

Legacy of Gunpowder

Human Rights Situation in Yemen 2023

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June 2024



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Gas trailers belonging to citizens were burned due to armed clashes between government forces and armed tribes - Bin Ma'ili Station - Al-Wadi - Ma'rib - August 14, 2022.



Executive Summary

Yemen is entering its tenth year of protracted conflict, which has resulted in one of the worst humanitarian crises in the world. Yemeni civilians have faced various challenges and forms of suffering throughout this decade, with numerous atrocities and violations committed against them. Parties to the conflict in Yemen have acted in defiance of international humanitarian law and human rights law, showing blatant disregard for the principles governing armed conflicts by committing thousands of egregious violations.

This report, the seventh annual report issued by Mwatana for Human Rights, sheds light on the human rights situation in Yemen, highlighting the violations, events, and challenges witnessed in Yemen during the year 2023. The aim of this report is to expose the most prominent violations committed by various parties to the conflict, including the Ansar Allah (Houthi) group, the Southern Transitional Council with its various factions, the internationally recognized government forces, and the Saudi/UAE-led coalition forces, as well as the Joint Forces. This is crucial to understanding the extent and types of violations committed and presenting a clear picture of the suffering endured by Yemenis throughout years of armed conflict, particularly during the year 2023.

The findings of this report are based on interviews conducted by Mwatana's field team, comprising researchers, lawyers, and activists across various governorates. The field team conducted 2,641 interviews with primary sources, covering 1,418 violation incidents in different areas and governorates. Additionally, the report incorporates findings from field visits, hundreds of supporting documents, and regular updates on Yemen's situation throughout the year. Statistics and publications from international organizations and agencies concerned with the situation in Yemen have also been considered.

The report comprises an introduction, eight main chapters, and recommendations. The chapters are categorized by type, with each addressing a set of topics or violations sharing common characteristics. Chapter One covers five main themes: the origins and nature of the armed conflict in Yemen; the map of control by parties to the conflict and key events during 2023; the humanitarian situation; the classification of the conflict according to international law; and international engagement with the Yemeni file, including peace efforts.

Chapters Two through Eight highlight the most noticeable violations documented by Mwatana during the year. Chapter Two examines violations resulting in killing and maiming, including drone strikes, ground attacks, landmine explosions, detonation of explosive devices, use of live bullets, and military vehicle collisions. Chapter Three

addresses violations related to torture, arbitrary detention, enforced disappearance, and other forms of inhuman treatment and degrading punishment.

Chapter Four reviews violations against vital civilian objects and facilities, including attacks on educational institutions and healthcare facilities. Chapters Five to Eight address violations such as recruitment and use of children, denial of humanitarian access, sexual violence, and restrictions on civic space and freedoms.

The sub-sections of Chapters Two through Eight comprise introductions, legal frameworks for each pattern of violations, and sections devoted to reviewing examples and cases to illustrate each pattern.

The report details a total of 1,418 documented violations committed by various parties to the conflict in Yemen during 2023, resulting in the deaths of 190 civilians, including 107 children and 19 women, and injuring 405 civilians, including 208 children and 44 women. Additionally, approximately 789 civilians, including 239 children and 26 women, fell victim to other types of violations such as child recruitment, sexual violence, arbitrary detention, enforced disappearance, and torture. It is important to note that these figures represent only what Mwatana's team was able to document and do not encompass all violations committed.

In its annual briefing on the human rights situation in Yemen for 2023, Mwatana had published violation incidents documented by its team up to the end of November, excluding those documented in December. However, this report includes all incidents that occurred throughout 2023 as documented by the team. According to the report's findings, the Ansar Allah (Houthi) group bears responsibility for 828 violation incidents out of the total, while the Southern Transitional Council is responsible for 247 violation incidents. The internationally recognized government forces are accountable for 246 violation incidents, Saudi/UAE-led coalition forces, including Saudi Border Guards, are responsible for 47 violation incidents, and the Joint Forces are accountable for 17 violation incidents. Al-Qaeda in the Arabian Peninsula is responsible for 5 violation incidents, while non-state actors and unauthorized forces, including human trafficking and smuggling gangs, are responsible for 28 violation incidents.

The violations documented in Yemen during 2023

1418 Violations





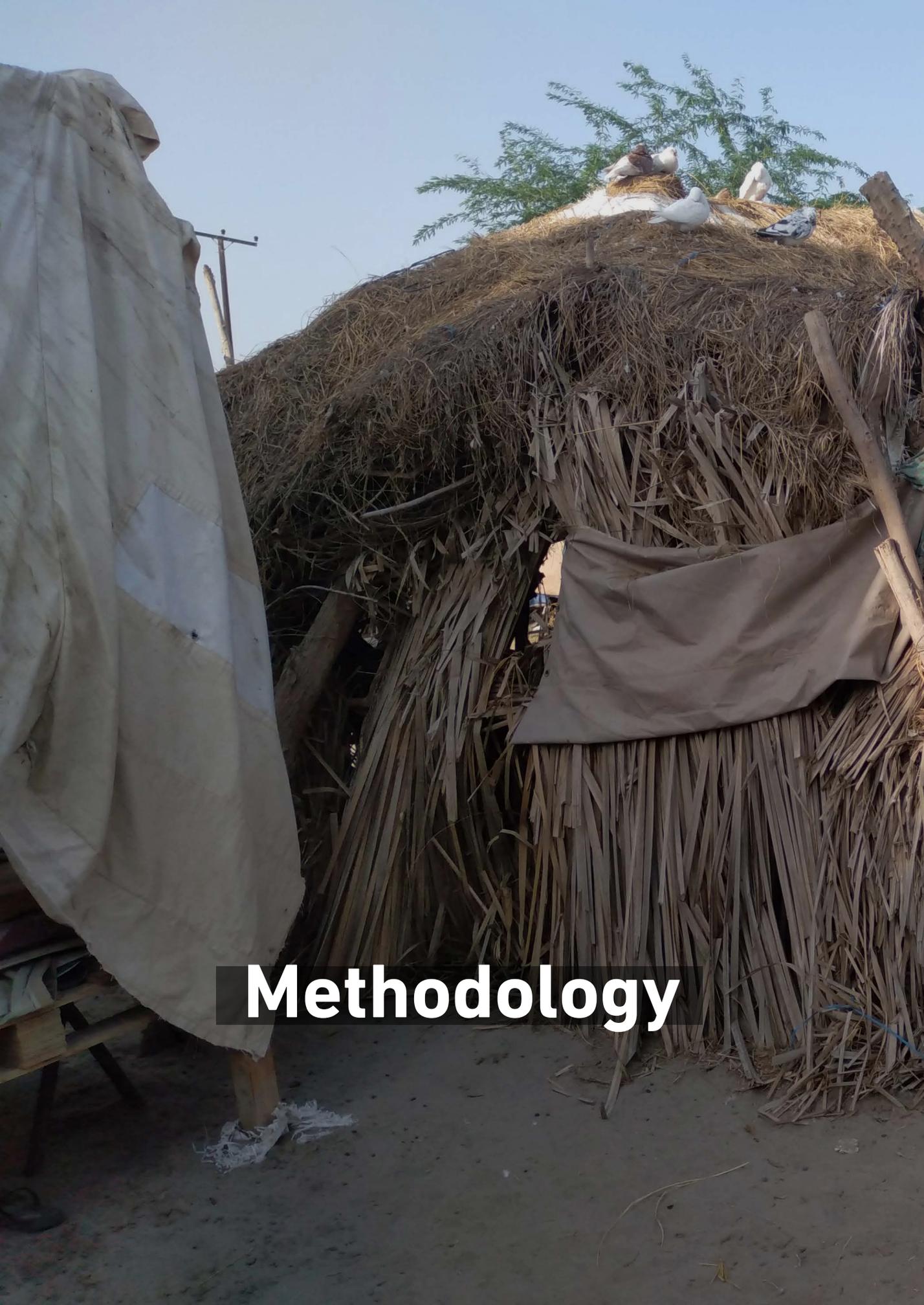
Introduction

In its seventh annual report, Mwatana reviews the human rights situation in Yemen for the year 2023 and aims to shed light on the most noticeable violations and significant events that Yemen has witnessed on various levels. It seeks to convey the plight of Yemeni civilians, the ongoing tragedy they endure, and the damages inflicted upon them throughout the year. This is in the context of the continued prevalence of impunity at the international level, the absence of mechanisms for investigation and accountability, and the lackluster approach towards the Yemeni crisis, neglecting the suffering of Yemeni civilians over a decade of conflict.

Since the outbreak of armed conflict in Yemen in September 2014, parties to the conflict have continuously committed various types of direct violations against Yemeni civilians. These include killing and maiming through various means such as ground and aerial attacks, live ammunition, landmines, explosive devices, and military vehicle collisions. Other violations include arbitrary detention, torture, enforced disappearance, extrajudicial killing, recruitment and use of children, attacks on vital infrastructure including schools and hospitals, and restrictions on humanitarian access. Various forms of sexual violence and assaults on public and personal freedoms, some of which amount to potential international crimes such as war crimes and crimes against humanity, have also been perpetrated.

In addition to direct violations, political parties engage in tactics aimed at starving civilians and restricting their primary means of livelihood. This occurs through the widespread imposition of levies under various pretexts and the planting of landmines and explosive devices in agricultural fields, pastures, firewood collection areas and water sources, as well as looting civilians, closing and blocking main roads, and imposing other types of restrictions.

The year 2023 proved to be another challenging chapter for Yemeni civilians, mirroring the hardships of previous years of conflict. Despite hopes for improvement, civilians still face a myriad of violations and various forms of harm, grappling with an array of difficulties and obstacles stemming from the ongoing transgressions and assaults perpetrated by warring parties. Although there was a slight reduction in large-scale military operations, such as airstrikes, other violations surged in frequency, including the use of landmines and explosive devices, drone attacks, assaults on educational and health facilities, the recruitment and exploitation of children, and other offenses. The overall level of violations and resulting casualties remained consistent with previous years, signaling the continuation of transgressions at the same intensity despite the reduction in significant military offensives. This highlights the emergence of new violation tactics alongside the persistent disregard for civilian well-being by the conflict parties, even when such actions lack any reasonable justification. Such behavior starkly contradicts the principles of international humanitarian law, which the parties to the conflict have continuously and deliberately flouted over the past decade.



Methodology

The findings of this report are rooted in interviews conducted by Mwatana's interdisciplinary field team, comprising researchers, lawyers, and activists across diverse governorates. Over the course of the year, the field team conducted 2,641 interviews with primary sources, including survivors, victims' families and friends, healthcare workers, rescuers, and eyewitnesses. Prior to conducting interviews, individuals were briefed on the purpose of the documentation, and their informed consent was obtained.

In addition to interviews, the report methodology included investigative field research and comprehensive inquiries conducted by the team throughout 2023. This entailed numerous field visits to various locations, including those deemed closed or high-risk. Moreover, Mwatana's central team conducted visits to multiple governorates throughout the year to corroborate information, conduct interviews with victims and their families, engage with eyewitnesses, observe sites of incidents and violations, and scrutinize hundreds of supporting documents. These supporting documents, including medical reports, identification documents, testimonies, photographs, videos, and others, underwent meticulous examination and verification at multiple levels to ensure their reliability and accuracy.

Throughout 2023, Mwatana's field team diligently compiled periodic, comprehensive reports and a series of blogs documenting events and developments in the human rights landscape. These encompassed updates to the map of military control, major violations, and an assessment of service levels across diverse governorates. These detailed findings were integral components of the larger report, offering nuanced perspectives on the evolving human rights situation throughout the year.

During the period from January 1st to 4th, 2024, Mwatana organized a comprehensive training workshop for the field team operating under its Research and Studies Unit, the members of which are spread across various governorates. Held at Mwatana's headquarters in the capital, Sana'a, the workshop served as a platform to delve into the human rights violations that occurred throughout the year, including those that emerged for the first time or evolved. The team meticulously examined the maps of control of the different conflict parties, assessed the level of services in different areas, and explored the myriad challenges and hardships endured by civilian populations. Additionally, the workshop provided an opportunity to address the obstacles faced by the team during documentation processes and field visits, thereby enhancing their capacity for effective reporting.

Mwatana maintains a robust field team comprised of researchers and lawyers operating across 20 governorates. This team receives comprehensive training aimed at honing their skills in verifying information and documenting ongoing human rights violations. The data they collect undergoes meticulous examination and scrutiny at multiple levels, using stringent verification techniques. Central researchers, lawyers, and officers from the Research and Studies Unit, Legal Support Unit, and other relevant departments and units all contribute to this comprehensive verification process. This approach guarantees the accuracy and reliability of the information gathered, reinforcing Mwatana's commitment to upholding human rights standards effectively.

In addition to the primary field sources, which serve as the cornerstone of this report, Mwatana also conducted extensive desk research into secondary sources, newsletters, and publications from organizations and international entities concerned with the human rights situation in Yemen throughout the year 2023.



A photograph of a makeshift shack. The shack has a wall made of white corrugated metal sheets. A clothesline is strung across the front of the shack, with several items of clothing hanging on it, including a blue and white patterned shirt, a white shirt, and a dark long-sleeved shirt. To the right of the shack, there is a tall, dense wall made of dried corn husks. The ground is dirt and covered with some debris, including a rolled-up white cloth and some sticks. In the background, there are some trees and a clear sky.

Chapter One:

Background

First: Origins and Stages of the Armed Conflict in Yemen

In 2011, Yemen witnessed a popular uprising, which coincided with the Arab Spring revolutions. The uprising fervently demanded economic and constitutional reforms while rejecting the continuation of hereditary rule. This uprising went through various phases, culminating in calls for the ousting of the regime headed by Ali Abdullah Saleh. This launched a period of upheaval characterized by widespread violence aimed at quelling dissent, with numerous armed clashes between tribal factions, forces loyal to the revolution, and other forces.

The climax of this phase came with the intervention of the Gulf Cooperation Council (GCC) through the Gulf Initiative, an extraordinary document superseding the constitution, which outlined the peaceful transfer of power to a consensual president, then-Vice President Abd Rabbuh Mansur Hadi. Hadi ascended to power following his endorsement and selection in non-competitive elections, where he stood as the sole candidate. This marked the commencement of the transitional phase, which saw the convening of the Comprehensive National Dialogue Conference, aimed at drafting a new constitution for the nation and restructuring the Yemeni armed forces.

During the dialogue conference, participating parties reached a preliminary consensus on substantive issues regarding the structure of the state and the form of governance. Furthermore, proposals were made to address longstanding issues such as the Saada conflict and the Southern Movement, which had persisted throughout Saleh's regime. However, the transitional phase also witnessed a surge in assassinations, political purges, bombings, and terrorist activities. Moreover, there were fluctuating confrontations between political factions. Numerous armed clashes occurred between members of the Ansar Allah (Houthi) group and government forces, as well as factions affiliated with the Yemeni Congregation for Reform (Islah) party, in areas including Saada, Amran, and others. Additionally, al-Qaeda in the Arabian Peninsula sought to exploit political instability and weakened security systems to control certain vital areas in Abyan and Al-Bayda governorates, leading to numerous clashes with government forces.

However, the current armed conflict in Yemen, now entering its tenth year, began on September 21, 2014, when the Ansar Allah (Houthi) group declared full control over the Yemeni capital, Sana'a. They detained then-President Abd Rabbuh Mansur Hadi under house arrest until he managed to escape to Aden, and from there to the Saudi capital, Riyadh.

What further complicated and introduced a new and different phase of the armed conflict in Yemen was Saudi Arabia's announcement, through its ambassador to the United States Adel al-Jubeir, of the formation of a coalition of over 10 countries led by Saudi Arabia and the UAE to participate in the military operation known as Operation Decisive Storm. The operation aimed to restore legitimacy in Yemen and eliminate rebel forces, particularly the threat posed by the Ansar Allah (Houthi) group to Yemen and the region, according to the statement announcing the operation issued on March 26, 2015.

Throughout the ten years of conflict in Yemen, the parties involved in the conflict have multiplied due to divisions among the main parties and the emergence of new factions. In May 2017, southern forces, led by the Southern Movement, the Southern Arabian League Party, and other political parties, announced the formation of the Southern Transitional Council (STC) under the leadership of Aidarus al-Zubaidi. The Southern Transitional Council is a political and military entity supported by the UAE calling for the independence of the southern Yemeni governorates that constituted the People's Democratic Republic of Yemen before the unification of Yemen in May 1990.

