed asked for, we waited for that guy but he did not show up. After that we exerted efforts in order to be allowed to visit him, however, Al-Houthis informed us that he was transferred to the Political Security prison. After week long search for him in the Political Security it turned out that he wasn't there. We came back to the Zain Al-A'abedeem detention, but they told us don't make more clamor about him, you will put him into more troubles.

He added: "Sometime later, we were informed that he was in the Criminal Investigation, we looked for him there but in vain. Finally, we could make sure through relatives close to Al-Houthis that he was held in a detention in the area of Heziaz nearby Zain Al-Abedeen prison; Al-Houthis have got several centers of detention there, yet after his two minutes call, we couldn't contact him".

Based on latest update and contacts by Mwatana Organization with Ahmed's family, they confirmed that recently they were allowed to visit him regularly every week in the prison of Political Security Organization.

Two Brothers: Ali Mohammed Nijad,<sup>38</sup> a University employee & Ahmed Mohammed Nijad,<sup>21</sup> a University Student (Sana'a)

<sup>42</sup> Interview with Abdulhakeem Qasim Al-Yahyawe, 40 years old, updated on April 25, 2016.

Gunmen of Ansar Allah Group (Al-Houthis) arrested both Ali Nijad (38-year-old) and his brother Ahmed Nijad (21-year-old) on Wednesday August 12, 2015, approximately 7.00 a.m. Their brother Mohammed (33-year-old) told Mwatana Organization, „Somebody knocked our house door and my mother opened, a woman entered and left the door open, whilst she was chatting with my mother, four gunmen entered the house and moved to the room of my brother Ali who was still in the sleep clothes. My mother was asking them what did they want? My brother Ali asked them: What do you want? They replied that they just want to take some of his statements, i.e., to interrogate him, after that they entered the room of my younger brother (Ahmed) who studies Law at the College of Shari’a, second year. He was sleep, they wakened him and moved them to Al-Ulofi police station where they interrogated them Thursday night. Then Ahmed was released, to be arrested once again later.

Mohammed went on: „Ali remained three weeks in Al-Ulofi police station, after that he was moved to Al-Thawrah custody. After he had been released—one month later—my brother Ahmed attended a wedding party of a neighbor, then gunmen of Ansar Allah came and captured him once again. He was moved to Al-Ulofi police station and remained there for a week. On the eve of Aid Al-Adha he relocated to Al-Thawrah custody. „Now, we can visit them regular, he added.

Mohammed said, „We communicated with many of Al-Houthis leaders, release orders for them issued by committees established by Ansar Allah Group (Al-Houthis) but all of that useless. They said that they were held in reserve. Until now there is no serious decision about discharging them though they said there wasn’t any charge against them<sup>43</sup>.

### **Qasim Ali Awadh Al-Mesbahi, 47-year-old, Teacher (Hodeida)**

Gunmen of Ansar Allah Group arrested Qasim Awadh Al-Mesbahi from his house on April 4, 2015, according to his wife’s testimony. His wife, Samira Hamood Ahmed Al-Mesbahi (34-year-old) said: „On Saturday 4, 2015, around half past one at night (after midnight) a group Al-Houthis captured my husband nearby our house while he was driving his bus back home”.

Samira added: „We didn’t know what’s the problem then, we assumed that he might have had a traffic accident. Next day we learned through neighbors that Al-Houthis arrested him next to our house. We were allowed to visit him for once when he was held in the Political Security branch in Hodeida. After that on twentieth of Ramadhan he was transferred to the Political Security in Sana’a along with persons were detained in Hodeida.

43 Interview with Mammed Ali Nijad, dated April 18, 2016.

His wife continued to say: “Al–Houthis accused him of being (Da’ishi) and an Islahi (affiliated to Islah Party). It is worth mentioning that they (Al–Houthis) had taken his own bus and didn’t bring it back to us. and he is still in the jail until now<sup>44</sup>”.

### **Mohammed Mohammed Aqlan,35-year-old, Teacher of Holly Qur’an (Taiz).**

Early in June 2015. Ansar Allah arrested Mohammed Moammed Aqlan. He disappeared for four months while his family did not know whether he is alive or dead. His neighbor Khalid Abdul–Aziz (35–year–old) visited him in the fourth month of his detention in Al–Thawrah custody in Sana’a. In an interview with Mwatanaa. Khalid said:» I couldn’t talk with him openly as he was closely watched by Al–Houthis who were standing directly behind him. It was simple speech. I just talked about his health and situation. I couldn’t know why they detained him and what’s his charge or how do they deal with him. They were watching us and hearing everything. My visit lasted four hours. I couldn’t find any charge against him except for what Al–Houthis allegedly brand him as (Da’ishi)

Khalid continued:” His family knew nothing about him throughout his detention. but by a person named (Al–Himiary) his father was imprisoned by Al–Houthis. He phoned his (family) as his father urged him to do so. He told them your son was held (in Al–Thawrah custody) and gave them address. then we just knew that he was kidnapped. after four months of an entire disappearance”.” His family status is extremely bad. psychologically and financially. He has got two kids. one five–year–old and the other two and half–year–old”.

### **Naser Saleh Ibrahim,35 -year-old, works in educational domain (Amran)**

On June 14,2015. at approximately 2:00 a.m. after midnight. gunmen boarded a military pick up car and two (Hillox) cars besieged the house of a young man Naser Saleh Ibrahim(35–year–old) in the area of Dholiamah of Amran governorate.

His brother Hameed Saleh Ibrahim (43–year–old) said in an interview with Mwatana: “The gunmen knocked the door of our house. they were accompanied by Aqil Al–Harah (a person used to have little informal authority in urban areas. Al–Harah means quarter or zone) of the quarter. once we opened the door the gunmen broke–in the house and captured my brother. The soldiers were accompanied by policewomen upon incursion. They searched the house took (two Kalashnikovs and two pistols and money:

<sup>44</sup> Interview with Samira Hamood Ahmed Al-Mesbahi, dated April 4,2015, updated April 25,2016

thirteen thousand dollars and one million and two hundreds thousands Yemeni Rials. the money was the cost of his car that he sold). They moved him into unknown place».

Hameed went on saying:»We continued to look for him for fifteen days. we didn't know where he is. no authority informed us that he was held under its capacity. After tireless searching efforts. we knew that he was in the Criminal Investigation. No charge made officially against him. all charges were speculations and presumptions such as he was recruiting fighters for the warfare in Marib and he is cashier of Al–Islah Party. His mother is sick and paralyzed. and he has large family waiting for his return<sup>45</sup>».

### **Hussein Ashihari,30-year-old, Director Al-Aqsa Association (Khamer-Amran)**

Ansar Allah Group arrested Hussein Ashihari on May26.2015(30–year–old). He is the director of Al–Aqsa Association in the town of Khamer of Amran governorate. His brother. Ali Ashihari (43–year–old), said in an interview with Mwatana Organization:» Ever since he has been detained we have been looking for him throughout all police stations. We found his identity card in the Criminal Investigation in Sana'a. yet as we wanted to visit him they rejected and said that he wasn't held there. After much efforts and appeals they let us to visit him».