In January 2018, tensions escalated between the Southern Transitional Council and the internationally recognized government forces, which had represented one party since the outbreak of the armed conflict. Tensions peaked in late January 2018, with the Southern Transitional Council's forces taking control of the city of Aden and various government buildings, including the presidential palace, after a series of sporadic clashes. The coalition then intervened to calm the situation between the two parties, and the clashes ceased for a few months before resuming in 2019.

In 2019, the Southern Transitional Council's forces regained control of the presidential palace and key camps in the city of Aden. To resolve the dispute between the two parties, several talks were held with the mediation of member states of the Saudi/UAE-led coalition. These talks lasted for several months and resulted in the Riyadh Agreement between the two parties. Since then, the Southern Transitional Council and its armed formations, known as the Security Belt and Elite Forces, have held de-facto control of most of the southern regions, directly influencing government headquarters, government agencies, and local communities.

Meanwhile, in late 2017, tensions had intensified between former President Ali Abdullah Saleh, who maintained extensive control and influence even after stepping down as president, and the Ansar Allah (Houthi) group. This ended with the killing of Saleh on December 4, 2017, and the dissolution of what was then known as the alliance

of necessity between Saleh's forces and the Ansar Allah (Houthi) group. This alliance had been officially declared at the time of the commencement of the Saudi/UAE-led coalition military operation in Yemen in March 2015 and lasted until December 2017.

As a consequence of this dissolution, a new party to the conflict emerged: the UAE-backed Joint Forces, led by Tariq Saleh, the nephew of former president Saleh. The Joint Forces asserted control over multiple areas along the western coast. On April 7, 2022, Abd Rabbu Mansur Hadi, the president of the internationally recognized Yemeni government, delegated his authority to the Presidential Leadership Council, comprising eight members and presided over by Rashad al-Alimi. During the terms of Hadi and al-Alimi, several governments rotated in and out of power. Consequently, the main actors in the Yemeni armed conflict included the Saudi/UAE-led coalition forces, the Ansar Allah (Houthi) group, the Southern Transitional Council forces along with their various formations, the Joint Forces, and the internationally recognized government forces, comprising diverse formations led by the Yemeni Congregation for Reform (Islah) party.

During the ten years of armed conflict, the goals of the conflict parties, and those of the powers supporting them, diverged. The conflict became a struggle for control over strategic areas and resource-rich locations, reinforcing societal divisions. With the proliferation of conflict parties and the division of Yemeni territory among them, the suffering of Yemeni civilians worsened and the restrictions imposed on them increased and diversified. Each party acts as if it were a sovereign state, establishing its own regulations and laws and inventing restrictions that further its assertion of dominance and control. Each party now assesses its own capabilities and those of its adversaries based on the magnitude of restrictions imposed on civilians and the variety of methods used to inflict harm upon them. The suffering of Yemenis has not been limited to direct and severe violations, as the conflict has caused varying degrees of damage to all sectors and categories of Yemeni society.

Second: Map of Control and Key Events and Violations during 2023

Over the course of the ten years of conflict, the map of the parties' control over the geographical territory of the Yemeni Republic has remained in constant flux, dictated by military advancements or retreats by some or all of these parties, each striving to tighten control over the largest possible portion of the territory. Resource-rich and strategic

locations have represented aspirations and objectives for various parties, making these areas key sites of conflict during different periods. However, there were not many changes in the military map or control positions of the various conflict parties during the year 2023 compared to late 2022. The Ansar Allah (Houthi) group fully controls 8 out of the 22 governorates, namely Sana'a, Al-Amanah, Ibb, Amran, Dhamar, Saada, Raymah, and Al-Mahwit, in addition to large parts of Al-Jawf, Al-Bayda, Al-Hudaydah, Hajjah, and several districts in Taiz, Marib, and Al-Dhalea governorates. Meanwhile, the Southern Transitional Council, with its various formations, fully controls the governorates of Aden, Abyan, Shabwa, and large parts of Lahij, Al-Dhalea, as well as several areas in Al-Bayda governorate and Harib district of Marib governorate.

The internationally recognized government controls the governorates of Hadhramaut and Al-Mahra, as well as three districts in Marib governorate, namely Marib city, Al-Wadi, and Raghwan districts. These three districts are the most important and densely populated in the governorate. The internationally recognized government also controls the Maqaterah district and parts of the Tur Al-Baha district in Lahij governorate. Additionally, it controls extensive parts of Taiz governorate, including At-Turbah, Al-Shamayatin, Al-Mawasit, and Al-Sahil districts, as well as parts of Al-Qahirah, Salh, and Al-Muzaffar districts, and limited parts of the Al-Dhalea governorate. It also controls the districts of Hayran, Medi, and Bani Hassan Al-Gharbiya in Hajjah governorate, along with the areas bordering Saudi Arabia in Al-Jawf governorate, which constitute 3% of the total population of the governorate. These areas include the desert regions of Al-Rayyan and parts of Al-Khab wa Ash-Sha'af district, as well as a portion of Al-Hazm district. In addition, the internationally recognized government controls limited parts of Al-Bayda governorate.

The Joint Forces led by Tariq Saleh control parts of districts in Taiz governorate, including Al-Wazi'iyah, Mawza', and Al-Dhubab. Additionally, these forces control the districts of Al-Khawkhah, Hays, and Al-Jarrahi in Al-Hudaydah governorate, and receive direct support from the United Arab Emirates.

The control of the Saudi/UAE-led coalition forces is divided in some areas with the Southern Transitional Council and its different formations, the Joint Forces, and the internationally recognized government forces. The coalition forces are mainly concentrated in the governorates of Hadhramaut and Al-Mahra, as well as the districts of Biyhan and Ain in Shabwah governorate, and the districts of Qa'tabah and Murays in Al-Dhalea governorate. The actual presence of coalition forces, including Sudanese

forces, is limited to Al-Maashiq Palace (the Republican Palace) in Aden, in addition to some brigades and detention centers in the governorate. Emirati forces have full control over Socotra, which is Yemen's twenty-second governorate.

The coalition forces present in Yemen consist of Emirati, Saudi, and Sudanese forces. It is important to note that both the Joint Forces and the Southern Transitional Council, with its various formations, receive financial and logistical support, as well as most of their orders, from the UAE. Meanwhile, the internationally recognized government forces also receive financial and logistical support, as well as most of their orders, from Saudi Arabia.

Although Saudi Arabia and the UAE lead the coalition formed under the pretext of restoring legitimacy in Yemen, their relationship has been characterized by tensions and disagreements. Since the formation of the coalition and the start of its military operations in Yemen in March 2015, numerous conflicts have occurred between the two countries, who each aim to control centers of influence and sources of wealth in Yemen. Each of them supports its proxies among the conflicting parties in Yemen.

In addition to the main conflict parties in Yemen, Ansar al-Sharia and Al-Qaeda in the Arabian Peninsula (AQAP) still have a presence in limited areas, notably in Al-Bayda governorate. Clashes between the Ansar Allah (Houthi) group and AQAP occurred sporadically in the districts of Al-Sawadia and Maswarah in Al-Bayda governorate from January to August 2023. Similar clashes took place in the regions of Al-Sa'id, Hatab, and Murkhah Al-Ulya in Shabwah governorate. Throughout the year, several confrontations occurred between AQAP and Shabwah Defence Forces in Al-Sa'id area. Among other contact areas, these areas witnessed sporadic clashes with AQAP ranging from light to moderate intensity throughout the year.

Despite a notable decrease in military operations and clashes, particularly airstrikes by the Saudi/UAE-led coalition, since the UN-brokered ceasefire in April 2022 (which ended in October 2022 due to failure to reach an agreement on its renewal), many governorates witnessed sporadic clashes at various levels during the year. These clashes included battles in about 30% of Al-Bayda governorate, particularly in districts such as Al-Souma'ah, Na'ta, Al-Sawadia, Ni'man, Al-Bayda countryside, and Maswarah. One of the most intense confrontations occurred in August 2023 in Al-Zahir district, a southern district of Al-Bayda bordering Al-Had and Yafe'e districts in southern Lahj governorate. Intense clashes broke out throughout August 2023 between the Security Belt Forces associated with the Southern Transitional Council and the Ansar Allah

(Houthi) group in several villages of An-Nasifah and Al-Baraman. These clashes resulted in civilian casualties, partial or complete destruction of civilian homes, destruction of infrastructure such as water tanks and solar panels, and damage to civilian vehicles. Moreover, road closures and displacement of residents occurred as a consequence. These confrontations prompted the implementation of heightened security measures, increased military presence, and restrictions on fundamental freedoms, including freedom of movement, within these areas.

In a manner akin to Al-Bayda, Shabwah governorate experienced numerous sporadic clashes, notably: armed clashes between the Shabwah Defence Forces and the Giants Brigades aligned with the Southern Transitional Council on one front and the Ansar Allah (Houthi) group on the other during the first quarter of 2023 in parts of Ain Bayhan and Murkhah Al-Ulya, armed clashes between the Shabwah Defence Forces and the Giants Brigades affiliated with the Southern Transitional Council and the Ansar Allah (Houthi) group in Ain district, bordering Al-Bayda governorate in August 2023, and armed clashes between the Shabwah Defence Forces affiliated with the Southern Transitional Council and elements of AQAP in the Al-Masinah area of the Al-Sa'id district in September 2023. These clashes resulted in civilian casualties, significant material damage, military deployment, and further restrictions on freedom of movement and other freedoms in the governorate.

The governorate of Al-Hudaydah also witnessed numerous clashes throughout the year. Among these were intermittent clashes between the Ansar Allah (Houthi) group and the Giants Brigades, part of the Joint Forces, in July 2023 in the Al-Bughail area south of Al-Jarahi district and Al-Rwan area in Hays district. Additionally, there were conflict zones such as Shamir area in Maqbana district of Taiz governorate, Mount Dabbas, and Al-Hayma area in At-Tuhaita district of Al-Hudaydah governorate. The year saw a significant rise in the number of drone attacks by various parties, including the Ansar Allah (Houthi) group, the Southern Transitional Council, and the Joint Forces, in several areas, particularly in Al-Bayda, Al-Hudaydah, Taiz, Marib, and other regions. Notably, the Ansar Allah (Houthi) group introduced a new type of guided drone capable of executing its attack and returning to its base.

Moreover, incidents involving mines and explosive devices increased alongside a decrease in conflict intensity and the return of civilians to their homes in many areas, including the districts of Ketaf, Al-Buqa', Haidan, and Al-Zahir in Saada governorate, and various areas in the governorates of Al-Jawf, Al-Bayda, Al-Hudaydah, Taiz, Hajjah,

Ibb, and other regions. Additionally, many mines and explosive devices were planted, especially in the Harib district of Marib governorate.

Throughout the year, the parties to the conflict increasingly used schools and other educational facilities for mobilization and to serve their own interests. These schools were also used as residences for fighters or for other purposes. Furthermore, there was a notable rise in what is known as the parallel educational system, consisting of internal schools known as “Martyrs of the Quran Schools” or “Guides of Guidance Schools.” These schools teach the ideology, culture, and combat skills specific to the Ansar Allah (Houthi) group, serving as recruitment and mobilization centers. They are concentrated in Saada governorate. Private schools, referred to as Model Centers, were widely used to display military models, banners, and images of the Ansar Allah (Houthi) group. These centers serve the same purpose as boarding schools, and the group has also expanded summer camps, both closed and open, in various areas under their control. Conflict parties engaged children in their activities, including protests and marches, and organized partisan events in schools almost continuously, disrupting their regular functioning.

The occupation and use of schools by parties to the conflict continued in various areas, albeit at a lower rate compared to previous years.

Despite a decrease in military operations and indications of an impending agreement between the parties by late 2023, recruitment and use of children persisted throughout the year. There was a notable increase in the later months of the year, coinciding with the events in the Gaza Strip, Palestine. Additionally, training centers for new recruits were established in Amran, Saada, Ibb, and other areas. Children were taken from schools, centers, and neighborhoods, with numerous instances documented throughout the year of children being recruited without the knowledge or consent of their families.

Restrictions on fundamental and public freedoms, including freedom of movement and expression, persisted at the same pace despite a decrease in polarization and direct military confrontations between the parties. Freedom of movement remains heavily constrained due to the various illegal conditions imposed by the conflict parties on civilians, especially in closed areas like Saada and Hajjah or in the centers of control of the major conflict parties like Marib, Aden, and Sana’a.

As for freedom of expression, it continues to be restricted in various areas by all parties to the conflict. These parties do not allow any peaceful gatherings or activities

that contradict or do not align with their objectives, including spontaneous, unorganized gatherings that do not directly target or oppose them. This includes the gatherings and celebratory events that took place in governorates controlled by the Ansar Allah (Houthi) group to mark the anniversary of the September 26 revolution. The group conducted widespread arbitrary detention campaigns against hundreds of celebrants, including children, and only released them under certain conditions. These conditions included pledging not to celebrate the anniversary of the September 26 revolution again, participating in an event marking the Prophet's birthday organized by the group the following day, and refraining from disclosing the details or reasons for their detention, among other stipulations.

In addition to imposing numerous restrictions on personal freedoms, parties to the conflict placed a greater emphasis on targeting women, such as by imposing more constraints on their movement, attire, and work in specific places. Further restrictions extend to various occasions such as school and university graduation ceremonies, weddings, and other events. Additionally, there has been an increase in constraints on various professions and taxes have been imposed on some types of economic activity.

Throughout the year, there has also been a notable increase in violations involving the arbitrary deprivation of liberty, including arbitrary detention, enforced disappearance, torture, and other forms of inhuman or degrading treatment across various conflict-affected areas in Yemen. This includes the detention campaigns carried out by the Ansar Allah (Houthi) group during the popular celebrations marking the anniversary of the September 26 revolution. Additionally, there were large-scale raids conducted by the Hadhrami Elite Forces and Hadhramaut Coast Security Administration affiliated with the internationally recognized government forces in the neighborhoods of Al-Dis in the city of Mukalla on Tuesday, October 3, 2023. Heavily armed soldiers aboard military vehicles and armored cars stormed several homes belonging to civilians labeled as “wanted” on charges of disturbing public tranquility and undermining security and stability in Mukalla. Soldiers forcefully raided these homes, detained 19 civilians, including two children, subjected detainees to brutal beatings with rifle butts, and disregarded all principles of procedural justice and regulations governing arrests according to national and international laws.¹

¹ Detention of Civilians, Including Children in Mukalla, Mwatana for Human Rights, available at: <https://www.mwatana.org/posts-en/detention-of-civilians-in-mukalla#:~:text=Mwatana%20noted%20that%20during%20this,women%20of%20the%20detained%20individuals.>

Throughout the year 2023, healthcare facilities faced numerous violations, as did vital installations. Violations involving live ammunition persisted at the same rate as in previous years, alongside violations related to the restriction and denial of humanitarian access. Additionally, there were attacks on civic spaces, activists, human rights workers, journalists, and media institutions.

Among the serious violations that increased during the year were incidents of sexual violence in all its forms, whether perpetrated by individuals or groups affiliated with conflict parties or civil society. This escalation is attributed to the security breakdown and other factors stemming from the ongoing armed conflict, which has created a fertile environment for various violations, assaults, and behaviors. Despite the sensitivity of this pattern of violations and the challenges in accessing such information, many instances surfaced and reached the media during the year. Furthermore, several incidents were documented by Mwatana in different areas, which will be reviewed in subsequent sections of this report.

Incidents of military vehicles running over civilians persisted across various regions and were attributed to multiple conflict parties. Assaults and violations against African migrants crossing Yemeni territory also continued and were carried out by conflict parties, human trafficking gangs, and smugglers.

Mwatana for Human Rights documented 1,418 violation incidents committed by different conflict parties in Yemen during 2023. These incidents resulted in the death of 190 civilians, including 107 children and 19 women, and the injury of 405 civilians, including 208 children and 44 women. Additionally, approximately 789 civilians, including 239 children and 26 women, fell victim to other types of violations such as child recruitment, sexual violence, arbitrary detention, enforced disappearance, and torture. It is important to note that these figures represent only what Mwatana's team was able to document and do not encompass all violations. In its briefing on the human rights situation in Yemen in 2023, Mwatana published its findings until the end of November 2023, excluding December. However, this report includes all incidents that occurred throughout the year 2023 and were documented by the team.

The Ansar Allah (Houthi) group is held accountable for 828 documented violation incidents, while the Southern Transitional Council is responsible for 247 incidents, the internationally recognized government forces are responsible for 246 incidents, the Saudi/UAE-led coalition forces, including Saudi Border Guard forces, are responsible for 47 incidents, the Joint Forces are responsible for 17 incidents, and Al-Qaeda in the

Arabian Peninsula is responsible for 5 incidents. Furthermore, individuals and non-state forces, primarily human trafficking and smuggling gangs, are responsible for 28 violation incidents.



A displaced child fetching firewood from a distance of 2 kilometers to his residence in the Sawahel area - Abyan Governorate - Zinjibar District - Sawahel Neighborhood - Sunday, 4-2023.

Third: Humanitarian Situation

The humanitarian situation in Yemen worsens with each passing day of the conflict, which has inflicted widespread harm on the lives of all civilians, with devastating effects across various levels. Although Yemen is experiencing a relative calm in terms of large-scale military operations compared to previous years of conflict, the state of no-peace and no-war is not better than the conflict itself. This calm has not translated into an improved humanitarian situation for civilian populations, for whom life has become a realm of suffering and immense difficulties.

Obtaining even the most basic necessities of life, including food, clean drinking water, healthcare, and education, has become an urgent matter requiring strenuous efforts and exhaustion in the face of limited income sources, continuous economic deterioration, and restrictions imposed on businesses, including the simplest and lowest-income-generating activities. The situation is exacerbated by unlawful taxation in various forms and under different names, the cessation of investment activity, and restrictions on the movement of goods and people. The country is also plagued by inflation and a significant disparity in exchange rates between areas controlled by the Ansar Allah (Houthi) group and those controlled by other parties, leading to soaring prices.

Amidst a significant contraction in individual income levels, the armed conflict in Yemen has caused a 52% shrinkage in per capita gross domestic product (GDP), leaving two-thirds of the population in need of humanitarian assistance, according to World Bank estimates.² The ongoing conflict in Yemen has led to its economic fragmentation into two distinct regions, each governed by a unique set of institutions and policies, resulting in significant disparities between them. The blockade imposed by the Ansar Allah (Houthi) group on oil exports, along with other factors, has exacerbated economic difficulties, contributing to price hikes and a decline in the local currency exchange rate to its lowest levels in Aden. Moreover, more than 17 million people in Yemen are facing food insecurity, with 3.5 million suffering from acute malnutrition.³

According to the World Health Organization's estimates, 540,000 children under the age of five faced severe acute malnutrition (SAM) in 2023, putting them directly at risk

2 Yemen Overview, World Bank, available at: <https://www.worldbank.org/en/country/yemen/overview>

3 Yemen Overview, World Bank, available at: <https://www.worldbank.org/en/country/yemen/overview>

of death.⁴ Yemenis also suffer from a shortage of clean drinking water and sanitation services, as the armed conflict has caused a severe crisis in accessing clean and potable water. According to a statement issued by Human Rights Watch in December 2023, the water crisis in Yemen has worsened, with 15.3 million Yemenis left without access to sufficient, safe, and acceptable water for personal and household use.⁵ What further exacerbates the food security situation is the announcement made by the World Food Programme in Yemen on December 5, 2023, regarding the pause of its General Food Assistance program in areas under the control of the Sana'a authorities due to limited funding and failure to reach an agreement with the authorities to implement a smaller program tailored to the available resources for the most vulnerable and needy families.⁶

In addition to denying and restricting access to humanitarian aid through various means, the parties to the conflict have hindered many of the most vulnerable individuals and families from receiving essential humanitarian assistance, exacerbating the income insecurity crisis and thereby food insecurity. Furthermore, the proliferation of landmines and explosive devices in agricultural fields and grazing areas, near water sources, and along major roads has worsened the situation.

At the same time, vital sectors such as health, education, electricity, and water have been paralyzed due to shortages of supplies and necessary equipment, along with the non-payment of employee salaries and the commission of other violations and obstructions by parties to the conflict. Additionally, a significant portion of the infrastructure in these vital sectors has been partially or completely destroyed as a result of targeting by conflict parties through various means, including airstrikes, ground attacks, occupation, and use for military purposes, posing a significant challenge to civilians in accessing services provided by these sectors. Moreover, the deterioration of the healthcare sector in 2023 has led to an increase in the prevalence of certain diseases, including preventable diseases that could be mitigated through vaccination, compared to previous years. Among these diseases is cholera, with the reported cases from October 16 to December 31 of 2023 reaching 1,018 cases in 23 districts across

4 Yemen's health crisis: WHO calls for increased funding to save millions of Yemenis, WHO, available at: <https://www.emro.who.int/yemen/news/yemens-health-crisis-who-calls-for-increased-funding.html?format=html?format=html>

5 Houthi and Yemeni Government Violations of the Right to Water in Taizz, Human Rights Watch, available at: <https://www.hrw.org/report/2023/12/11/death-more-merciful-life/houthi-and-yemeni-government-violations-right-water>

6 More than half Yemen's people need aid, UN News, available at: <https://news.un.org/ar/tags/alymn>

nine governorates in southern and eastern Yemen, including Aden, Hadramout, Abyan, Lahj, Al-Mahra, Al-Dhalea, Taiz, and Al-Hudaydah.⁷

In addition to cholera, there was also a significant increase in the incidence of diphtheria over the year, with a 57% rise compared to 2021 and 2022, resulting in 1,671 reported cases, including 109 fatalities.⁸

While the deteriorating humanitarian conditions affect all Yemenis, the situation is even worse for internally displaced persons (IDPs), numbering over 4 million and scattered across various governorates. They lack the most basic necessities in terms of living standards, healthcare, and psychological well-being, making it challenging for them to access essential services. According to the latest appeal by UNICEF in December 2023, 21.6 million individuals, including 11.1 million children, require humanitarian assistance and protection, including 4.5 million internally displaced persons.⁹

According to the UN High Commissioner for Refugees (UNHCR), 93% of displaced Yemeni households have at least one member experiencing some form of vulnerability. Prolonged conflict and displacement, coupled with the lack of livelihoods and basic services, have increased protection risks such as school dropout, early marriage, begging, and child labor.¹⁰

On the other hand, estimates from the World Health Organization indicate that there are nearly 4.9 million cases of disability in Yemen. The lack of comprehensive data on disabilities hinders understanding of the needs and challenges faced by persons with disabilities, especially women and girls.¹¹

In the education sector, dropout rates have increased, and the quality and standards of education have declined. Curricula and schools have been manipulated to enable indoctrination into the goals of the conflict parties, diverting the learning process,

7 Yemen: Situation Report, OCHA, available at: <https://reports.unocha.org/ar/country/yemen>

8 Epidemiological situation in Yemen: diphtheria, WHO, available at: <https://www.emro.who.int/yemen/news/epidemiological-situation-in-yemen-diphtheria.html>

9 Yemen Appeal: Humanitarian Action for Children, UNICEF, available at: <https://www.unicef.org/appeals/yemen>

10 UNHCR: Funding gap of US\$295m in Yemen jeopardizes life-saving humanitarian aid, UNHCR, available at: <https://www.unhcr.org/news/press-releases/unhcr-funding-gap-us-295m-yemen-jeopardizes-life-saving-humanitarian-aid>

11 Yemen: Situation Reports, UNOCHA, available at: <https://reports.unocha.org/en/country/yemen/>

particularly in areas under the control of the Ansar Allah (Houthi) group. Additionally, the non-payment of teachers' salaries in most Yemeni areas has led to a decline in the quality of education and the ability of teachers to perform their duties effectively due to their engagement in other jobs and the pressures they face from the loss of their main source of income.

Yemeni children receive their education in unsuitable and unequipped buildings, with many receiving education outdoors or in classrooms lacking proper seating and basic facilities in some areas. They struggle to access textbooks due to their high prices and unavailability in schools, while annual fees and study costs represent an additional burden on families, leading many to withdraw their children from schools and engage them in child labor or military recruitment instead.

Similarly, the water and electricity sectors suffer from widespread power outages in various Yemeni regions for extended periods, exposing residents of hotter areas like Al- Hudaydah and Aden to additional suffering and diseases resulting from high temperatures. As Human Rights Watch stated in a press release on November 16, 2023: "Extreme heat exposure is a serious health hazard. It can cause heat rash, cramps, heat exhaustion, or heat stroke, which can be fatal or have lifelong consequences." In the nine years following the onset of the conflict, access to clean drinking water and adequate electricity in Aden has deteriorated, despite its relative stability compared to other areas, due to the failure of the internationally recognized government and the Southern Transitional Council to provide sufficient access to these essential services.¹²

The governorate of Taiz also suffers from a severe water shortage due to the control of water sources by some conflict parties and the prevention of areas under the control of other parties from accessing water. Among the five basins that feed the public water network in Taiz governorate, two are under Houthi control (Al-Haymah, Habir, and Al-Hawban), and two are on the front lines of the conflict, making them inaccessible to the Local Water and Sanitation Corporation in Taiz (Al-Dhabab and Al-Hawjala). One basin remains under government control (Al-Madina basin). The shortage of safe and adequate drinking water and the lack of proper sanitation have also contributed to the

12 Yemen: Aden Electricity, Water Cuts Threaten Rights, Human Rights Watch, available at: <https://www.hrw.org/news/2023/11/16/yemen-aden-electricity-water-cuts-threaten-rights>

spread of waterborne diseases and illnesses.¹³

All parties to the conflict have contributed to the water crisis plaguing Taiz and other governorates. In Taiz, Yemeni government military forces previously seized control of several water wells in the sole basin supplying water to the city of Taiz during the early stages of the war. They sold public water supplies to the populace for private financial gain. Meanwhile, the Saudi/UAE-led coalition forces conducted airstrikes on water infrastructure, including water tanks, pumping stations, pipelines, and other sites across the country. Additionally, the Ansar Allah (Houthi) group weaponized water in Taiz by obstructing the flow of water from their controlled basins to the government-held city of Taiz. This city houses the main water control station responsible for treating and distributing water throughout the network.¹⁴

Similarly, Al-Hudaydah is one of the most affected governorates due to continuous power outages and soaring electricity prices, amidst rising temperatures and the plummeting of individual income levels to record lows.

The situation in other sectors is no different from those already mentioned. All sectors have suffered as a result of the ongoing conflict and the irresponsible actions of the parties involved, as well as the direct violations they have perpetrated. Consequently, most sectors have been rendered non-operational, exacerbating the suffering of the population at various levels.

These indicators and others reflect the deteriorating humanitarian conditions in Yemen across all levels, which showed no improvement throughout 2023. The year represented an additional year of suffering and challenges for Yemenis who had exhausted their hopes for the coming year to be better than the previous one, for nearly a decade. Yet, they have not yet seen even some of those hopes materialize.

13 Houthi and Yemeni Government Violations of the Right to Water in Taizz, Human Rights Watch, available at: <https://www.hrw.org/report/2023/12/11/death-more-merciful-life/houthi-and-yemeni-government-violations-right-water>

14 Houthi and Yemeni Government Violations of the Right to Water in Taizz, Human Rights Watch, available at: <https://www.hrw.org/report/2023/12/11/death-more-merciful-life/houthi-and-yemeni-government-violations-right-water>



Queues of women and children to obtain water due to frequent interruptions in residential areas during the month - Old Market (Al-Wadi) / Ataq District / Shabwa - May 24, 2023.

Fourth: Armed Conflict in Yemen and International Law

In accordance with the Geneva Conventions of 1949 and the principles of international humanitarian law, which distinguish between international and non-international armed conflicts, the conflict in Yemen is classified as a non-international armed conflict. This classification arises from the fact that it involves armed confrontations between government forces, recognized internationally as such, and sufficiently organized armed groups capable of conducting military operations while adhering to the principles and rules of international humanitarian law and international human rights law. In the Yemeni context, these groups include the Ansar Allah (Houthi) group, the Southern Transitional Council, the Joint Forces, and others. The conflict also involves armed confrontations between these armed groups.

It must also be noted that the conflict in Yemen has had an international dimension since its inception, following the military intervention by the Saudi/UAE-led coalition forces on March 26, 2015. Other parties such as the United States are also involved in the conflict, providing financial and logistical support to the coalition forces, including fueling coalition warplanes during their sorties in Yemen and providing intelligence information. Further international actors are engaged in the conflict in other ways, such as those exporting weapons to the coalition member states, mainly Saudi Arabia, despite their probable use in the commission of international crimes such as war crimes. Finally, Iran provides various forms of support to the Ansar Allah (Houthi) group at different levels. However, these interventions, according to the standards of international law for classifying armed conflicts, have not been sufficient to change the classification of the conflict in Yemen from a non-international armed conflict. This is because the intervention of coalition forces falls within the framework of international cooperation, as it was carried out at the request of then-internationally-recognized President Abd Rabbuh Mansur Hadi. Additionally, the interventions by other international parties do not reach the threshold of direct confrontation between two or more states, making them indirect parties to the conflict. Therefore, the armed conflict in Yemen remains a non-international one.

As a non-international armed conflict, the conflict in Yemen is subject to Common Article 3 of the Geneva Conventions of 1949, which deems all parties directly or indirectly involved in the conflict as parties to the conflict. Additionally, it falls under the Second Additional Protocol to the Geneva Conventions of 1977, which considers Yemen and other states involved in the conflict as parties to the conflict.

According to the Geneva Conventions and other principles and rules of international humanitarian law, there can be no differentiation between the parties based on their combat capabilities, the causes of the conflict, or the legitimacy of their existence. All parties, regardless of their legitimacy, reasons for participation, or military capabilities, are equally bound to adhere to the principles and rules of international humanitarian law. These include the principles of distinction, proportionality, precaution, and humane treatment, even towards those who have ceased participating in combat operations for any reason. Parties must avoid causing unnecessary harm or gaining undue military advantage, including refraining from using weapons that cause long-term damage. The principle of reciprocity is unlawful, as a violation of international humanitarian law by one party or group of parties does not justify similar actions by other parties. All parties are obligated to respect and abide by the law regardless of the extent to which the other party or parties comply with it. Failure by any party to take feasible precautions does not negate the obligations of other parties under international humanitarian law. Therefore, all parties must take all feasible precautions during attacks to minimize harm to civilians, including verifying the nature of the targets and issuing effective warnings.

The conflict parties must respect international humanitarian law, including taking all necessary measures to avoid harming civilians and civilian objects during the conflict. They are obligated to take all precautions to protect civilian populations and civilian objects under their control from the effects of attacks. Forces must refrain from placing military objectives in or near densely populated areas and take all measures to protect civilians from the risks of military operations. This includes refraining from storing weapons and explosives in densely populated areas and refraining from converting civilian objects such as schools and homes into military sites or training centers or using them in a manner that makes them legitimate military targets, which would result in harm to civilians if targeted.

Common Article 3 of the Geneva Conventions states the following:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply, as a minimum, the following provisions:

1. Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color,

religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
 - Taking of hostages;
 - Outrages upon personal dignity, in particular, humiliating and degrading treatment;
 - The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.
2. The wounded and sick shall be collected and cared for.

According to this Article, impartial international humanitarian bodies may offer their services to civilians, including the wounded and detainees.

The conflict in Yemen is also subject to the provisions of the 1977 Second Additional Protocol to the Geneva Conventions, to which Yemen and other parties to the conflict are signatories. The Protocol supplements the Geneva Conventions of 1949 and is considered a legal framework extending from Common Article 3, interpreting and regulating situations of non-international armed conflict. According to this Protocol, the civilian population and individuals not taking direct part in hostilities are entitled to general protection from the hazards arising from military operations. Civilians must not be targeted, and actions intended to spread terror among civilians are prohibited. Additionally, it is forbidden to deprive civilians of essential resources or to attack, destroy, remove, or render unusable objects and materials crucial for civilian survival, such as food supplies, agricultural areas, livestock, drinking water facilities, pipelines, and irrigation systems. Furthermore, the deliberate targeting of historical monuments, cultural artifacts, places of worship, or facilities containing hazardous materials like bridges and dams is strictly prohibited.