Ali went on saying:»On May 26.2015 my brother was in his own work (stationary shop) when a military pickup car arrived boarding Houthis gunmen in ordinary dress. They said that they had an arrest order by security official to arrest my brother Hussein. He didn't resist rather went with them soon and disappeared for one month and a half without even one phone call».

Ali continued to say: «Some officials in the Criminal Investigation informed the family to seek for tribal mediations in order to set their relative free. The State authority has been undermined under their control (in a reference to Al–Houthis). We couldn't perform any legal procedures because official practices are rebuffed. Everything is done through communication with Al–Houthis. When demand discharging him they told us once that he was accused of recruiting young men for Marib battle. once he received funds from Al–Aqsa Association. the whole story is suchlike common talking».

After the forcibly disappeared period family managed to get a weekly visit permission (every Thursday) to see Hussein who is locked up in the Criminal Investigation prison. His brother Ali said:» The visit duration didn't exceed five minutes in presence of guards watch closely the conversation». He went on to say:» The family can't know whether he was subjected to torture or not because of the guards' presence. We can't speak (during the visit) about how do they deal with him.

<sup>45</sup> Interview with Hameed Saleh Ibrahim, dated November 18,2015, updated April 25,2016.

His psychological mode is bad throughout the detention period. Some of the released detainees, who were held in the same detention, said that if Hussein was subjected to the same torture they suffered, he would have admitted doing things even if he never did». «we were concerned about submitting complaints to the interested human rights organizations like your organization, but we also were frightened that he might be forcibly disappeared as it happened in his first detention<sup>46</sup>».

### **Sami Hajri, 30-year-old, seaport worker (Hodeida)**

Earlier in May 2015, gunmen of Ansar Allah (Al-Houthis) arrested Sami Hajri (30-year-old) in the city of Hodeida, under pretext that his brother is a leading figure of Hodeida resistance group that is active in individually anti-Ansar Allah Group military operations. Manal Ghalib (23-year-old), Sami's wife in interview with Mwatana said: «A handful of Al-Houthis gunmen in ordinary uniform broke-in their house and searched it prior to interrogating Sami for four hours then released him.

Several days later (May 5, 2016) Sami was detained once again in the Hodeida seaport, he was held in the jail of Police Officers Club in Hodeida. According to his wife Manal, Sami's charge is that he is a brother of the so-called (Tihami Movement). Manal told Mwatana that they had had a release order for Sami by the prosecution and the governor of the governorate. They also secured guarantees demanded by Al-Houthis, however, they are delaying his discharge. They told us that he isn't charged with any accusation. «He is just a guest, simply we want his brother', they said. We are as his (family) neither do know where his brother is, nor communicate with him».

He was transferred to Al-Thawrah custody in Sana'a. Last time his family contacted him by the end of 2015. Mwatana couldn't contact his family to update information about the detainee.

His wife added: "I used to provide him with food and clothes from behind the jail's iron bars, when he was detained in Hodeida his brother used to perceive torture effects on his body, whenever we visited him obviously he seemed to be weary."<sup>47</sup>

### **Abdulmalik Salim Al-Hatami, 45-year-old, Mosque Orator (Hodeida)**

Saturday dawn, April 4, 2015 a group of gunmen associated to Ansar Allah (Al-Houthis) stormed the mosque where Abdulmalik Al-Hatami works as an orator and arrested him.

<sup>46</sup> Interview with ail Ashihari dated November 18, 2015, updated April 25, 2016.

<sup>47</sup> An interview with Manal Ghalib dated January 7, 2016, updated April 25, 2016.

His wife, Zynab Al– Hatami (39–year–old) said in an interview with Mwatana Organization:” My husband disappeared in the beginning for two days, afterward we knew that he was held in the Political Security branch in Hodeida. At that time, we were not allowed to visit him, however we kept on attempting until we manage to get permission to visit him Thursday of that week. He was sick suffering from diabetic and heart problems.

Zynab says that Al–Houthis wanted to hospitalize him in one of their own hospitals but Abdulmalik refused, so they had to bring a doctor (physician) from Al–Aqsa hospital. The doctor checked him and informed them that he must be admitted into Intensive Unit Care (IUC), as diabetic seriously went up that heart badly affected. We moved him into hospital and he was admitted to IUC and remained for 15 days, then they came and took him forcefully from the IUC though he was still sick”.

Zynab continued to say:” He was held for two months in the Political Security in Hodeida. After that in the last ten days of Ramadhan—corresponding early July 2015—they transferred him to the Political Security in Sana’a. Now, we can’t visit him in Sana’a, we are in hardship. No charge made against him. My kids cry over their father. In every Eid we weep together. My little boy Anas (4–year–old) keeps on praying throughout night for his discharge, whenever he sees someone, he beseeches: please! Helps dad to come back<sup>48</sup>”.

### **(Adel Hujer,43-year-old, Math’s Teacher(Hodeida))**

On December 21, 2014 Ansar Allah Group (Al–Houthis) arrested Adel Hujer (43–year–old). He is a mathematics teacher. He has got two children ( boy and girl). In her testimony to Mwatana Organization, his wife Arwa Abdelghani Qasim (42–year–old) she said that Al–Houthis captured Adel on December 20, 2014 in the city of Hodeida. Then he was transferred to the governorate of Sa’ada, the Group’s stronghold. After Adel had been imprisoned in Sa’ada for unknown period, he was moved to Sana’a. Now he is held in the Political Security prison.

According to her testimony, it is within her capacity to visit her husband, however, she says this is unfeasible, nevertheless fares of transport from Hodeida to Sana’a are unaffordable, there is another problem.» I’m a lone woman, I can’t travel between Sana’a and Hodeida without a companion».

Arwa who has undertaken the responsibility for her two kids’ subsistence, said that she received information about her husband from one of her relatives in Sana’a, a woman used to visit Adel every two weeks and briefed Arwa on his situation. Sometimes he phoned his family. « Al–Houthis demand guarantees in order to release my husband, but I couldn’t

48 interview with Zynab Al-Hatami, dated January 7, 2016, updated April, 2016

provide the guarantees they request<sup>49</sup>. Arwa added.

### **Nabil Dahaq, 38-year-old, Taxi Driver (Sana'a)**

Ansar Allah Group arrested Nabil Dahqan (38-year-old) on March 23, 2015. They captured him in his friend's house in the quarter of Arrawdha in Sana'a.

Horiah Yahyah Alwan (95-year-old), Nabil's mother said in Interview with Mwatana: "once the two mosques of Bader and Al-Hashhoosh were subjected to the suicide terrorist bombing, my son was on his way to his friend Sadam Al-Gharbi (40-year-old) in the quarter of Arrawdh in the capital Sana'a. After they had had their lunch together, they were surprised by a number of Huothis gunmen knocking the door".