According to the same Protocol, forcibly displacing civilians or compelling them to leave their homes for conflict-related reasons is prohibited. Additionally, recruiting

children or allowing them to participate in combat activities is prohibited. Issuing criminal judgments against individuals for conflict-related reasons during or after the conflict is also prohibited, unless compliance with procedural justice principles can be ensured and the legality of judgments is guaranteed, and provided that defendants receive all guarantees and rights related to defense, including the right to be protected from forced confessions. Moreover, imposing penalties on individuals for performing medical duties is prohibited, as is the targeting of medical facilities or means of transportation.

It is important to note here that the provisions of international humanitarian law pertaining to the means and methods of warfare apply equally to all conflicts, whether international or non-international. These provisions prohibit attacks using indiscriminate weapons, disproportionate attacks likely to cause harm to civilians that outweighs the anticipated military advantage, and other similar weapons and attacks.

Parties to the conflict, primarily states, are obligated to investigate potential international crimes, including war crimes and crimes against humanity, that are committed by individuals under their jurisdiction. They must ensure accountability for those involved in such crimes according to their level of responsibility and provide redress and reparations to victims for any damages or losses incurred.

In addition to the provisions of international humanitarian law applicable to Yemen, international human rights law remains in force during armed conflict. This means that parties to the conflict in Yemen, considering Yemen's status as a party to numerous international treaties, are obligated to abide by international human rights standards. Applicable treaties in Yemen's case include the International Covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention on the Rights of the Child, the Ottawa Treaty on the Prohibition of Anti-Personnel Mines, and others. The conflict does not justify a breach of these various treaties, as they constitute guarantees for the rights to life, security, education, food, housing, healthcare, work, public and personal freedoms, fair trial, and other fundamental rights and freedoms.

Fifth: The International Community's Approach to the Yemeni Issue and Peace Efforts

The international community's approach to the Yemeni issue has remained lackluster since the onset of the conflict, failing to match the scale of suffering and the magnitude of violations against Yemeni civilians. This is evident in the prevalence of impunity, due to the fact that international actors have handled issues by prioritizing the interests of their allies and influential states, often displaying double standards. Whether issues are addressed earnestly, used as bargaining chips, or outright ignored largely depends on the individuals involved and the status of the parties concerned.

Over the past decade, due to the international community's approach to the Yemeni conflict as a secondary issue, no transparent and impartial mechanisms have been established to achieve justice for victims, hold perpetrators of grave crimes accountable, or provide redress for harms caused. Moreover, there are no indications that the international community is moving towards establishing such mechanisms. Additionally, there is a lack of any international investigative mechanism following the abolition of the only mechanism formed during the years of conflict in Yemen, the United Nations Group of Eminent Experts (GEE) on Yemen established by the Human Rights Council in 2017. The Council refused to renew the GEE's mandate in October 2021 under pressure from Saudi Arabia and the United Arab Emirates. In addition, the use of the veto power in the UN Security Council has contributed to thwarting attempts to make effective decisions regarding investigation and accountability in the Yemeni context.

Through these actions, the international community has effectively closed the door on many accountability options, such as referring the Yemeni case to the International Criminal Court or establishing a special criminal court or other accountability mechanisms.

As the conflict in Yemen enters its tenth year, lenient policies towards arms exports to countries implicated in international crimes in Yemen remain unchanged. The relentless pursuit of justifications for countries involved in international crimes in Yemen, such as Saudi Arabia and the United Arab Emirates, has not ceased, regardless of the accusations leveled against them. This has diminished the hopes of many Yemenis for decisions that could bring them justice and eroded their faith in the international system, which has often behaved as a silent observer and, in many cases, been complicit in the face of their

suffering and the violations committed against them over a complete decade without deterrence.

The year 2023 witnessed numerous crises and the escalation of several conflicts worldwide, exacerbating the marginalization of the Yemeni cause. Shifting global priorities have significantly contributed to this neglect and oversight at the international level.

On September 23, 2023, amidst international efforts to achieve a peaceful solution to the Yemeni crisis, the UN Special Envoy for Yemen, Hans Grundberg, announced that the parties to the conflict in Yemen had reached an agreement to adhere to a set of measures. These measures included a comprehensive ceasefire, payment of public sector salaries, resumption of oil exports, reopening of roads, and the initiation of an inclusive political process under the auspices of the United Nations. This announcement represented a glimmer of hope for Yemenis to end the protracted conflict that had spanned a whole generation. The impacts and damages of this conflict were not limited to specific groups or sectors but rather affected various segments of society, individuals, and different aspects of life.

However, despite this announcement, numerous subsequent developments raised concerns that the relentless conflict would resume, undermining the peace process envisioned by Yemenis. For instance, on November 19, 2023, the Ansar Allah (Houthi) group commenced a series of attacks in the Red Sea targeting ships destined for Israeli ports, coinciding with Israel's extensive military operations in the Gaza Strip, Palestine. These operations involved widespread violations of international humanitarian law and international human rights law, including atrocious crimes amounting to international crimes, such as war crimes, genocide, and crimes against humanity, as reported by various international organizations and agencies. Israel conducted these operations in response to the military attack launched by Hamas and other Palestinian factions against settlements in the Gaza Envelope on October 7, 2023.

The Ansar Allah (Houthi) group stipulated the entry of humanitarian aid to the residents of the Gaza Strip in exchange for not targeting ships off the Yemeni coast. As a result of the Houthi attacks on naval vessels, the United States formed a military coalition with several other countries to address the situation in the Red Sea. Together with the United Kingdom, it began conducting airstrikes on several governorates under Houthi control, including Sana'a, Al-Hudaydah, Taiz, and Hajjah. These actions could

undermine the United Nations' efforts to achieve peace and end the armed conflict in Yemen, signaling a new phase of conflict that would impose heavy costs on Yemeni civilians.

The double standards in dealing with different issues are evident in the refusal of the Security Council and the international community to link the Houthi attacks on ships in the Red Sea to the horrific crimes occurring in the Gaza Strip, and their approach to these attacks as isolated incidents. The measures taken in response to the attacks consisted solely of forceful deterrence, with no efforts to address the root causes of the attacks, namely the ongoing genocide in the Gaza Strip. This approach has led to strikes on various areas in Yemen, potentially plunging Yemen and the region into a broader spiral of conflict.

The UN Security Council convened several meetings regarding the naval attacks carried out by the Ansar Allah (Houthi) group. The latest of these meetings was held on January 10, 2024, following several meetings in November and December 2023. The meeting concluded with the issuance of Resolution 2722, which condemned the attacks perpetrated by the Ansar Allah (Houthi) group and underlined the necessity of addressing the root causes, including conflicts contributing to regional tensions and maritime security disruptions. Additionally, the resolution classified the Houthis as a group subject to an arms embargo.¹⁵

Many stakeholders, including representatives from Algeria and Russia at the Security Council, viewed the resolution as aiming to legitimize the coalition formed by the United States to conduct attacks in Yemen, rather than addressing the root causes that led to these attacks. They argued that any military intervention under this resolution would undermine the peace efforts undertaken by the UN in Yemen and extinguish any remaining hope for ending the armed conflict in Yemen.¹⁶

While acknowledging the danger posed by attacks on naval vessels, which threaten global navigation and trade, and condemning any attacks that would escalate the conflict and cause further suffering for civilians and undermine peace efforts, Mwatana does not believe that responding to the naval attacks with retaliatory strikes on Yemeni

15 Security Council strongly condemns Houthi attacks on Red Sea shipping, UN News, available at: <https://news.un.org/en/story/2024/01/1145382>

16 Security Council strongly condemns Houthi attacks on Red Sea shipping, UN News, available at: <https://news.un.org/en/story/2024/01/1145382>

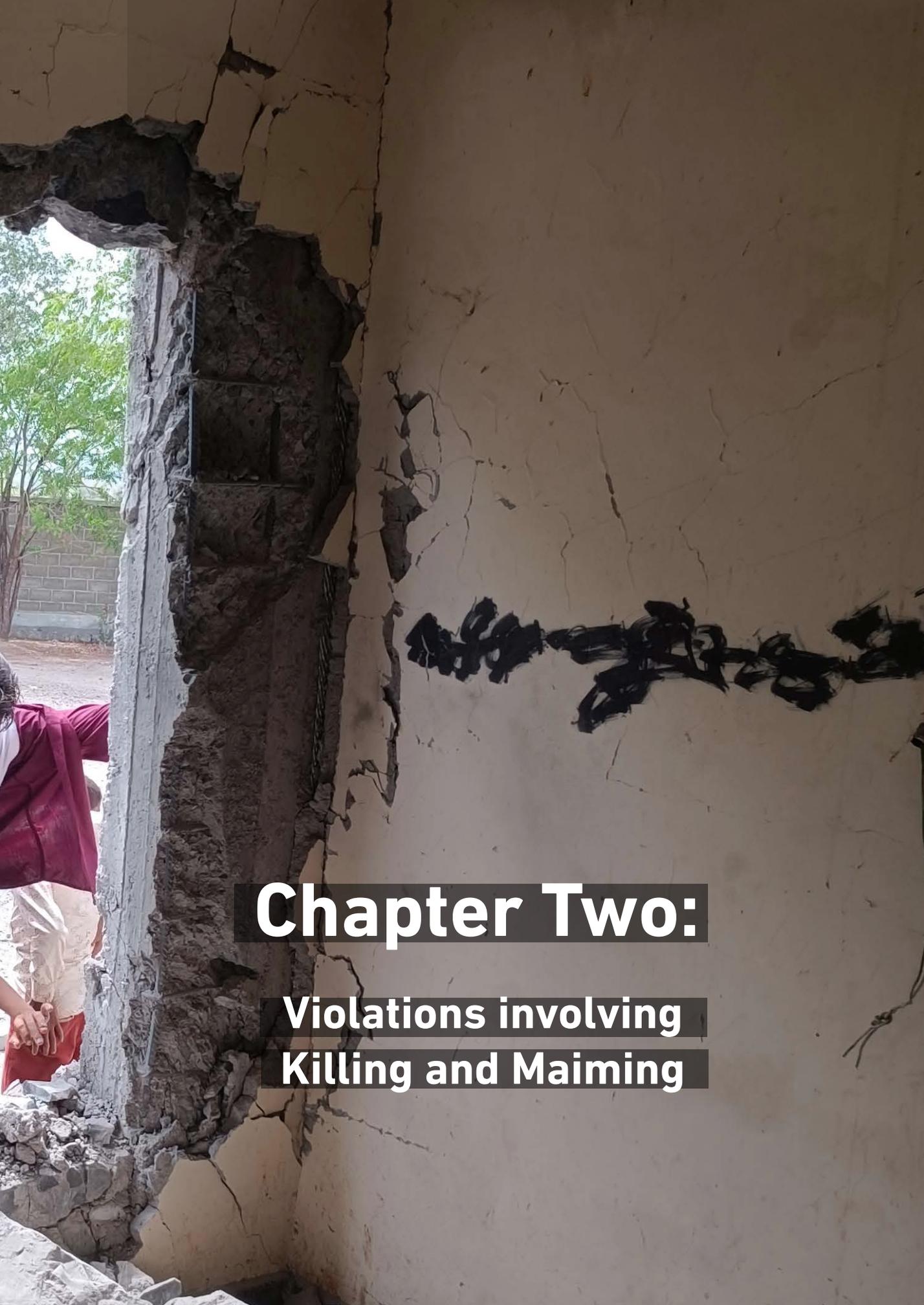
territory is fruitful in any way. Instead, these strikes have the potential to exacerbate the situation, leading to a broader and more intense cycle of conflict. The solution to such developments lies in addressing their root causes and dealing responsibly with the plight of Palestinians in Gaza by securing a ceasefire, allowing essential humanitarian access to the population of the Gaza Strip, ending the shameful support for Israel in its brutal attacks, and finding ways to ensure justice. This, in turn, would eliminate the reasons given by the Ansar Allah (Houthi) group for their attacks on naval vessels and facilitate a settlement that protects and secures maritime navigation, maintains international peace and security, and avoids a new humanitarian catastrophe resulting from the resumption or expansion of the conflict in Yemen. The continuation of the international community's policy of double standards and disregard for the plight of Palestinians in Gaza would only widen the circle of conflict not only in Yemen and its coasts but also in the region. Thus, dealing with the situation responsibly and retracting the unjust policies that have dominated the international community's approach to various issues is the only solution to prevent further tragedies, avoid plunging the world into conflicts, promote a policy of accountability, and enable the logic of peace to prevail over the use of force.



Docking of boats at the fishing landing center in Al-Khoukha - Fishing Landing Center - Al-Khoukha - Al-Hudaydah - June 6, 2023.



Children and civilians looking at the damage to the school caused by shelling - Um Al-Ma'arik School - Al-Nazzali - Hays - Al-Hudaydah - April 22, 2023.



Chapter Two:

**Violations involving
Killing and Maiming**

Introduction

Killings and maimings are among the most common violations during periods of armed conflict. This applies to Yemen, where the conflict has resulted in the deaths and injuries of thousands of civilians through various forms of targeting, including drone strikes, ground attacks, use of live ammunition, landmines, and explosive devices, military vehicle collisions, stabbings, beatings, and other forms of assault on civilians. Throughout the conflict, including the past year, conflict parties failed to take adequate precautions to avoid direct harm to civilians and their properties. In 2023, Mwatana documented 1418 violations committed by parties to the conflict in Yemen, resulting in the deaths of 190 civilians, including 107 children and 19 women, and the injuries of 405 civilians, including 208 children and 44 women. This staggering number of violations, despite a significant decrease in large-scale military operations, underscores the parties' failure to make minimal efforts to protect civilians and avoid harming them. Moreover, it demonstrates their continued violation of the principles and rules of international humanitarian law, which prohibit violence against life and persons, particularly killing and maiming. All parties to the conflict, regardless of the nature of the armed conflict and the forces involved, are obligated to refrain from harming or targeting civilians under any circumstances. They are responsible for protecting civilians, preserving their dignity, and respecting their basic rights. Killing and maiming constitute direct harms that can be inflicted through different methods, including ground and aerial attacks, live ammunition, landmines, explosive devices, military vehicle collisions, and others, each of which constitutes a violation and a pattern in the context of the Yemeni conflict. Alongside direct harm in the form of killing and maiming, these violations also inflict extensive collateral damage on civilians and their lives, such as the destruction of infrastructure, food, water sources, and vital facilities; the displacement of populations from their homes; and the spread of panic among civilians. Additionally, long-term psychological damage is inflicted on civilians, especially children, due to their continuous exposure to scenes of bloodshed, killing, destruction, and the loss of their loved ones as a result of these attacks. This chapter will review the most prominent violations that resulted in killing and maiming during the year 2023.



First: Aerial Attacks

Aerial attacks documented throughout the year included drone strikes, the frequency of which increased compared to previous years, while airstrikes decreased to zero, as documented by Mwatana. This decline is unprecedented, marking the first instance this has occurred since the outbreak of armed conflict in September 2014. It stands as a positive development as perceived by civilian populations, and stems directly from the reduction in large-scale military operations and the cessation of airstrikes by the Saudi/UAE coalition in April 2022. Despite the drop in the overall incidence of aerial assaults, particularly airstrikes, the incidents documented by Mwatana, as per witness accounts and investigative research, targeted civilian sites where no military targets were identified in the vicinity of the strike.

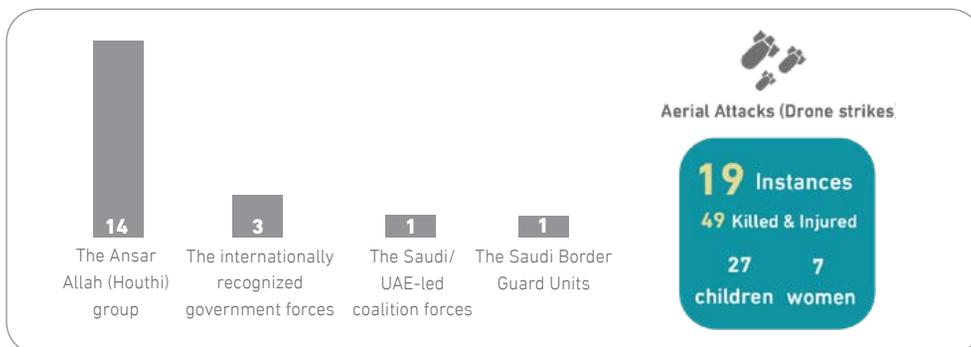
Legal Framework

The rules and principles of international humanitarian law mandate the protection of civilians and the distinction between military and civilian targets. They prohibit targeting locations where an attack would be expected to cause widespread harm to civilians disproportionate to the military advantage sought. In cases where attacks are expected to cause harm to civilians, parties must issue effective warnings to civilians.