Horiah went on to say "Al-Houthis had captured Al-Gharbi along with my son without charge. First my son's friend went with them only, then one of the gunmen said there was still the (taxi-driver), that was my son. They tried to capture him forcefully but he told them I'm coming willingly. Then they held them in Arrawdha prison for eight days and held the car under reserve".

Nabil's mother asserted that her son was relocated in three jails. First she used to visit him in Arrawdha prison almost every day. Then he was moved to the Criminal Investigation prison and remained six months there. After that he was transferred to the custody detention nearby Al-Thawrah Hospital in Sana'a.

According to his mother's testimony, no charge raised against Nabil. "They didn't accuse him of any charge, they (Al-Houthis) frequently said that they held him under reserve. My son is married and has got three children. He is amiable, doesn't participate in demonstrations or anything of political activities. I have not got another son, only him. He is our bread earner through his tax he secures our livelihood... Now we are in hardship".

Horiah, Nabil's mother said: "When he was detained in the Criminal Investigation, Al-Houthis concealed him for six months... we couldn't see him. They used to tell us: he isn't here... He is still a detainee until now."

49 Interview with Arwa Abdelghani Qasim, dated January 7, 2016, updated April, 2016.

50 Interview with Horiah Yahya Alwan dated March 8, 2016, updated April 19, 2016.

## ■ Arbitrary Detentions

Mwatana Organization registered 10 cases of arbitrary detention against journalists by Ansar Allah Group (AL–Houthis). Nine of them were arrested in the dawn of July 9, 2015 while they were in the hotel of (Qaser Al–Ahlam), located in the Sixty Street, north the capital Sana’a. The tenth journalist, Salah Al–Qa’idi (29–year–old) was captured on August 28, 2015. In addition to Waheed Assofi, a journalist was detained on April 6, 2016, and he is still forcibly disappeared until the moment of drafting this report. The nine journalists are: Abdulkhaliq Amran (30–year–old), Hisham Tarmoom (25–year–old), Tawfiq Al–Mansouri (29–year–old), Harith Hameed (23–year–old), Hassan A’nab (33–year–old), Aqram Al–Waleedi (25–year–old), Haitham Ashahab (24–year–old), Hisham Al–Yousefi (23–year–old), Esam Abo Al–Ghaith (25–year–old).

Some relatives managed to visit the journalists in the early days of their detention. Then they were denied visit and their families were not allowed to contact them or to know places where they were held. On November 27, 2016 Mwatana Organization managed to know the place they were held in (Al–Thawrah custody) and visited one of them and that was Hisham Tarmoom, then Mwatana helped their relatives to visit them on December 3, 2015.

Legal procedures were not followed with journalists and no formal charges made against them. They were also subjected to maltreatment and denied of sun for several months. On January 20, 2016, in accordance with petitions Mwatana Organization transmitted to the concerned authorities, we could obtain discharging orders to ten journalists, besides five detainees more. The release orders issued by the legal commission established by Ansar Allah Group. Yet practically none of the ten journalists has already been released until now. Instead of implementing the release orders Mwatana learned that some of the journalists on January 31, 2016 were subjected to sever beating and denied health care. Those journalists are Tawfiq Al–Mansouri, Abdulkhaliq Amran, Aqram Al–Waleedi, and Haitham Ashahab.

Mwatana met with eyewitnesses, relatives of a number of the abducted persons and heard their own accounts about their friends and relatives, of course that was before these relatives could visit their detainees in onset of December:

Talal Ashabbeebi (33–year–old) is Salah Al–Qa’edi’s colleague. They were arrested together on the same day, he told Mwatana: “I was arrested along with my colleague Salah Al–Qa’edi who works as news editor for Sohail satellite TV channel on August 28, 2015 at nearly four o’clock afternoon—while we were working inside real estate’s office in the western Sixty Street in Sana’a—military pickup car belongs to Al–Houthis came to the office and gunmen entered asking about us. After that they took the computers

machines and mobile telephones and captured me and Salah as well as four persons more, the owners of the Real estate office.

Talal added.” We were detained together in Al–Jodairi police station, Azira’a Street. We were interrogated the next day while our eyes covered. We were charged with being supporters of the resistance and running the resistance media, they accused us of identifying targets for the air strikes carried out by Saudi–led Arab coalition and work with the resistance. They labeled us as “Dwa’ish), these are the charges that Al–Houthis always use against journalists and persons with different opinion.

He added.” Following investigation the four persons of the real estate office were released, meanwhile Salah and me held together in the detention for seven days, later I was released after they asked me guarantees and money, but Al–Qa’edis has continued to detained up to date.

Abdulrahman (50–year–old) is father of Hiaitham Ashihab— a journalist works in Al–Ahali private–owned weekly newspaper—he told Mwatana.” I was informed about my son detention next day afternoon. We learned that he was held with his colleague Hisham Al–Yousefi in Al–Hasabah police station. We went to the police station and met him briefly. I asked about the reasons for his detention, they replied that he was held in reserved under Ansar Allah capacity. They also told me that they would interrogate him and consider his position”.

In his telephone conversation with Mwatana, Abdulrahman added.” Later on, I returned to the police station but I didn’t find him there. It was said that he was moved to the Political Security, afterward we learned that he was held in the Criminal Investigation prison, we were informed that he was specifically in the counter–terrorism unit. I continued to follow up his case for twenty days, it was useless “.

Hassan A’nab, graphic designer, in Al–Massader daily newspaper, his father said in his statement to Mwatana Organization.” We barely knew that they were detained the next day at nearly eleven o’clock middy. I went to Al–Hasabah police station to see Hassan but an officer told me you can’t see him until his interrogation finished... As I insisted that I need to see him, the very officer said Hassan was moved to another place and he was alright... ever since we no longer knew where they are held”.

Mwatana Organization also talked with Hanan Al–Waleedi (31–year–old), Akram Al–Waleedi’s sister, she said.” We live in Taiz and my brother works in Sana’a, for (Sana’a Corporation), seeing that the corporation headquarters was raided by Al–Houthis in 2015, Aqram and his colleagues rented place in the hotel of Qaser Al–Ahlam. The hotel was stormed by Al–Houthis who arrested Aqram and his colleagues. First they were held in Al–Hasabah police station for two weeks. Then they were relocated to the Criminal Investigation. When we looked for Aqram there they initially said he wasn’t here... then they set out the twenty–seventh of Ramadhan as a date to visit him, however, when I went to visit him, he was relocated to unknown place”.

His family communicated with a lawyer to help. The lawyer informed the family that

Aqram was moved to Al-Thawrah custody, according to Hanan. She said: "We went there more than once... We weren't even allowed to provide him with food. On Saturday August 30, I went to visit him and waited at the gate for four hours... then we were allowed to visit him for roughly five minutes... They kept on watching us closely so we couldn't ask him if he was subjected to torture. We were allowed to provide him with food and clothes." Hanan added: "We hardly could spot his detention place, yet once we find him, they relocated him to another place... we keep on moving around in the circle. We asked about his charge. One of them replied: he is (Da'ishi). He was interrogated in the Criminal Investigation and nothing came out of the investigation's findings. My mother has been badly affected by his detention and absence. His wedding party was scheduled to be held after Aid Alfiter ... Now we don't know what may happen about his wedding. It seems that it will be delayed too much<sup>51</sup>."

## ■ Forcibly Disappearance Incidents

Most arbitrary detention cases observed by Mwatana Organization coincided with forcibly disappearance. As Ansar Allah Group often used to conceal the detained persons for varied periods. Therefore, the detainees' families have to undertake an extremely excruciating search journey to know where they are being held. A number of the victims are still forcibly disappeared until the moment of drafting this report. Among of these victims are: Mohammed Qahtan, a prominent leading figure of Al-Islah Party, (Ameen Ashafaq and A'nter Al-Mobarizi) the two activists who contributed to toward organizing Water Relief Campaign March from Ibb to Taiz that aimed to help breaking the siege imposed on the city of Taiz, besides the journalist (Waheed Assofi) and the blogger doctor (Abdul-Qadir Al-Jonaid), as well as two persons of the Jewish minority community in Yemen<sup>52</sup>, and others. All efforts made by the families and relatives have failed to uncover their destinies. Mwatana Organization verified 26 cases<sup>53</sup> that have continued to be forcibly disappeared, among of them one journalist. This report sheds light on a number of these cases as follow:

### **Esqander Ghalib Abdoh Hizam Al-Amiri, 24-year-old, Pharmacist (Taiz).**

Esqander Al-Amiri was arrested by gunmen associated to Ansar Allah Group. They captured him on Thursday midday January 14, 2016, in the old airport area of Taiz governorate. His father, Ghalib Abdoh Hizam Al-Amiri (55-year-old) told Mwatana,

51 More interviews about journalists arbitrary detentions are available in the statement by Mwatana titled: [Al-Houthi Authority: Dark Era in the Yemeni Press History.](#)<sup>51</sup>

52 The names and dates of detention are enclosed with annexed list.

53 Attached is a list of their names and their basic detention data.

On January 14, 2016, gunmen of Al–Houthis Group stormed my house, located in the old airport street—nearby Ba Zara’a Trade Company— north Taiz city. They were four gunmen in ordinary dress, armed with (Kalashnikovs) labeled with Al–Houthis slogans (posters stuck to the rifles). They introduced themselves as affiliates to Al–Houthi Group. They searched the entire house and messed its stuffs, however they didn’t detect anything may convict my son. They arrested Esqander and took two hundred thousand Yemeni Rials. First he was locked–up in Al–Hayat school, then they moved him to Al–Mithaq school. We couldn’t get reasonable reasons for his detention..I asked one of Al–Houthis leaders about the reasons for my son detention and he replied that Eskander was identifying coordinates“ of the military sites and troops. I asked him to prove this charge, he illustrated personal images my son took for himself in front of our house (selfie) did not contain anything may convict him. I told that leader you have checked my son mobile and you didn’t get anything of what you were suspecting ...Please, release him. He said that he would discharge him, but he didn’t, rather he prevented us from visiting him and informed us that he was transferred to Sana’a... and did not get any information about the place he is held in. My son «Esqander», operates in charity business of Al–Islah Association. He distributes charities and donations to the poor people. He is charity activist not political activist,<sup>55</sup>

### **Ameen Ashafaq (47-year-old) Doctoral Student, One of Water March Activity Organizers(Ibb)**

On October12,2015, a number of activists and journalists were preparing to launch a March named (Water March) from the city of Ibb to the city of Taiz as an endeavor to break blockade that has been imposed on the city of Taiz by Al–Houthis Group. In the evening of that day gunmen affiliated to the Group broke–in the room in the Ibb Garden Hotel, where the activists and journalists were planning the March and arrested 29 persons of the organizers. Later on, in separated times the Water March detainees were discharged. However, two of them remained under arbitrary detention up to the moment of drafting this report, they are: Ameen Ashafaq (47–year–old) and Anter Al–Mobarizi (37–yar–old).

Mohammed Ameen Ashafaq (27–year–old) son of the detained Ameen Ashafaq told Mwatana,» Al–Houthi Group captured my father Ameen Moslih Ashafaq with a group of his colleagues who planned Water March that intended to show solidarity with the city of Taiz, which was besieged by Al–Houthi Group and ex–president Saleh. They arrested them in Ibb Garden hotel so my father remained for one month in the Political Security in

54 The word of coordinates repeated in more than one place in the report and it refers to Anasar Allah Group’s accusation of their opponents of identifying dimensional coordinates about Al–Houthis presence and troops and transmitting that to Arab coalition so as to be bombed by the coalition warplanes to context.

55 An interview with Ghalib Abdo Hizam Al–Amiri dated February 1, 2016, updated April 18, 2016.

Ibb. At that time my mother and sisters visited him for roughly 15 minutes in the presence of an investigator and a member of Al–Houthi Group that didn't give the family a chance to meet him privately».

One month later, Ashafaq was relocated to unknown place. His son Mohammed said that he received a telephone call from his brother in which he reassured him that he was alright and he is held by Al–Houthi Group, but he didn't reveal the place he was held in. Mohammed said that he thought that his father was unaware where he was detained. According to the son testimony, the family—except for his mother's and sisters' meeting with his father during his detention in Ibb and under close watching—did not see Ameen Ashafaq since he was arrested (until his statement to Mwatana), they don't know where he is held or how his situation is now<sup>56</sup>»

### **Mohammed Abdullah Athaifani (30-year-old Sana'a)**

According to Abdullah Athaifani (60–year–old), well–known academic, father of Mohammed, on Saturday midday November 14, 2015, Mohammed Abdullah Athaifani (30–year–old) was waiting in long queue for his turn to get some liters of gasoline from Ftuh Allah Petrol Station, located in the Thirtieth Street of the capital Sana'a. At that moment a handful of gunmen introduced themselves of Ansar Allah captured him and drove with him to unknown destination.

According to Athaifani (the father) Ansar Allah earlier looted his car from Taiz and it is the same car they used later to arrest his son» It is the very car that Ansar Allah looted from me in Taiz».

Athaifani went to say,»I asked some persons to intercede and communicate with Ansar Allah. Initially, the mediators received good promises about my son, but later they changed their words, they said he wasn't held under their authority and they are not responsible for him... Though the petrol station where my son was captured was under Ansar Allah supervision and my son was arrested with their assent».

Athaifani added,»Mohammed's mobile is still open, the latest information we could obtain through some persons was that he is held in a building in the Sixty Street, sometimes I received news that he is held in the Criminal Investigation prison in the capital Sana'a, and sometimes also I received information that he is in the prison of the Criminal Investigation in Taiz governorate<sup>57</sup>».