International humanitarian law requires parties to conflict to take necessary measures to protect civilians. Disproportionate attacks constitute war crimes when executed with intent. Out of the numerous drone strikes documented during 2023, it was observed that most disregarded the principles of international humanitarian law. Only in limited cases were military targets verified near the sites of these attacks, while the majority of strikes targeted civilian locations and individuals. Some targeted densely populated residential areas, while others were aimed at civilian transportation on public roads. Additionally, some attacks targeted civilian facilities, including medical and service facilities. These actions constitute violations of international humanitarian law and international human rights law and reveal an intent to harm civilians due to their disproportionate nature. Such violations, along with others of a similar nature, warrant accountability and prosecution of those involved.

Drone Strikes

Mwatana documented 19 drone strike incidents, resulting in the injury and death of 49 civilians, including 27 children and 7 women. The Ansar Allah (Houthi) group is responsible for 14 of these incidents, while the internationally recognized government forces are responsible for 3 incidents. Additionally, the Saudi/UAE-led coalition forces and the Saudi Border Guard Units bear responsibility for 2 drone strikes in total (one incident each).





My grandchildren didn't have their breakfast. Akram went to get the milk for breakfast, but he didn't return, and the milk didn't arrive. Sabouha returned wounded, having lost her closest companion and witnessed his death.



Examples of Drone Strike Violations:

On Tuesday, January 24, 2023, around 8:30 a.m., a drone belonging to the Ansar Allah (Houthi) group launched a series of shells targeting a residential neighborhood in Al-Sharja Al-Sufla village in the Al-Jarrahi district of Al-Hudaydah governorate. This led to the death of two girls from one family, the death of a boy from another family, and the serious injury of his sister. The children were on their way to a villager's house to get some milk when the shells were dropped on the neighborhood. Following the strike, the victims were transported to the Al-Jarrahi health center. Due to their critical condition, they were later transferred to the Tehama Hospital in Beit Al-Faqih district. There, the injured girl (11 years old) received necessary medical treatment, while her brother and the other two girls died on the way to the hospital.

The grandmother of the deceased boy and the injured girl (70 years old) told Mwatana, "I asked my grandchildren Akram Mohammed (10 years old, male) and his sister Sabouha Mohammed (11 years old, female) to go to our neighbor's house to get some milk for our breakfast, as I do every day. I heard an explosion shortly after they left, but since we were accustomed to such sounds, I didn't pay much attention. About an hour later, our neighbor, whose house the children had gone to for milk, came to our house and informed me that my grandchildren had been injured in an airstrike in front of his house. I hurried to them and found four children wounded, including my grandchildren. I found Sabouha clutching her wound, and Akram was hardly breathing, sitting in his sister's lap, holding her hand on his wound. Moments after my arrival, Akram passed away."¹⁷

The grandmother added, "My grandchildren didn't have their breakfast. Akram went to get the milk for breakfast, but he didn't return, and the milk didn't arrive. Sabouha returned wounded, having lost her closest companion and witnessed his death." She said these words while crying, and continued, "My son couldn't overcome the loss of Akram; I see him crying every day, and all I can do is pray for God to avenge us on those who harmed us."¹⁸

17 An interview conducted by Mwatana for Human Rights with the victims' grandmother in Al-Jarrahi district, Al-Hudaydah Governorate, on January 31, 2023.

18 An interview conducted by Mwatana for Human Rights with the victims' grandmother in Al-Jarrahi district, Al-Hudaydah Governorate, on January 31, 2023.

The uncle of the deceased girls, whose names were Hedaya Dakkam (8 years old, female), and Hameeda Dakkam (11 years old, female), told Mwatana, “Hameeda and Hedaya went to get milk for breakfast from one of our neighbors, while a drone was hovering. Ten minutes after they left the house, we heard an explosion. As soon as I heard the explosion, I inquired about its location, and I was told that it was in the neighborhood. A few minutes later, some residents came to me and informed me of the death of my nieces. My brother, the father of the girls, passed away a year ago, and we had been taking care of them since then. Their mother lost her mind after their deaths. It was heart-wrenching to see them dead, and the state of their mother was pitiful. She couldn’t comprehend what had happened to her daughters.”¹⁹

On Sunday, February 19, 2023, at approximately 7:30 a.m., a drone belonging to the Saudi/UAE-led coalition dropped a bomb on Shadabeen village in Haradh district of Hajjah governorate, resulting in the injury of a 12-year-old boy. At the time of the incident, the child was on his way to a pasture near the village to herd sheep, accompanied by his father. He was immediately transported to one of the health clinics operated by the Ansar Allah (Houthi) group, the only medical facility available in the area.

The victim’s father (27 years old) told Mwatana, “I was talking to my brother while we were on our way to the pasture and my son was playing nearby. Suddenly, a bomb launched by a drone dropped near my son and exploded. I rushed to him and found him lying on the ground, bleeding profusely and screaming. I couldn’t do anything; I was screaming with him in shock. My brother and I carried him to the only clinic in the area for treatment. Due to the lack of facilities to transport him to a suitable hospital, we couldn’t get the shrapnel removed from his body. We only got his wounds cleaned and gave him painkillers. As a result, he still suffers constantly due to the shrapnel in his body.”²⁰

On Wednesday, November 1, 2023, at around 10:30 a.m., a drone belonging to the government-affiliated First Brigade Maghawir targeted children as they were leaving

19 An interview conducted by Mwatana for Human Rights with the victims’ relative in Al-Jarrahi district of Al-Hudaydah Governorate, on January 31, 2023.

20 An interview conducted by Mwatana for Human Rights with the victim’s relative in Shadabeen village, Haradh district of Hajjah governorate, on March 8, 2023.

the Martyr Shaker Al-Marh School in Bilad Al-Yubi area, Qa'tabah district of Al-Dhalea governorate. This resulted in the death of one child and the injury of 11 other civilians, including 9 children aged between 9 and 13 years old. The victims were transported to Al-Thawrah Hospital in Ibb city for treatment.

The father of one of the injured children (49 years old) told Mwatana, "I saw my son Ali Saif (13 years old, male) going to school to take his exams. There were no sounds of clashes or gunfire; otherwise, we wouldn't have allowed them to leave the house. We heard the sound of the bombing, and unfortunately, the projectile fell near the students on sandy soil, causing shrapnel to spread in the area and killing a child and injuring 11 people, including my son and my nephew. We were shocked and felt immense concern and fear."²¹

The father of the child Abdul Razaq Ali (28 years old) said, "My son and the village students went to take their midterm exams, and upon their return, they were targeted by a drone. Many children, including my son, were injured, and a child was killed. The incident caused psychological terror among the schoolchildren who saw their peers among the dead and wounded. The incident resulted in prominent deformities in the bodies of several victims."²²

The cases documented by Mwatana reveal the failure of conflict parties to take any measures to protect civilians and their indiscriminate targeting of military and non-military objectives alike. They deliberately inflict harm on civilians, disregarding international law. It is worth mentioning that aerial attacks by drones are among the violations that result in extensive damage to civilian properties and homes, as well as to protected sites and infrastructure. Their impact is not limited to casualties, whether fatalities or injuries, but also induces a state of panic among civilians.

21 An interview conducted by Mwatana for Human Rights with the victim's father in Al-Fakher area, Qa'tabah district of Al-Dhalea governorate, on November 19, 2023.

22 An interview conducted by Mwatana for Human Rights with the victim's father in Al-Fakher area, Qa'tabah district of Al-Dhalea governorate, on November 19, 2023.



*Two children looking at the destruction of their school due to shelling -
Um Al-Ma'arik School - Al-Nazzali - Hays - Al-Hudaydah - April 22, 2023.*



Second: Ground Attacks

Various regions in Yemen witnessed armed clashes during the year 2023, with varying degrees of intensity. Alongside these clashes, numerous ground attacks were launched by different parties, in addition to individual ground attacks. Some of these ground attacks targeted civilian-populated areas, resulting in the deaths and injuries of many civilians and inflicting significant damage on civilian properties and vital infrastructure.

According to Mwatana's documentation, the Ansar Allah (Houthi) group was responsible for nearly half of the ground attacks that took place in 2023. Mwatana recorded 39 incidents of ground shelling, resulting in the injury or death of 93 civilians, including 50 children and 11 women. The Ansar Allah (Houthi) group is responsible for 19 incidents of ground shelling, while Saudi Border Guard units are responsible for 13 instances, and the internationally recognized government forces are responsible for 6 incidents. Additionally, the Southern Transitional Council and its various formations are responsible for one incident of ground shelling.

Legal Framework

The same principles that apply to aerial attacks under international humanitarian law also apply to ground attacks. Parties to the conflict are prohibited from conducting disproportionate attacks that may cause harm to civilians outweighing the anticipated military advantage, as well as attacks in civilian-populated areas, except under specific circumstances and with effective warnings issued to civilians. Any attacks that do not adhere to these principles constitute violations of international humanitarian law, requiring accountability and prosecution of those responsible.

Additionally, the use of indiscriminate weapons in ground attacks is prohibited by international humanitarian law. Parties to the conflict must choose means and weapons of attack that can be directed accurately at military objectives, and they are obligated to take all measures to minimize harm to civilians, their properties, and civilian objects.

Direct attacks targeting civilians and indiscriminate attacks affecting both military and civilian targets are prohibited under international humanitarian law. This includes artillery attacks and other weapons that treat multiple military targets as a single objective, resulting in extensive damage to individuals and civilian infrastructure. International humanitarian law mandates that parties to conflicts take necessary measures to safeguard civilians in areas under their control. This involves refraining from situating military objectives near civilian objects or in populated areas, thereby reducing the risk of civilian harm as a result of targeting.

Most of the ground attacks documented by Mwatana during the year demonstrate the parties' disregard for the principles and rules of international humanitarian law, endangering civilians and directly targeting them in some incidents. Moreover, they involve the use of indiscriminate weapons such as bombs and mortar shells, launched in populated neighborhoods, markets, and other civilian areas.





When we were in the pasture,
a shell fell nearby, so we
gathered the sheep intending
to return home. When my son
Salem finished gathering the
sheep, another shell fell near
him. I looked back and saw my
son lying on the ground.



Examples of Ground Attack Incidents:

On Wednesday, February 1, 2023, at around 4:00 p.m., forces affiliated with the Southern Transitional Council's Security Belt launched a mortar shell at the grazing grounds of Wadi Al-Tariq in the village of Al-Madbi in the Al-Barman area, Al-Zahir district of Al-Bayda governorate. This resulted in the injury of Salem Ali (15 years old, male) as he was returning home with his sheep. He was rushed to the Al-Hanka Health Center and then to Al-Thawra General Hospital. Due to the severity of his condition, he was again transferred to Al-Zahraa Model Hospital. Due to severe bleeding, the victim was then transferred to the International Model Hospital in the city of Rada'a.

The victim's father (69 years old) told Mwatana, "On the day of the incident, the Security Belt forces were intermittently shelling the area and nearby areas without any specific military target, just random shelling. When we were in the pasture, a shell fell nearby, so we gathered the sheep intending to return home. When my son Salem finished gathering the sheep, another shell fell near him. I looked back and saw my son lying on the ground. I rushed to him, embraced him, and saw that he was covered in blood. I quickly arranged for a resident's car to transport him to a hospital, fearing another shell might fall. We moved him between four hospitals due to the severity of his condition. I was almost driven mad with fear for him, but thankfully, God preserved him for me.

He continued, "The incident exhausted us and instilled in us a fear of going out or working, and of passing through the roads where death comes from every direction. You never know if you will step on a mine, be hit by a stray bullet, or be struck by a shell or something else. My son was worn out, his mental state affected, and his health deteriorated significantly. We suffered greatly and incurred substantial expenses for his treatment, follow-up, and hospital transfers."²³

On Friday, July 14, 2023, around 9:00 p.m., the Ansar Allah (Houthi) group launched a mortar shell at a house in Al-Hajma area north of Tur Al-Baha, in Hayfan district of Taiz governorate. This resulted in the death of a male child (16 years old) and his mother (41 years old), who were struck by flying shrapnel.

23 An interview conducted by Mwatana for Human Rights with the victim's father in Al-Barman area, Al-Zahir district of Al-Bayda governorate, on June 23, 2023.

An eyewitness, aged 42, recounted to Mwatana, “After the shell struck the victims’ house, residents gathered, and we swiftly summoned an ambulance. We transported the victims on blankets to the waiting ambulance. They were bleeding profusely. The head of the family accompanied them in the ambulance, visibly shocked and shattered, unable to grasp what had happened to his wife and son.”²⁴

He added, “These areas are always the scene of conflict, and many people have fallen victim. Some of the residents have fled, but many of us cannot leave. Agriculture and herding are our main sources of income, and we have nowhere else to go. We are forced to stay despite the danger, lest we become homeless.”

On Saturday, March 18, 2023, around 5:30 a.m., in Wadi Al-Jarra’a, Munbeh District, Saada Governorate, Saudi border guards launched a projectile targeting two passersby, one of whom was a 17-year-old boy named Mohammed Hassan. This resulted in his death and severe injuries to the other person. The wounded victim was transported to the Republican Hospital for treatment, while the family of the deceased child came to receive his body for burial.

A relative of the deceased child shared, “Mohammed used to stay with me before his death. Three days before his death, we had lunch together, and then he left for Munbeh. When he was killed, I sensed that something terrible had happened to him. I contacted the person who had left with him for Munbeh and asked about him. He sounded frightened, trembling, and informed me that Mohammed had been killed.”

He continued, “I went to see him and requested to take his body, but my request was rejected. So, I contacted his relatives, and together we went to collect his body and buried him in Saada. It’s hard to get over the shock and psychological impact; he was my friend.”

He added, “I have witnessed many wounded and dead being transported to hospital due to the Saudi border guards’ attacks, which do not discriminate and target whoever happens to be in their way. Those residing here realize the extent of the brutality and

24 An interview conducted by Mwatana for Human Rights with an eyewitness in Tur Al-Baha, Lahj governorate, on July 15, 2023.

how many people are killed in a single day. The situation is extremely dire.”²⁵

On Monday, January 2, 2023, at approximately 2:30 p.m., a member of the Ansar Allah (Houthi) group, riding in a pickup truck owned by the group, passed through the Al-Madbi market in the Al-Zahir district of Al-Bayda governorate. He threw a hand grenade into a crowd of people in the market with the intention of intimidating them and shutting down the market. The explosion injured a child and two adult men who were in the market at the time of the attack.

One of the victims, a 35-year-old, told Mwatana, “I was selling qat in the market when a pickup truck with Houthi members passed by. One of them threw the grenade. I was in a state of shock and didn’t realize I had been hit by several shrapnel pieces in my right foot, causing multiple deep wounds. There were no clashes, but this incident caused many businesses in the Al-Madbi market to shut down, and many people lost their livelihoods.”²⁶

The father of the child victim, aged 40, told Mwatana, “I was in the market when a vehicle belonging to the Houthis passed by, and someone aboard threw a hand grenade into a crowd of people inside the market, intending to terrorize them and close the market, as it is located near the southern Lahij governorate which is controlled by the Southern Transitional Council. Everyone in the vicinity of the attack was terrified, and it felt like a nightmare that couldn’t be believed. This is how we spend our days in this area, waiting for death. Every day, we anticipate death in any way, as these groups excel in creating deadly threats. Here, you never know if you’ll die from a missile, a landmine, a bullet, or another way.”²⁷

These examples, among others, reflect the parties’ determination to harm civilians and their disregard for their lives and properties, showing no concern for the harm they may inflict upon them.

25 An interview conducted by Mwatana for Human Rights with an eyewitness in As Salam neighborhood, Saada governorate, on November 2, 2023.

26 An interview conducted by Mwatana for Human Rights in Al-Madbi market, Al-Zahir district of Al-Bayda governorate, on June 20, 2023.

27 An interview conducted by Mwatana for Human Rights in Al-Madbi village, Al-Zahir district of Al-Bayda governorate, on June 20, 2023.



A disfigurement of an adult due to ground shelling during the war on Saada in 2014, being treated at Al-Takhasusi Hospital in Saada - Wadi Alaf - Sahar - Saada - December 23, 2023.



Third: Landmines and Explosive Remnants

Incidents involving landmines and explosive remnants have surged significantly compared to previous years. This coincides with the return of many residents to their homes in areas contaminated with these hazards and other remnants of war, following a reduction in military operations. The surge in these incidents can be attributed to the displacement of landmines and remnants by floods, which have washed them into previously uncontaminated areas. Moreover, these floods have often swept away warning signs, complicating civilians' efforts to identify and avoid these dangers. Over time, incidents involving landmines and remnants of war have resulted in hundreds of casualties, posing numerous challenges and risks to movement, transportation, and access to clean water.

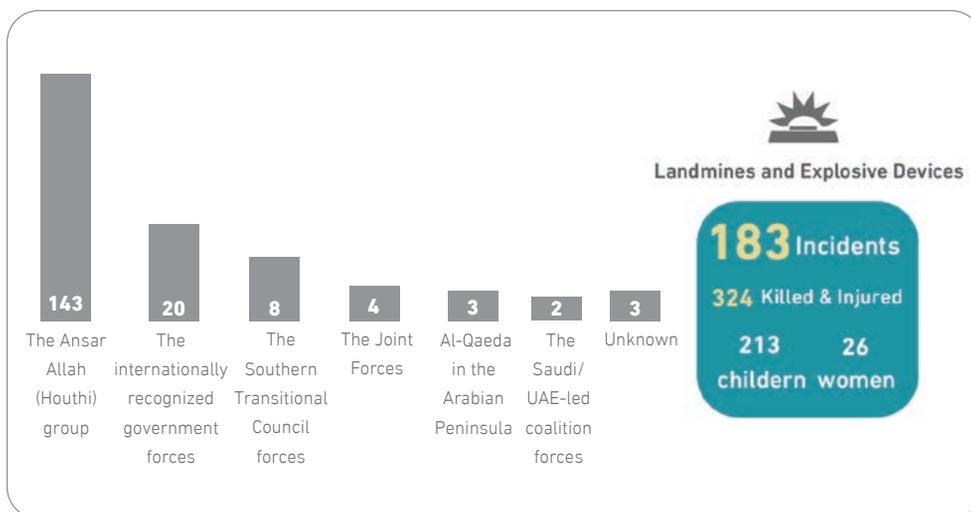
Furthermore, a significant proportion of these landmines, particularly those in areas controlled by the Ansar Allah (Houthi) group, are strategically placed in agricultural fields, main thoroughfares, pastures, and even areas used for gathering firewood. This tactic has deprived many families, whose livelihoods depend on herding and agriculture, of their sources of income. They are confronted with the dire choice between succumbing to starvation or falling victim to the explosions of landmines and remnants scattered throughout the region.

Despite the reduction in military activities, there has been an increase in the deployment of landmines in different regions, such as Harib district in Marib governorate and certain areas in Al-Bayda governorate. Eyewitness testimonies gathered by Mwatana indicate that initially, many locations are devoid of landmines, but the situation changes rapidly. Residents have reported instances where landmines suddenly appear overnight, catching them off guard. Tragically, this often leads to accidents as livestock or residents inadvertently trigger these explosives. Consequently, there is a growing challenge in distinguishing safe areas from those contaminated with landmines, posing a significant threat to the safety of civilians and exacerbating the risks associated with movement and daily life in these regions.

Landmines are concentrated in areas controlled by the Ansar Allah (Houthi) group, as well as in areas they previously controlled. The governorates of Al-Bayda, Al-Hudaydah, Al-Jawf, and Saada, along with some districts in the governorates of Marib and Taiz, are the main areas where landmines are heavily concentrated. The Ansar Allah (Houthi) group bears responsibility for approximately 96% of the landmine incidents and around 71% of the explosive remnant incidents that occurred during 2023. Explosive remnants and remnants of war are scattered throughout various areas of Yemen, particularly near former combat sites and in areas that were previously frontlines during periods of conflict.

Mwatana documented 183 incidents involving landmines and explosive remnants, of which 91 were landmine incidents and 92 were explosive remnant incidents. These incidents encompassed various types of landmines, such as anti-personnel and anti-vehicle mines, as well as deceptive traps, concealed explosives, and leftover weapons like empty bullet casings, hand grenades, improvised explosive devices, and other ground projectiles. As a result, 324 civilians were wounded or killed, including 213 children and 26 women. The responsibility for 86 landmine incidents and 57 explosive remnant incidents lies with the Ansar Allah (Houthi) group, while the internationally

recognized government forces bear responsibility for 4 landmine incidents and 16 explosive remnant incidents. The Southern Transitional Council forces are responsible for one landmine incident and 7 explosive remnant incidents. Additionally, the Joint Forces are accountable for 4 explosive remnant incidents, and Al-Qaeda in the Arabian Peninsula is responsible for 3 explosive remnant incidents. The Saudi/UAE-led coalition forces are responsible for two explosive remnant incidents. The parties responsible for three additional explosive remnant incidents could not be identified by Mwatana’s team.



Legal Framework

Yemen is a signatory to the Ottawa Convention, which prohibits the use of anti-personnel landmines and imposes a comprehensive ban on their possession, stockpiling, production, development, and transfer. The Convention mandates the destruction of these landmines, whether stored or planted in the ground, and obliges conflict parties to provide necessary assistance and care for landmine victims.

Although the Ottawa Convention does not apply to anti-vehicle mines, the use of this type of mine is prohibited when it results in indiscriminate attacks, such as when landmines are spread widely beyond combat zones, including on public roads or in agricultural areas and other locations. This puts civilians at risk of falling victim to the explosion of the mines.

The prohibition of landmines and explosive remnants stems from their indiscriminate nature, which renders them incapable of distinguishing between military and civilian targets. Moreover, their long-term effects can continue to cause harm and loss of life even after the cessation of armed conflict.

Anti-personnel landmines refer to explosive devices designed to be placed under, on or near the ground, and to be triggered by the presence, proximity or contact of a person.²⁸

Explosive remnants of war, according to the Fifth Protocol annexed to the 1980 Convention on Certain Conventional Weapons, encompass a wide range of explosive ordnance – unexploded or abandoned – that remains in an area after an armed conflict has ended. These include artillery shells, grenades, mortar shells, submunitions, rockets, missiles and other explosive devices.²⁹

The deliberate placement of landmines and explosive remnants in grazing areas, agricultural fields, near water sources, and on public roads constitutes a conflict tactic employed to induce starvation. This tactic is strictly prohibited under the Geneva Conventions and other international humanitarian law agreements due to its devastating impact on individuals' livelihoods. By disrupting agricultural activities, contaminating water sources, and impeding transportation, this tactic deprives families of their primary source of income. Consequently, affected families may face challenges in meeting their basic needs.

28 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction - Ottawa Convention 1997, available at: <https://www.icrc.org/ar/resources/documents/treaty/anti-personnel-mine-ban-convention>

29 Explosive remnants of war: the lethal legacy of modern armed conflict, ICRC, available at: <https://www.icrc.org/en/doc/resources/documents/legal-fact-sheet/erw-factsheet-150807.htm>



**We only found fragments
of my brother's body, and
we were consumed with
grief and despair.**



Examples of Landmine and Explosive Remnant Incidents:

On Sunday, January 1, 2023, around 2:00 p.m., a landmine planted by the Ansar Allah (Houthi) group exploded, resulting in the death of a child and causing severe injuries to his father. The incident occurred while the victims were grazing sheep in the village pasture, where the child stepped on the landmine, triggering its explosion.

The victim's brother (23 years old) recounted to Mwatana, "On the day of the incident, my father and brother were grazing sheep in the village pasture. One of the sheep went missing, so they decided to search for it in different areas of the pasture. My brother found the lost sheep and, upon returning to my father, inadvertently stepped on a landmine. This caused it to explode, tearing his body apart and ending his life instantly.

He added, "We only found fragments of my brother's body, and we were consumed with grief and despair. My father was severely wounded; when I found him, he was bleeding profusely and in a state of shock, crying bitterly for my brother. I work in qat harvesting near the pasture. When I heard the explosion, followed by my father's cries, I rushed with other people to where my father was. When I arrived, I heard my father screaming at the top of his lungs 'Torn to pieces and died!!'. I tried to enter the pasture, but the villagers stopped me, fearing I might trigger another landmine explosion. When one of the neighbors managed to reach my father, he had already lost consciousness due to severe bleeding."³⁰

On Tuesday, February 14, 2023, around 5:15 p.m., a landmine planted by the Ansar Allah (Houthi) group exploded in the Rab' Al-Hudrami area of Hays district in Al-Hudaydah governorate, resulting in the death of two children and the injury of three others who were playing football in a field in the area.

A 19-year-old eyewitness told Mwatana, "We play at this football pitch every day. Yesterday, a landmine exploded on the field while nearly 20 children, the oldest being 13 years old and the youngest 9, were playing. One of the children stepped on

³⁰ An interview conducted by Mwatana for Human Rights with the victim's brother in Al-Latifah village, Mukairas district of Al-Bayda governorate, on April 6, 2023.

the landmine during the game, triggering the explosion. Soil flew into the air, and the shrapnel scattered all over, along with the victim's flesh torn into pieces by the blast. We gathered the victims' fragments into a bag. When one of the children's fathers saw his son with half of his body on a motorcycle, he fainted and lost his ability to speak." He added, "We found one of the children's hands far from the scene while rescuing the wounded victims."³¹

A 11-year-old victim told Mwatana, "We were playing football as we do every day. The ball went near the edge of the pitch, and one of us was going to throw it in. Ya'qub (13 years old) said, 'Pass me the ball.' While he was running to catch the ball, he stepped on the landmine and it exploded. The force of the blast pushed me away. At that moment, I thought the ball had burst in my face. I couldn't understand what had happened. When I fell to the ground, I saw my friend with half of his body and one of his hands severed. I panicked and tried to run away from the scene. On the way, I met my friend's father asking about him and telling me that he had bought him a new pair of shoes to make him happy. When he saw me crying and running, he asked me 'what happened?' I told him that his son had died."³²

On Saturday, May 27, 2023, around 4:00 p.m., a landmine planted by the Ansar Allah (Houthi) group exploded, killing two children and injuring a child, a man, and a woman from the same family. The incident occurred as the victims were traveling in their Hilux vehicle along a dirt road in the Al-Hayjah area of the Al-Masloub district in Al-Jawf governorate. The explosion was triggered when the vehicle ran over the landmine.

One of the victims, aged 24, recounted to Mwatana, "I was driving my car with my wife, son, and two of my brothers to collect firewood to sell. I was driving along a dirt side road on the outskirts of the area when the rear tire of the car hit the landmine, causing it to explode. Both of my brothers were killed instantly, and my wife, son, and I sustained multiple injuries and fractures. My brothers were thrown out of the car, and my wife lost consciousness. We remained on the road until some passersby arrived, approximately half an hour or more later, and assisted us. I lost my brothers and my

31 An interview conducted by Mwatana for Human Rights with an eyewitness in Rub' Al-Hudrami area of Hays district, Al-Hudaydah governorate, on February 15, 2023.

32 An interview conducted by Mwatana for Human Rights with a victim in Rab' Al-Hudrami area, Hays district of Al-Hudaydah governorate, on February 16, 2023.

source of livelihood, and my life turned upside down.”³³

On Tuesday, July 25, 2023, at approximately 11:00 a.m., the remnants of a missile belonging to the defensive system of the internationally recognized government exploded, resulting in the death of 8 people, including five children from one family, and injuring two other children. The blast completely destroyed the family’s home, and the bodies of the deceased victims were torn into pieces.

An eyewitness, a relative of the victims (35 years old), said to Mwatana, “I was at home with my family and my sister’s family. Then, my sister and her children left my house. We live next door to each other. Three minutes after they left, I heard an explosion and part of the house collapsed above me. I thought it was a bomb that exploded near my car, which I had parked close to the house. I rushed towards it and thankfully found it intact. I looked at my sister’s house and saw dust covering it. I almost choked from the dust, so I stepped back and climbed into my car. I found four of my sister’s children lying on the ground, bleeding. I rushed them into the car, asking if anyone else needed help. When we arrived at the hospital, I was told that two of the children had passed away, and the other two had serious injuries. When I returned home, I found that the others had also passed away, including my sister and her husband.”³⁴

On Saturday, April 8, 2023, at approximately 4:30 p.m., remnants of an anti-aircraft projectile exploded in the Al-Sawda’a area of Ataq district in Shabwa Governorate. The projectile remnants belonged to the Shabwah Defensive Forces affiliated with the Southern Transitional Council. This incident resulted in the injury of three children and one adult man. The projectile remnants were in the possession of one of the children, who had brought them from his home. When he was playing with them, they exploded in the midst of civilians at the qat market.

33 An interview conducted by Mwatana for Human Rights with a victim in Al-Faidh area, Al-Mutoon district of Al-Jawf governorate, on June 17, 2023

34 An interview conducted by Mwatana for Human Rights with an eyewitness, a victims’ relative, in Al-Hawi area, Al-Wadi district of Marib governorate, on August 9, 2023.

A relative of the victims, aged 28, told Mwatana, “My nephew, aged 15, was at the qat market with some of his relatives when one of his friends brought remnants of an anti-aircraft projectile. When the children started playing with them, they exploded.” He added, “I was at home when I received a call informing me of what had happened. I rushed to see the children at the Shabwa Hospital, and upon arrival, I found their condition extremely critical.”³⁵

On Wednesday, May 3, 2023, around 4:30 p.m., a 23mm-caliber anti-aircraft projectile exploded in the courtyard of a residence in Al-Mantiqah Ash-Shamaliyah neighborhood, Al-Shahr district, Hadhramaut governorate. The projectile was a remnant of the forces affiliated with the internationally recognized government. This explosion resulted in severe injuries to two children aged 3 and 7 years old.

The father of one of the child victims and the brother of the other (28 years old) recounted to Mwatana, “I was in one of the rooms of our house when I heard the explosion and felt the house trembling. It felt like the house had collapsed over our heads, and I only snapped out of the shock when I heard the screams of the children and women coming from the courtyard. I rushed to them, and I can’t recall the details of that moment. All I remember is picking up my son and my brother from the ground, their bodies covered in blood. I rushed them to Al-Shehr General Hospital. They were bleeding severely, and what helped them survive was our proximity to the hospital. Now, my brother and my son are bedridden and unable to walk due to their injuries and the amputation of their feet.”³⁶

The examples reviewed demonstrate the severe harm inflicted on civilians due to the planting of landmines and explosive remnants of war. Most victims of these violations are civilians, especially children, making the incidents egregious violations of various principles and rules of international humanitarian law and international human rights law.

35 An interview conducted by Mwatana for Human Rights with a relative of the victims on 60th Street in Ataq district, Shabwa governorate, on April 9, 2023.

36 An interview conducted by Mwatana for Human Rights with a relative of the victims in Al-Mantiqah Ash Shamaliyah neighborhood in Al-Shehr district of Hudramout governorate, on May 18, 2023.