56 Interview with Mohamed Ameen Ashafaq, dated December 14, 2015, updated April 18, 2016.

57 Interview with Abdullah Athaifani, dated November 18, 2015, updated September 25, 2016.

### **Waheed Assofi,40-year-old, Journalist(Sana'a)**

On April 6,2015 Ansar Allah Group captured Waheed Assofi (40-year-old), the editor-in-chief of Al-Arabia newspaper, and director of the newspaper website. On the day he was arrested Assofi was reported to be seen in the area of Fuj Attan toward Haddah, with a camera he uses in his journalistic work. An eyewitness reported to Mwatana that he had seen on that day at nearly:7:00. p.m. two of Al-Houthis gunmen were moving Assofi out from Atahrir Post Office in the capital Sana'a into a white Toyota car (Land Crouser) without plate-number. The car departed the place and nobody knew where its destination.

According to Assofi's family's account, they tried to communicate with the police stations, general prosecution, hospitals, Criminal Investigation, Political Security Organization and National Security Organization, however they couldn't find him<sup>58</sup>.

### **Mohammed Qahtan,56-year-old, Leading Figure of Al-Islah Party (Sana'a)**

In midday, Saturday April 4,2016 three cars boarding a group Al-Houthis gunmen besieged the house of Mohammed Qahtan, a senior leader in the Yemeni Congregation for Reform (Al-Islah Party). Then they snatched him out of his family members... A week later of his detention, he totally disappeared without knowing whether he is alright or not.

His son, Abdulrahman (30-year-old) told Mwatana, «Three civil cars boarding gunmen and soldiers came to our house in Annahdha zone at nearly half past one afternoon on Saturday April 4,2015. They threatened the house's guards that they would bombing the gate, if they didn't open the door to take my father. At that time my father was under house-arrest for more than a week by Al-Houthis Group. My father showed up and told them let's have lunch, then we go, they said: no, we want you now, we have orders to take you soon.»

Afterward Qahtan's family dispatched mediators and communicated with leaders of Al-Houthis Group. As a result, the family was allowed to visit him for once on April 7, 2015. He was then locked-up in the house of Hameed Al-Ahmer, the leading figure of Al-Islah Party. His house was occupied by Al-Houthis Group that turned it into a detention.

Abdulrahman added: «During the following days we brought the food four times for my father, they returned two days' food after it had rotten and said your father wasn't here, ever since we know nothing about him, nor the place he was relocated to, and no charges made against him<sup>59</sup> «

<sup>58</sup> Interview with eyewitness refused to reveal his name, dated June 9,2015, updated April 25,2016

<sup>59</sup> Interview with Abdulrahman Mohammed Qahtan, dated April 4,2015, updated April 4,2016.

**Abdul-Qadir Mohammed Al-Jonaid,66-year-old,Internist**

Dr Abdul-Qadir Al-Jonaid (66-year-old) was captured in his house in the city of Taiz on Wednesday August .2015. His son Mohammed Abdul-Qadir Al-Jonaid (29-year-old) told Mwatana:” Around three o’clock afternoon a handful of Al-Houthis raided our house. situated in the area of Salah in the city of Taiz. They captured him and moved him into unknown place. Then they searched the house and took traditional weapons inherited from grandfathers and three mobiles owned by my mother. my father’s mobile and two hundred thousand Yemeni Rials”.

Mohammed added:” After that we learned that my father was no longer in Taiz. he was transferred to another place. he was allowed to contact us by telephone for few minutes and he seemed to be closely watched then”.

Mohammed asserts that his father hasn’t been accused of any charge. and they (family) communicated with security authorities in Al-Houthis Group in order to be allowed to provide their father with heavy clothes for winter but there was no use.” My father suffers from backbone and neck pains. but they didn’t give them anything we asked for. since he was detained we have been trying to visit him but we are denied <sup>60</sup>

**Nashwan Ahmed Mohammed Al-Qobati,35-year-old, University graduate (Sana’a)**

Nashawn’s friend (35-year-old) who spoke to Mwatana on anonymity condition said that on April 23,2015 at 1.00 a.m after midnight. Nashwan’s house—in political zone in capital Sana’a net to (Abo Baqer) mosque—was stormed by a group of gunmen some in ordinary dress and others in military uniform boarded ten military pick up cars. They captured Nashwan and he remained forcibly disappeared for one month. we couldn’t know where he was locked—up though we looked for him everywhere.

Then we found him in the Criminal Investigation where he stayed for five months. After that he was relocated to Al-Thawrah custody where he has been held until this moment. Visit is possible. we visit him every week. we bring him food and clothes. we also

60 An interview with Mohammed Abdulkadir Al-Junaid dated March 12, 2016, updated April 20, 2016.

put some money within food lest they take it... Is this information necessary and doesn't cause the detainee trouble? When we asked him about whether he was subjected to torture or not. He replied that he was not subjected to any torture. we could not make sure of this. but psychological torment is the worst torture and malnourishment he underwent can be felt clearly.

According to Nashwan friend's statement. there was discharging order for Nashwan was issued two days prior to Aid Al-Adha. after a decision by authorized committee associate to Al-Houthis, but they refused to carry out the release order. without clear reasons. only there were futile and groundless excuses. He was not formally charged with any accusation. Nashwan has long been our neighbor. we grew up together in the quarter. he is married and has got two little girls.

Mwatana Organization communicated with Nashwan's friend on April 27, 2016 he said that he went to visit him as usual three weeks ago but he was told Nshawn wasn't there and he couldn't know where he is until that day."

**Abdul-Samad Abdul-Salam Al-Hodabi, 24-year-old, Teacher and Abdullah Abdul-Salam Al-Hodabi, 27-year-old, Teacher(Dhamar)**

On March 21, 2015 gunmen of Ansar Allah Group captured two brothers inside their house at nearly five o'clock in the dawn. in Dhamar governorate. central of Yemen. The gunmen stormed the house. horrified family and arrested Adul-Samad and Abdullah AbAbdul-Salam Solaiman Dawood Al-Hodabi.

Father of the two young men. Abdul-Salam Al-Hodabi (55-year-old) said; « Around ten gunmen in military uniform raided my house. terrified my family and abducted two of sons: Abdullah and Abdul-Samad Al-Hodabi».

Al-Hodabi. a Univerity lecturer went saying.» They broke—in the home I live in along with family at 4:45: a.m. One of them put his gun on my back and another one pointed his gun at my wife's neck. mother of my children. They told me: Are you father of these two (Abdullah and Abdul-Samad). I said: Yes. Then. they captured them and took them to unknown destination. I looked for them throughout all official detentions and police stations. but they said there weren't here and disclaim to know where they are held.

Abdul-Salam continued to say: "I couldn't control myself or argue or inquire the soldiers upon incursion because of the shock and given that I have got diabetic. I felt my heart would explode. For months I have been along with my family desperately waiting for information about the destiny of Abdullah and Abdul-Samad"<sup>62</sup>.

61 Interview with a friend of the detainee, dated 23 April, 2015, updated April 27, 2016.

62 An interview with Abdualsalam Al-Hudabi dated June 1, 2015.

## ■ ■ Detainees Killed Because They Were Held in Places Exposed to Bombardment

The detainees under Ansar Allah Group's authority were subjected to different violations including detention in places exposed to bombardment by the Saudi-led Arab coalition forces. That actually put their lives at existential danger; they were already killed in places they were detained in. Mwatana Organization verified three cases in which detainees were killed because they were locked-up in places were exposed to shelling. The three unfortunate detainees are two journalists and one leading member of Al-Islah Party. They were killed together in one single incident on May 21, 2015.