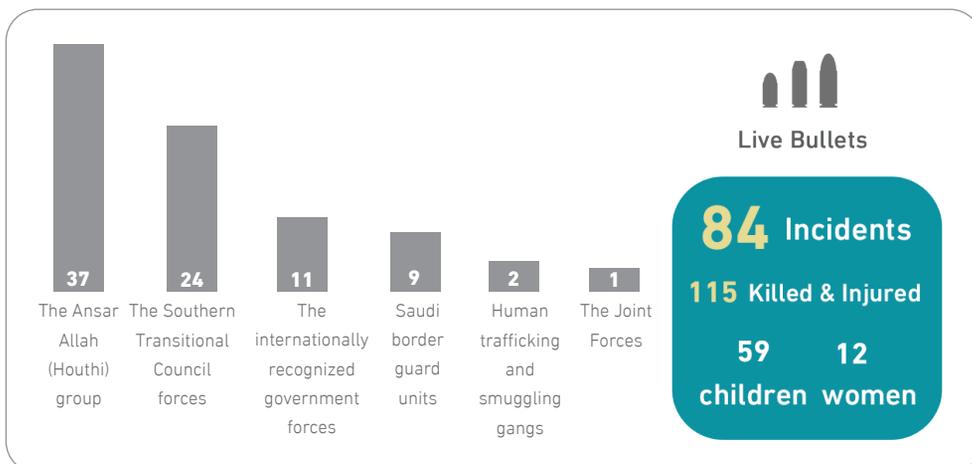
The photo shows the suffering of a child victim of war who was injured by an explosive device - a remnant of the war left by the Ansar Allah (Houthi) group, on Tuesday, May 30, 2023, around 2:50 PM, in a grazing slope in Wadi Al-Daqiq - Al-Daqiq area - Jerada village - Al-Hiyash subdistrict - Al-Taffa District - Al-Bayda Governorate.



Fourth: Live Ammunition

Mwatana documented 84 incidents involving use of live ammunition, resulting in the death and injury of 115 individuals, including 59 children and 12 women. The Ansar Allah (Houthi) group bears responsibility for 37 of these incidents, while the Southern Transitional Council forces are responsible for 24 incidents. The internationally recognized government forces are accountable for 11 incidents, and Saudi border guard units are responsible for 9 incidents. Additionally, human trafficking and smuggling gangs are responsible for two incidents, and the Joint Forces are responsible for one incident involving live ammunition.

These incidents of live ammunition use include both direct and ricochet gunfire. They represent an escalating pattern posing a significant threat to civilian lives, raising concerns about the continuation of such patterns despite decreased military operations. This pattern is inherently linked to the expansion or reduction of military operations.





I felt a sharp pain in my foot and noticed blood gushing out profusely. I lost my balance and passed out, only regaining consciousness at the hospital.



Examples of Live Ammunition Incidents:

On Friday, July 7, 2023, at approximately 4:15 p.m., seven individuals wearing civilian attire, who were aboard two white vehicles belonging to the government-affiliated First Military Zone, fired live ammunition at a popular gathering organized by the Southern Transitional Council in the front courtyard of Seiyun Palace in Al-Sahil neighborhood, Seiyun district, Hadhramaut governorate. This resulted in the injury of two children (aged 12 and 17) by multiple bullets. The wounded were promptly taken to Seiyun General Hospital for medical treatment.

One of the victims (17 years old) recounted to Mwatana, “There was a physical altercation between masked, armed men affiliated with the government and some of the event’s attendees. The gunmen attempted to prevent the Southern flags from being hung on the walls of Seiyun Palace, but the organizers insisted on displaying them. Suddenly, intense gunfire was let off by the gunmen in the direction of the attendees. A moment later, I felt a sharp pain in my foot and noticed blood gushing out profusely. I lost my balance and passed out, only regaining consciousness at the hospital.”³⁷

On Wednesday, March 29, 2023, around 7:15 in the morning, 17-year-old Raghad Ali— a pseudonym—was cleaning the kitchen in the courtyard of her home in the village of Al-Zharafah, Al-Sayani district, Ibb governorate, when she was struck in the back of her head by a ricocheting bullet. She lost consciousness in the courtyard. Her father rushed her to Al-Rafai Hospital, where X-rays revealed a bullet lodged in the back of her head. Due to the severity of the injury, doctors could not perform the necessary surgery to remove the bullet. Days after the incident, the girl was suffering from hemiplegia, along with memory and motor control issues.

The victim’s father (49 years old) said to Mwatana, “When I saw my daughter lying on the ground, I thought she had simply fallen. Upon feeling her head, I found a little blood, and she seemed to be on the brink of death. I called my nephew and he brought his motorcycle. We rushed her to Al-Rafai Hospital. After X-rays were done, it was revealed that a bullet had entered the back of her head and lodged itself in the frontal lobe of her

³⁷ An interview conducted by Mwatana for Human Rights with a victim in Boor area, Seiyun district of Hadhramaut governorate, on August 18, 2023.

brain. She underwent surgery to clean the wound, but due to the risk, doctors declined to remove the bullet. My daughter is bedridden, unable to move, suffering from memory and concentration issues. I try to encourage her to overcome her condition and haven't told her about the bullet to avoid triggering a setback."³⁸

Live ammunition incidents, both direct and ricocheted, result in the loss of many innocent lives and cause permanent disabilities for others. They lead to endless suffering and various damages for victims, their families, and society as a whole.

38 An interview conducted by Mwatana for Human Rights with the victim's father in Al-Zharafah village, Al-Saiani district of Ibb governorate, on April 17, 2023.



Fifth: Military Vehicle Collisions

The pattern of military vehicles running over civilians is one that demonstrates the disregard of parties to the conflict for civilian lives. Most of the incidents of this nature documented by Mwatana could have been avoided if the drivers of the vehicles, belonging to the conflict parties, had shown even a modicum of concern for civilian lives and adhered to traffic rules.

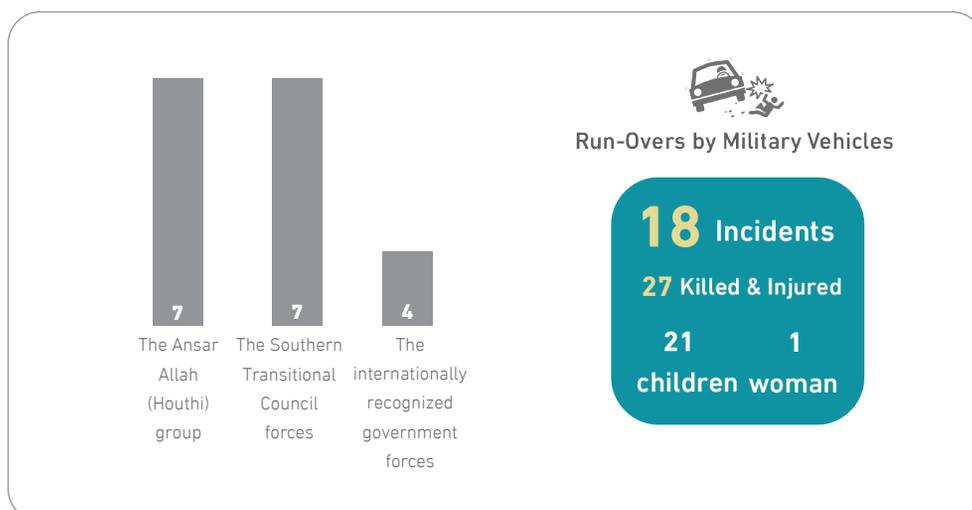
Mwatana documented 18 incidents of military vehicle collisions in the year 2023, resulting in the deaths and injuries of 27 civilians, including 21 children and women. Responsibility for 4 of these incidents lies with the forces of the internationally recognized government, while the Southern Transitional Council bears responsibility for 7 incidents, and the Ansar Allah (Houthi) group is responsible for 7 incidents. According to Mwatana's documentation, most of these incidents result from the reckless behavior of drivers belonging to the conflict parties, who were violating traffic regulations and driving at high speeds.

Legal Framework

Incidents in which military vehicles run over civilians fall under the excessive use of force, showing disregard for the lives and properties of individuals. They constitute a violation of the rights to life and security, among other rights, and cause unnecessary harm. These incidents mostly occur independently of military operations or legitimate military objectives, making them inappropriate, random acts characterized by intent to harm or by recklessness and disregard for civilian lives and traffic rules. Consequently, they represent clear violations of international humanitarian law and international human rights law.

International treaties and laws guarantee individuals' rights to life and freedom of movement, obligating parties to the conflict and authorities to ensure these rights. At the same time, international humanitarian law prohibits disproportionate attacks that constitute recklessness towards civilian lives and properties, and that fail to take necessary measures to protect civilians, regardless of the cause or nature of these attacks.

Therefore, the collisions documented by Mwatana constitute violations of the principles and rules of international humanitarian law and international human rights law. This necessitates holding the responsible parties accountable and providing justice to the victims. It also requires conducting transparent and impartial investigations into the incidents, the circumstances around them, and their causes. They should not be treated as ordinary traffic accidents that could not have been avoided, as the conflict parties tend to describe them.





I decided to visit a relative, and I took Janna with me. She was thrilled to be going out with me. We left early so I could return in time to finish the household chores and prepare for iftar [Ramadan fast-breaking meal]. As we were walking along the pedestrian lane on the asphalt road, in the blink of an eye, she slipped from my hand, and I found her lying on the road.



Examples of Military Vehicle Collisions:

On Wednesday, April 12, 2023, around 7:30 p.m., in the Al-Mahkamah neighborhood of Khunfar district, Abyan governorate, a military Land Cruiser pickup, affiliated with the Southern Transitional Council forces, was speeding down a street, ignoring the pedestrian crossing, when six-year-old Jana Jameel (female) was crossing the road with her mother. The vehicle knocked the child out of her mother's hand and threw her onto the road. The armed men disembarked from the military vehicle and contacted the child's father to provide assistance. It was found that the child had suffered multiple fractures, a deep wound to the forehead, and numerous bruises all over her body. Her father bore all the expenses related to her treatment, but did not receive any compensation nor was an investigation conducted into the incident.

The victim's father (28 years old) told Mwatana, "My daughter went out with her mother to visit a relative, and as they attempted to cross the street, a military vehicle collided with Janna, causing her to fly from her mother's grasp and fall onto the asphalt road. Upon reaching the hospital for assistance, it was discovered that she had a femur fracture, a deep wound to the forehead, and numerous bruises and abrasions. Officers from the Criminal Investigation Department arrived to verify the incident, but all I could do was waive my daughter's rights in the case. They didn't even help me with the treatment costs. The driver said, 'This is just a normal, unintentional accident. We had an urgent matter and were in a rush, and we didn't mean to hit her.' Then he left as if nothing had happened.»³⁹

The mother of the victim, aged 33, recounted to Mwatana, "I decided to visit a relative, and I took Janna with me. She was thrilled to be going out with me. We left early so I could return in time to finish the household chores and prepare for iftar [Ramadan fast-breaking meal]. As we were walking along the pedestrian lane on the asphalt road, in the blink of an eye, she slipped from my hand, and I found her lying on the road. Shock overwhelmed me amidst the cacophony of screams, as if it were a nightmare. I couldn't comprehend how my daughter was snatched from my grasp. I couldn't breathe or move. People gathered around me as I stood frozen in place from the shock. Eventually, I managed to scream loudly, and someone went to fetch her father. We hurried her to

39 An interview conducted by Mwatana for Human Rights with the victim's father in Ja'ar area, Khanfar district, Abyan governorate, on April 16, 2023.

the hospital. At that moment, all I could think was that she had passed away.”⁴⁰

On Friday, February 3, 2023, two children aged 6 and 9 were playing near their home in the Saudi tourist resort in the Damt district of Al-Dhalea governorate when a military vehicle affiliated with the Ansar Allah (Houthi) group approached at high speed and collided with them, causing them to sustain fractures in various places, along with multiple bruises and contusions.

The father of the victims, aged 28, recounted to Mwatana, “My children had their lunch and went out to play near the house as usual when a military vehicle affiliated with the Ansar Allah (Houthi) group approached. Due to the reckless speed at which the vehicle was traveling, it veered off course by 5 meters and collided with my children. After the incident, a relative called me since I was at work, and I could hear my children crying in the background during the call. I rushed to the hospital, and upon arrival, their condition was critical, and they were in the operating room.”⁴¹

He added, “If the culprit of this incident were an ordinary citizen, even if I accepted it as fate, I could have at least compelled them through customary means to help treat the children. However, the culprit is a leader in the group, and it’s difficult to hold them accountable. I am a plumber and work for daily wages. My income is limited, and I cannot afford to cover all these expenses.”⁴²

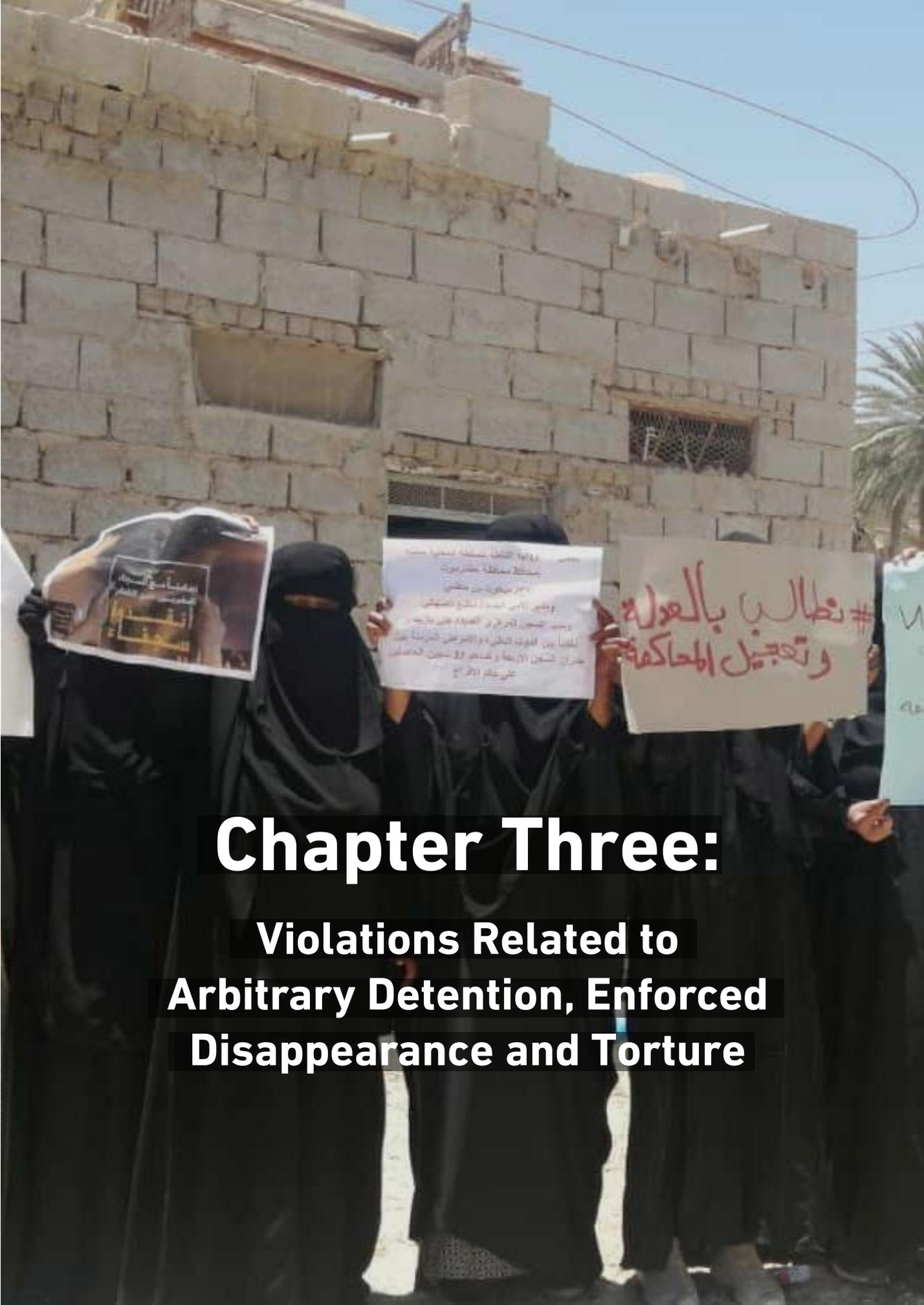
40 An interview conducted by Mwatana for Human Rights with the victim’s mother in the Omar Al-Mukhtar area, Al-Mansoura district, Aden governorate, on April 17, 2023.

41 An interview conducted by Mwatana for Human Rights with the victims’ father in Damt district, Al-Dhalea governorate, on March 26, 2023.

42 An interview conducted by Mwatana for Human Rights with the victims’ father in Damt district, Al-Dhalea governorate, on March 26, 2023.



A child victim of military vehicle run-overs of citizens - Azan area / Mayfa'a District / Shabwa - May 25, 2023.