### **Killing of Two Journalists: Abdullah Qabil, 25-year-old and Yousef Al-Aizari, 26-year-old, (Dhamar Governorat)**

The two journalists Abdullah Qabil (25-year-old) and Yousef Al-Aizari (26-year-old) were killed on May 21, 2016, in air strike carried out by the Saudi-led coalition warplanes. The aerial attack targeted the hotel building in which Al-Houthis Group held group of journalists.

The two journalists were captured in check point associate to Republican Guards Wednesday morning, May 20, 2015 in middle of Dhammar city (100km southern capital Sana'a). the unfortunate journalists were on their way back to Sana'a after they had covered anti-Houthis Group tribal rally organized in the area of Zrajah of Al-Hada district in Dhamar governorate. Qabil used to work as a reporter for Sohail TV channel, meanwhile Al-Aizari works a reporter for Yemen Shabab TV channel, the two local media outlets are famous for their critical attitudes toward Al-Houthis Group.

One of the bombardment survivors had been a travel companion of Qabil and Al-Aizari, he joined them closely from the moment they were captured until they passed way with other detainees that were held in the same place. Here he recounted that incident to Mwatana saying that he was attendant with Al-Aizari and Qabil at nine o'clock in the morning on Wednesday May 20, 2015 whilst they covered a public gathering.

He added that on their way back they were stopped in a military check point, nearby Dhamar University, controlled by troops loyal to Saleh and Al-Houthis<sup>63</sup> .

He went on to say:» We were forced degradingly to get out of the car, then they wrapped our eyes and moved us to underground rooms in a building in «Jabl Hran». We arrived there at approximately 12 o'clock midday. They closed the doors and we were locked –up. Half hour later, two persons entered and described us as detectives. And at four o'clock afternoon one of them entered with a notebook in his hand and put down our data (name, residence, work, codes of our mobiles). Afterward we didn't see anyone and we were not asked for investigation.

Next day (Thursday May 21,2015) afternoon we started to knock the doors and shout, yet there was no response. At half past four afternoon, we heard the jet fighters' sounds. I stood up along with Qabil and lifted Al–Aazari upon our shoulders so as to look out through the small window in the wall of the underground room. But he didn't see anybody over there. After the first strike had targeted neighboring building, we moved toward the door of the room we were locked– up in.. Few moments later one more air strike hit us. I found myself under debris. I was calling on my colleagues, but they didn't respond...I remained for more than an hour under debris, then I heard some persons' voices. I learned later that those were relief workers from the Red Crescent, they told me that the other guys had passed away in the attack.»

In his statement to Mwatana Organization, brother of Abdullah Qabil, presented a lengthier testimony in this report:

«I received a phone call by somebody who was together with Qabil and Al–Aizari in the same car but Al–Houthis let him go with two other guys—didn't arrest him—and said that he trailed Al–Houthis' military car which boarded Qabil and Al–Aizari and one more person until it arrived to Jabal Hran. On that day at approximately half past two after midday we tried to visit the detention place in the mountain of Hran, but we were not allowed to enter that area given that it is a military zone as Al–Houthis argued. Moreover, Al–Houthis denied that they held detainees in that region and emphatically sworn that Abdullah Qabil was in safe and secure place and wasn't detained in this place. At that time, rumors were increasingly spreading that the place may come under attack , perhaps because it used as weapons store according to rumors widely spread among population then. After that I searched along with Al–Aizari's relatives all police stations and official jails in the city of Dhamar, but we didn't find them.»

He continued to say:» The following day of the bombardment we went to Dhamar hospital to know about the victims, we found one of the survivors, he was in critical condition, he told us that he was detained together with my brother Abdullah Qabil and Yousef Al–Aizari in underground room in the mountain of Hran. Hence, I went along

63 Interview with a survivor dated May 31,2015, updated April 25,2016

with Al–Aizari’s family accompanied by the heavy machines to remove rubbles and get out the remaining corpses. But the Houthis who were in charge of the location prevented us from entering the site.

From the day aerial attack occurred (Friday) through Monday heavy equipments were not allowed to enter the site to remove the rubbles, only medical and rescue teams permitted. On Monday May 25,2015 , following contacts and mounting pressure on the Group leaderships and communication with the governor heavy equipments were allowed to enter the place and initiated to remove debris. After several hours I received a phone call at :5:30 p.m. informed me that they found out the corpse of my brother Abdullah and I should go to Dhamar hospital to identify the corpse. We verified the corpse after Maghrib prayers and collect it. On Tuesday May 26,2015. at :7:00: p.m. Yousef Al–Aizari’s corpse was indentified and on Wednesday May 27,2015. the two bodies were buried<sup>64</sup> “.

### **Ameen Naji Mohamed Arrajawi,52-year-old, Head of Political Directorate of Al-Islah Party in Ibb Governorat**

According to the testimony of Mo’ath Ameen Naj Arrajawi(28–year–old), son of the detainee, his father was intrigued by one of Al–Houthis Group’s leading members in the governorate of Ibb. As he called him to attend a meeting in the Security Unit of the governorate. Then he was arrested and later on moved from the prison of the Criminal Investigation in Ibb to a military barricade belong to the Group in the mountain of Hran in Dhamar governorate. where Arrajawi killed by aerial raid by the coalition warplanes. several detainees were also killed in the incident among of them journalists Mwatana heard their accounts within the report.

Mo’ath Arrajwi told Mwatana,» On Friday April 3,2015 at nearly (3:30:00 p.m.) afternoon, one of Al–Houthis leaders phoned my father and told him, we need your help to resolve a problem. My father used to cooperate with them in managing any troubles. The Houthi official asked my father to come to a meeting set to be held in the Security Unit of the governorate. After the Afternoon prayers, my father went and my brother Osama joined him as a driver.

Once they arrived to the Security Unit there were about five military pick up cars boarding security personnel and Houthis gunmen. My father telephoned Al–Houthi official and the later asked him to go to the Criminal Investigation because he was there. My father headed to Criminal Investigation and nearly five minutes later Al–Houthi official got out of the Criminal Investigation headquarters and told my brother Osama who was waiting for my father: your father is held here under our responsibility, so you need not to stay here, go back home. Osama returned home and informed us.

64 Interview with brother of Abdullah Qabil, dated May31,201, updated April 25,2016

We communicated with all officials and leaders in the governorate... and with mounting pressures upon the Group. Al-Houthi revealed that my father was held in the Political Security headquarter, then I visited him there twice only, after that he was forcibly disappeared and we were not allowed to visit him... until I was shocked by a telephone call informed me that my father's corpse is in Dhamar hospital, as he was one of the detainees who were killed by coalition warplanes air strike targeted a hotel in Hran mountain where they were held in, and that was on Thursday May 21, 2015. I didn't believe the news and decided to go to Dhamar the following day, as I arrived at the hospital I found that he was really killed there, we brought his corpse back to Ibb».

## ■ ■ Lists of Names and Primary Data

Cases of Arbitrary Detention that Mwatana Organization for Human Rights Verified During January 2015 Through May 2016					
No	Name	Age	Date of Detention/ Disappearance	Governorate of Detention	Place of Current Detention
1	Abdul-Hafez Ismail Joma'an	47	28/02/2016	Sana'a	Sana'a-Hiziaz (Zain Al-Abedeen Center)
2	Adel Ismail Al-Maswari	40	28/02/2016	Sana'a	Sana'a-Hiziaz (Zain Al-Abedeen Center)
3	Mrawn Mohammed Mohsin Mohammed Al-Ahdal	25	11/02/2016	Sana'a	Sana'a – Al-Jodairi Police Station
4	Abdulrahman Yahya Saleh Al-Hababi	24	01/12/2015	Sana'a	Sana'a-Habrah Custody
5	Abdullah Ghalib Abdoh Hizam Al-Amiri	22	28/11/2015	Sana'a	Sana'a – Al-Thawrah Custody
6	Mrawan Mohammed Abdullah Al-Jbri	21	25/11/2015	Sana'a	Sana'a – Central Prison
7	Sakher Ahmed Ahmed Meya	20	25/11/2015	Sana'a	Sana'a- Prison of Political Security
8	Ali Abdullah Hameed Al-Qaribi	27	23/11/2015	Sana'a	Sana'a – Al-Thawrah Custody
9	Nabil Rashid Ghalib Al-Hori	41	16/11/2015	Sana'a	Sana'a-Habrah Custody
10	Hilmi Ali Mohammed Al-Masajid	27	15/11/2015	Sana'a	Sana'a-Habrah Custody

12	Mohammed Abdoh Ahmed Al-Harazi	35	11/10/2015	Sana'a	Sana'a-Habrah Custody
13	Abdoh Mohammed Arrobi	31	3/11/2015	Sana'a	Sana'a-Habrah Custody
14	Atif Abdullah Mohammed Sa'aeed Al-Azaqi	26	14/10/2015	Sana'a	Sana'a-Harah Custody
15	Mojahid Ali Ali Hameed	38	21/10/2015	Hajjah	Sana'a-Habrah Custody
16	Hamzah Mohammed Salam Dali	23	12/10/2015	Sana'a	Sana'a Habrah Custody
17	Fahd Abdullah Salam	38	06/10/ 2015	Sana'a	Sana'a - Political Security
18	Nabil Mohammed Mohammed Assdawi	37	21/09/2015	Sana'a	Sana'a - Prison of Political Security
19	Ali Ahmed Thabit Al-Yaf'ie	23	28 /09/2015	Sana'a	Sana'a - Habrah Custody
20	Mansour Hasan Saleh Al-Adani	45	09/08/2015	Sana'a	Sana'a – Al-Thawrah Custody
21	Dawood Dawood Al-Waleedi	42	29/08/2015	Sana'a	Sana'a - Habrah Custody
22	Ahmed Qasim Hasan Al-Jabiri	38	26\08\2015	Sana'a	Sana'a - Hiziaz (Zain Al-Abdeen Center)
23	Sakher Ali Abdullah Al-Yaf'ie	19	18/08/2015	Sana'a	Sana'a - Habrah Custody
24	Ali Mohamed Ali Nijad	38	12/08/2015	Sana'a	Sana'a - Al-Thawrah Custody
25	Ahmed Ali Nijad	21	12/08/2015	Sana'a	Sana'a - Al-Thawrah Custody
26	Abdullah Ali Ahmed Al-Bahloli	50	11/07/2015	Sana'a	Sana'a - Al-Thawrah Custody
27	Naser Saleh Saleh Ibrahim	35	14/6/2015	Sana'a	Sana'a - Habrah Custody
28	Mohammed Mohammed Aqlan	35	/06/2015	Sana'a	Sana'a - Al-Thawrah Custody
29	Mohammed Saleh Al-Abrash	21	/06/2015	Sana'a	Sana'a - Al-Thawrah Custody
30	Hameed Mansour Al-Hajam	43	28/05/2015	Sana'a	Sana'a –Prison of Political Security
31	Hussein Ahmed Naser Ashahari	30	26/05/2015	Amran	Sana'a - Habrah Custody
32	Fahmi Qa'id Qasim Sailan	36	05/09/2015	Taiz	Sana'a - Al-Thawrah Custody

33	Sami Hajer	30	05/05/2015	Hodeida	Sana'a - Al-Thawrah Custody
34	Adel Maqarshap Qrabah	45	19/04/2015	Hodeida	Sana'a - Prison of Political Security
35	Fuad No'aman Al-Awadhi	40	04/09/2015	Sana'a	Sana'a - Prison of Political Security
36	Abdulmaliq Salim Naji Al-Hatami	45	04/04/2015	Hodeida	Sana'a - Prison of Political Security
37	Qasim Ali Awadh Al-Misbahi	47	04/04/2015	Hodeida	Sana'a Political Security
38	Abdulrahman Al-Mashra'i	38	04/04/2015	Hodeida	Sana'a - Political Security
39	Morshid Rashid	35	30/03/2015	Hodeida	Sana'a Political Security
40	Nabil Dahaq	38	23/03/2015	Sana'a	Sana'a - Habrah Custody
41	Gailan Ali Sa'ghir Al-Mahweati	42	03/04/2015	Hodeida	Sana'a - Political Security
42	Abdelghani Ali Yahya Al-Qohali	30	18/01/2015	Sana'a	Sana'a - Political Security
43	Adel Hajjer	43	21/12/2014	Hodeida	Sana'a - Political Security

### Detained Journalists

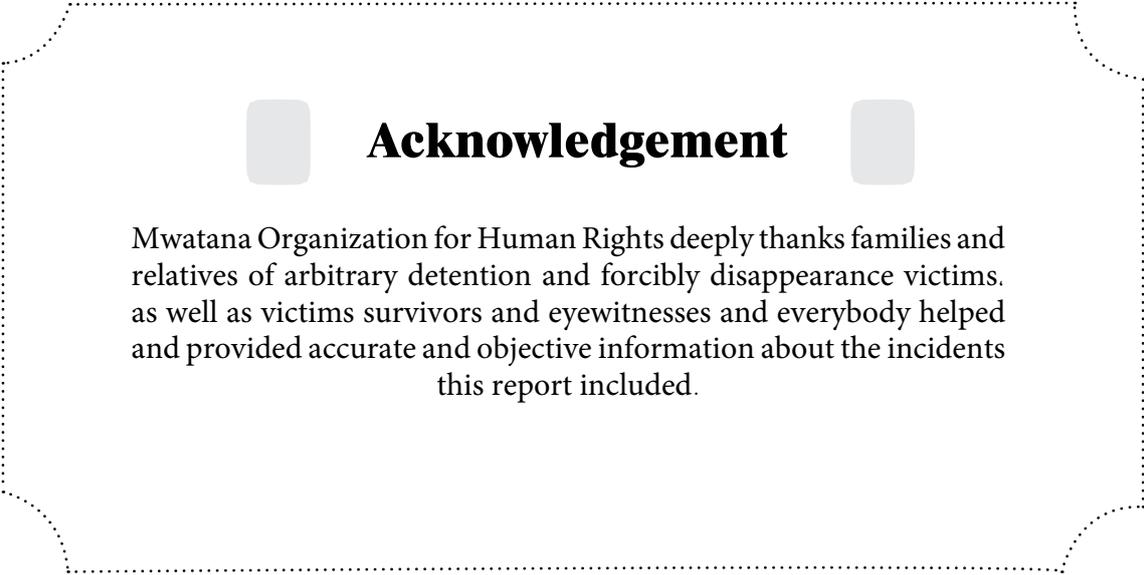
No	Name	Age	Date of Detention/ Disappearance	Governorate of Detention	Place of Current Detention
44	Abdul-Khaliq Amran	30	09/06/2015	Sana'a	Sana'a - Habrah Custody
45	Tawfiq Mohammed Al-Mansouri	29	09/06/2015	Sana'a	Sana'a - Habrah Custody
46	Hisham Mohammed Saleh Tarmoom	25	09/06/2015	Sana'a	Sana'a - Habrah Custody
47	Harith Hameed	23	09/06/2015	Sana'a	Sana'a - Habrah Custody
48	Hasan A'nab	33	09/06/2015	Sana'a	Sana'a - Habrah Custody
49	Aqram Saleh Al-Waleedi	25	09/06/2015	Sana'a	Sana'a - Habrah Custody
50	Haitham Abdulrahman Sa'aeed Ashahab	24	09/06/2015	Sana'a	Sana'a - Habrah Custody
51	Hisham Abdulmaliq Al-Yousefi	23	09/06/2015	Sana'a	Sana'a - Habrah Custody
52	Esam Ameen Ahmed Balghaith	25	09/06/2015	Sana'a	Sana'a - Habrah Custody
53	Salah Al-Qa'idi	29	28/08/2015	Sana'a	Sana'a - Habrah Custody

**Cases of Forcibly Disappearance that Mwatana Organization Verified during January 2015 through May 2016**

No	Name	Age	Date of Detention/ Disappearance	Governorate of Detention
1	Abdulmajeed Asharafi	35	28/2/2016	Sana'a
2	Abdoh Salim	40	28/02/2016	Sana'a
3	Mohammed Al-Jarmoozi	40	28/2/2016	Sana'a
4	Esqander Ghalib Abdoh Hizam Al-Amiri	24	14/01/2016	Taiz
5	Yaser Mohammed Qasim Al-Aqhali	39	02/01/2016	Sana'a
6	Mohammed Abdullah Athaiani	30	14/11/2015	Sana'a
7	Ameen Abdoh Mosleh Ashafaq	47	12/10/2015	Ibb
8	Antar Ali Mohammed Ahmed Al-Mobarizi	37	12/10/2015	Ibb
9	Abdul-Qadir Mohammed Al-Jonaid	66	05/08/2015	Taiz
10	Mohammed Jazim Isma'il Assilwi	24	01/07/2015	Sana'a
11	Hamid Muhmood Ahmed Monasar	35	16/06 /2015	Sana'a
12	Waheed Assofi (journalist)	40	04/06/2015	Sana'a
13	Fahd Ali Ahmed Al-Hadad	22	01/06/2015	Sana'a
14	Adeep Mohammed Ali Al-Qadhi	20	/05/2015	Sana'a
15	Nashwan Ahmed Mohammed Al-Qobati	35	23/04/2015	Sana'a
16	Mohammed Mohammed Qahtan	56	04/04/2015	Sana'a
17	Sadam Ali Mohammed Al-Ghrabi	35	23/03/2015	Sana'a
18	Abdullah Abdul-Salam Al-Hadabi	27	21/03/2015	Dhamar
19	Abdul-Samad Abdul-Salam Al-Hadabi	24	21/03/2015	Dhamar
20	Yahya Youf Mossa Salim(Jewish	45	06/04/2016	Sana'a
21	LibeeMossa Salim (Jewish)	23	10/03/2016	Sana'a
22	Ammar Ali Mqnoon Qata'ee	35	22/03/2016	Sana'a
23	Mrawn Abdul-Jalil Mhyoup Assilwi	35	22/03/2016	Sana'a
24	Sameer Sha'e	34	22/03/2016	Sana'a
25	Fawzi Ahmed Aobaid	27	07/09/2015	Sana'a
26	Solaiman Mohammed Salim	30	20/07/2015	Hodeida

**Cases of killed because they were held in places exposed to bombardment Mwatana verified during January 2015 through May 2016**

No	Name	Age	Date of Detention/ Disappearance	Governorate	Place ob Detention	Date of Death
1	Abdullah Qabil	25	20/05/2015	Dhamar	Dhamar - Hran Mountain - Ansar Allah used as a detention center	21/05/2015
2	Yousef Al-Aizari	26	20/05/2015	Dhamar	Dhamar - Hran Mountain - Ansar Allah used as a detention center	21/05/2015
3	Ameen Naji Mohammed Arrajawi	52	03/04/2015	Dhamar	Dhamar - Hran Mountain - Ansar Allah used as a detention center	21/5/2015



## **Acknowledgement**

Mwatana Organization for Human Rights deeply thanks families and relatives of arbitrary detention and forcibly disappearance victims, as well as victims survivors and eyewitnesses and everybody helped and provided accurate and objective information about the incidents this report included.



# They Are Not Here

Incidents of arbitrary detention and enforced disappearance under the defacto authority of Ansar Allah (Houthis) armed group in Yemen.

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Since it has taken over power in Yemen by the end of September 2014, Houthi armed group (Ansar Allah) carried out wide- scale campaign of arbitrary arrests and enforced disappearances against hundreds of civilians in the governorates under the group's control; most of these practices occurred through 2015.

Mwatana Organization for Human Rights documented testimonies of the victims' relatives who talked about bad conditions and maltreatment that their detained fellows have been subject to, some of them were subjected to torture, and three detainees were killed as they were locked up in places exposed to aerial bombardment. The arbitrary detainees included 11 journalists who remained forcibly disappeared for several months prior to revealing their detention locations, and a journalist who has been forcibly disappeared up to date of this report May 2016.

This report sheds lights on incidents of arbitrary arrest and enforced disappearance carried out by Houthi authorities and touched upon civilians in the governorates of Sana'a, Taiz, Hodeidah, Hajjah, Ibb, Dhamar and Amran, since the Group seized the power until May 2016.

Through the report of (“They Are Not Here”, Mwatana Organization for Human Rights carried out an investigation into 53 cases of arbitrary detentions including 10 journalists and into 26 cases of enforced disappearance through field research and conducting around 200 interviews with families of the victims and relatives, and the released victims and eyewitnesses.

Mwatana Organization for Human Rights.

Mwatana Organization for Human Rights is 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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