Chapter Three:

Violations Related to
Arbitrary Detention, Enforced
Disappearance and Torture

Introduction

In 2023, violations related to arbitrary detention, torture, and other forms of inhuman or degrading treatment topped the list of violations documented by Mwatana. Mwatana documented a total of 657 incidents in this category, including 434 cases of arbitrary detention, 134 cases of enforced disappearance, 74 cases of torture and other forms of inhuman or degrading treatment, in addition to 13 cases of deaths in detention, one case of abduction, and another of field execution. The responsibility for 337 of these incidents lies with the Ansar Allah (Houthi) group, while the internationally recognized government forces are responsible for 154 incidents. The Southern Transitional Council is responsible for 145 incidents, while the Saudi/UAE-led coalition forces are responsible for 14 incidents. The Joint forces are responsible for 6 incidents out of the total documented by Mwatana, with one incident attributed to other parties. These figures represent only a fraction of the actual violations committed by the parties, with the actual number being much higher. Among these violations, the large-scale detention campaign carried out by the Ansar Allah (Houthi) group, targeting hundreds of civilians, stands out. This campaign coincided with popular celebrations commemorating the anniversary of the September 26th revolution. Additionally, government and Elite forces conducted wide-ranging detention campaigns targeting civilians in Hadhramaut governorate on October 23, 2023.

Civilians are detained not only in official detention centers but also in unofficial facilities established by parties to the conflict, which constitute illegal detention centers. Some of these centers are secret and are used to hide detainees, especially political opponents, and to carry out various forms of torture.

Arbitrary detention has become a means for parties to deprive large numbers of people of their freedoms, using charges such as espionage, inciting unrest, belonging to dormant cells, and collaborating with enemies, among others. Those accused of criminal acts often face disregard for all procedural justice requirements, beginning with the methods of arrest and encompassing countless other violations.

Parties to the conflict often intentionally conceal their detainees. In several cases documented by Mwatana, families of the disappeared would inquire about their loved ones at detention centers and police stations, only to be informed that they were not present. Later, after periods of detention, it would be revealed that they were indeed held in those same detention centers.

There are numerous detention centers that are largely inaccessible, where various forms of torture and other types of inhuman and degrading treatment are practiced. Examples include the Wadah Hall, known as the Counter-Terrorism Prison in Aden, the Al-Bait Al-Abiadh [White House] detention center in Hajjah, and the Political Security prisons in Marib, as well as detention centers of the Security and Intelligence Service in Sana'a and other areas.

During 2023, Mwatana provided legal support to victims of arbitrary detention in 17 Yemeni governorates through 28 field lawyers. By offering assistance and legal counsel, the team contributed to the release of 320 individuals. However, thousands of civilians remain in detention centers, among them arbitrarily detained and forcibly disappeared persons.

The objectives of Mwatana's legal support team are to secure the release of arbitrarily detained individuals, uncover the fate of forcibly disappeared persons, and improve detention conditions. The team aims to ensure that detention procedures and judicial proceedings adhere to relevant national and international laws.



First: Arbitrary Detention

Arbitrary detention refers to the confinement of individuals without legal justification and in contravention of the arrest and detention procedures stipulated by local and international laws.

Mwatana documented 434 cases of arbitrary detention during the year 2023, committed by various parties to the conflict, including the Ansar Allah (Houthi) group, the Southern Transitional Council forces, the forces of the internationally recognized government, the Saudi/UAE-led coalition forces, and the Joint Forces.

Legal Framework

International humanitarian law and international human rights law prohibit arbitrary detention in various circumstances, including situations of non-international armed conflict. According to Article 9 of the International Covenant on Civil and Political Rights, no one shall be deprived of their liberty except on grounds and in accordance with procedures established by law.

The Yemeni Constitution provides a range of safeguards to ensure procedural fairness and justice, such as setting a maximum duration for detention by law enforcement agencies pending referral to the prosecution, guaranteeing the right to defense, ensuring the right of the accused to make confessions voluntarily and without coercion, upholding their right to communicate with family members, setting the maximum period of detention by the prosecution, and more.

Arbitrary detention, in all its forms, constitutes a violation of the legal guarantees enshrined in the Yemeni constitution and legislation, international human rights law, and international humanitarian law. These guarantees include the right of individuals, under all circumstances and regardless of the justifications, to know the reasons for their detention, to be referred to the prosecution within a maximum period of 24 hours, to present their defense and objections, and the right to obtain a court order for the continuation of detention or release, among others.

This highlights that arbitrary detention blatantly contradicts various international laws and different national legislations.





They threatened my son, saying if we didn't leave the area, they would beat him until he lost consciousness. They cursed at us. My son and I were extremely frightened; we didn't know what to do. We have nowhere else to go. If the mediators from the local community fail to allow me to stay, I'll leave the area, but I don't know where to go.



Examples of Arbitrary Detention Violations:

On Monday, July 3, 2023, around 2:30 p.m., in the Al-Koud area of Khanfar district, Abyan governorate, a group of soldiers affiliated with the Southern Transitional Council detained a displaced child (13 years old, male) and his father (58 years old). A military vehicle stopped in front of the victims' house, with six soldiers inside. The soldiers forcefully knocked on the victims' door, and when the child opened it, one of the soldiers grabbed him by his shirt and threw him into their vehicle. They then took his father and escorted them to the Zinjibar police station, where they were detained until 9 p.m. They were released on the condition that their family leave the area within 15 days. This incident occurred due to a previous altercation between the child and the young son of a leader, who had detained him the previous day. Both children were of the same age. The child continues to suffer from fear and anxiety, and avoids leaving the house until his family relocates or finds a way to stay and live safely.

The victim and the child's father (59 years old) told Mwatana, "At 2:30, I heard heavy knocking on the door, enough to scare my entire family. I got up to open it and found the local leader affiliated with the Southern Transitional Council standing there, shouting at the top of his voice, 'Where is your son? Bring him here!' I called out to my son, but before he reached the door, the leader grabbed him by his shirt and threw him into the vehicle. Then he told me to get into the car, so I complied. He muttered angrily, 'How dare your son argue with mine? I'll kick you out of this place, and I won't allow you to stay for even one more day.' I didn't say a word. I'm a displaced person; I came here seeking safety. I couldn't even enroll my children in school. I couldn't find a reason for all of this happening. It's normal for children to argue with each other."

He continued, "They threatened my son, saying if we didn't leave the area, they would beat him until he lost consciousness. They cursed at us. My son and I were extremely frightened; we didn't know what to do. We have nowhere else to go. If the mediators from the local community fail to allow me to stay, I'll leave the area, but I don't know where to go."⁴³

43 An interview conducted by Mwatana for Human Rights with a victim in the Al-Kuod area, Khanfar District, Abyan Governorate, on July 10, 2023.

On Sunday, April 2, 2023, around 10:00 p.m., a group of eight people affiliated with the Public Security forces of the Southern Transitional Council arrested a young civilian man (28 years old) from a public street in the Al-Sheikh Othman district of Aden governorate. They stopped their vehicle and seized the young man from his motorcycle, then transported him to the Al-Mamdarah police station. The victim was not informed of the reason for his arrest, and no formal or informal charges were brought against him, nor was he subjected to any official or unofficial interrogation.

The victim's father told Mwatana, "When I went to visit my son after he called me to inform me of his detention, I found him in a detention facility alongside other detainees. The place lacked ventilation despite the high temperatures in the city of Aden. There were no sleeping mats or food, and the restroom facilities were barely usable. I went home and brought a mattress, blankets, and food for my son. On the second day, I returned to inquire about the reason for his detention, and I was informed that he was accused of being affiliated with Al-Qaeda. A week has passed (as of the documentation date) since his detention, yet he has not been referred to the prosecution or interrogated, and there is no case file. I do not know where things will end up for me or whom I should complain to."⁴⁴

On January 3, 2023, the Ansar Allah (Houthi) group forces in the village of Shabthan, Al-Souma'a district, Al-Bayda governorate, detained a civilian man (35 years old) due to his posts on social media criticizing the group. Several soldiers, riding in two military vehicles, went to the victim's house, took him, and transported him to Al-Bayda.

The victim's brother (45 years old) told Mwatana, "We were surprised by the arrival of two military vehicles at our doorstep, and we noticed soldiers surrounding the house. They requested my brother to come forward, so he went along with some neighbors who tried to intervene to prevent his detention or at least find out the reason for it. At that time, they informed us that they would take him to Al-Bayda to question him about certain matters and then release him. After he left the village with the soldiers, we completely lost contact with him. Some people told us he was in the Security and Intelligence Service. After a month, he contacted us and informed us that he was

⁴⁴ An interview conducted by Mwatana for Human Rights with the victim's father, Sheikh Othman District, Aden Governorate, on April 10, 2023.

detained on charges of spying for the government forces and the coalition due to his social media posts. He hasn't been released, and we don't know what will happen. Influential figures are trying to intervene and have promised his release, but until now (date of documentation), we have no idea what will happen, and there is no promising news."⁴⁵

45 An interview conducted by Mwatana for Human Rights in the Shabthan neighborhood, Al-Sawmaa District, Al-Bayda Governorate, on September 9, 2023.



Second: Enforced Disappearance

Enforced disappearances are among the recurring violations that have been endured by Yemenis in various cycles of conflict, and have witnessed a significant surge during the current conflict and over the last few years in particular. Parties to the conflict have continued to commit these violations unchecked, including in the year 2023. Mwatana for Human Rights documented 134 cases of enforced disappearance during 2023.

Victims of enforced disappearance in Yemen are subjected to various atrocities such as torture, starvation, and other brutal practices. Enforced disappearance is often used as a strategy to spread terror within communities. Its impact extends not only to the victim but also to their families, friends, appointed lawyers, activists, and communities, according to international law.

Legal Framework

Victims of enforced disappearance are individuals who have disappeared following their arrest by state authorities or any person acting with the consent of the authorities. These actors subsequently deny knowledge of their whereabouts or their association with the victims. Enforced disappearance, whether committed by authorities or armed groups, constitutes a serious crime under international law.

Families and friends of the forcibly disappeared live in a state of confusion, fear, and continuous anxiety about the fate of the victim. They wonder whether the victim is still alive, if they are being subjected to torture, if they have enough food and drink, and have many questions about their detention conditions and the charges against them. This leads to long-term psychological effects that do not end once the victim returns or their fate is revealed.

International humanitarian law and international human rights law criminalize enforced disappearance and recommend imposing the maximum penalties on those involved in perpetrating such violations. Enforced disappearance is considered one of the violations that remain criminalized and prohibited under any circumstances and in all cases, with no exceptions.

Enforced disappearance is criminalized because it deprives victims of their right to legal protection, defense, fair trial, and communication with their families. Victims of enforced disappearance are often subjected to torture and other forms of inhuman, harsh or humiliating treatment or punishment.

Although Yemen has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance and lacks explicit provisions in its national laws criminalizing enforced disappearance, laws related to arbitrary detention and the prohibition of torture are in line with international texts criminalizing enforced disappearance.



Enforced Disappearance





I was in constant contact with my husband throughout his journey. When he arrived at Tur Al-Baha near Sa'ilah Al-Muqatara around 11:00 p.m., I received his last SMS. After that, we lost all contact with him. I don't know if he's alive or dead, who detained him, or what happened.



Examples of Enforced Disappearance Violations:

On Friday, September 15, 2023, around 11:00 p.m., elements affiliated with the Giants Forces, which are part of the Southern Transitional Council, in the area of Tur Al-Baha near Sa'ilah Al-Muqatara, detained an adult man (35 years old) while he was returning from Aden to Sana'a in his friend's car. The victim's family has not known his whereabouts, fate, or the exact entity responsible for his disappearance as of the date of documentation.

The victim's wife told Mwatana, "I was in constant contact with my husband throughout his journey. When he arrived at Tur Al-Baha near Sa'ilah Al-Muqatara around 11:00 p.m., I received his last SMS. After that, we lost all contact with him. I don't know if he's alive or dead, who detained him, or what happened. His friend who was with him informed us that he was detained by members of the Giants Forces in Tur Al-Baha. My husband's brother went there to inquire about him, but all security checkpoints confirmed that they didn't have him and didn't know anything about him. I just want to know who detained him and why, and where he is. We want to understand the issue so we can follow up and resolve it."⁴⁶

On Saturday, February 25, 2023, at 10:30 a.m., the Ansar Allah (Houthi) group in Demnat Khadeer district in Taiz governorate stopped a taxi heading to Taiz, detained a 41-year-old man without stating any reasons, and forcibly took him to an unknown location.

The victim's lawyer (43 years old), who is also an eyewitness, told Mwatana, "The victim went to visit a relative in Taiz city in a taxi. Upon reaching Demnat Khadeer, the checkpoint personnel stopped the taxi and asked the driver and passengers for their identification cards. After taking the cards, one of the checkpoint personnel asked the victim to step out of the car, claiming they needed to question him because he was wanted and affiliated with the mercenaries (government forces). The victim contacted his son and informed him of what was happening before getting out of the car."

⁴⁶ An interview conducted by Mwatana for Human Rights with the victim's wife in the Shu'ob district, Sana'a governorate, on October 5, 2023.

He added, “We know the victim as a simple man who has no involvement with the conflict parties, and we’ve only known him for his kindness. His son tried calling him again, but his phone was switched off. Since then, we’ve been unable to reach him. Some say he’s in Al-Saleh City [a detention center in Taiz], but with no further details. We can’t pursue legal action while we don’t know his whereabouts or what has happened to him.”⁴⁷

On Thursday, February 16, 2023, at 9:00 a.m., a military force consisting of 15 members affiliated with the Criminal Investigation Department in Al-Mukalla district, Hadhramaut governorate, detained a 17-year-old boy on charges of belonging to the Islamic State organization (ISIS). During his detention, the victim was forced through torture to confess his affiliation with the organization. He remained forcibly disappeared for a month before being transferred to the central prison in Al-Mukalla. Neither he nor his family were allowed any communication or visitation rights until June 4, 2023.

47 An interview conducted by Mwatana for Human Rights with the victim’s lawyer in Mawiyah area in Al-Ta’iziyah district, Taiz governorate, on July 5, 2023.

Third: Torture and Other Forms of Inhuman or Degrading Treatment

Mwatana documented 74 cases of torture and other forms of inhuman or degrading treatment committed by various parties to the conflict, including the Ansar Allah (Houthi) group, the forces of the internationally recognized government, the Southern Transitional Council, and the Saudi/UAE-led coalition, as well as the Joint Forces. This figure is merely a fraction of the actual number of violations, as it represents only the incidents that Mwatana's team managed to document.

Legal Framework

Torture is defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from them or a third person information or a confession, punishing them for an act they or a third person has committed or is suspected of having committed, or intimidating or coercing them or a third person.

No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture. Orders issued by senior officials or public authorities may not be invoked as a justification of torture.⁴⁸

According to Article 5 of the Universal Declaration of Human Rights, individuals may not be subjected to torture or to cruel, inhuman, or degrading treatment or punishment, and they must be treated with dignity.⁴⁹

Article 7 of the International Covenant on Civil and Political Rights guarantees the right not to be subjected to torture, with additional provisions ensuring humane treatment for all those deprived of their liberty.⁵⁰

In international humanitarian law, the Geneva Conventions and their protocols, to which Yemen is a party, explicitly prohibit torture and other forms of inhuman and degrading treatment. Civilians are afforded protection under Article 37 of the Geneva Convention (IV), which mandates humane treatment for civilian detainees and prohibits any form of cruelty, including detention in conditions that fail to meet standards of cleanliness, lighting, water, space, sufficient food, and adequate drink, among others.⁵¹

In non-international conflicts, Common Article 3 provides for the protection of persons detained, including civilians and captured fighters. It prohibits attacks on life, particularly murder in all its forms, as well as cruel treatment, torture, and attacks on personal dignity.

Torture, under certain circumstances, such as when committed as part of a systematic and widespread attack against a civilian population, constitutes a crime against humanity pursuant to the Rome Statute.

48 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

49 Universal Declaration of Human Rights, available at: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

50 International Covenant on Civil and Political Rights, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

51 Geneva Convention (IV), 1949, available at: <https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949>



They wanted me to confess to a crime I didn't commit. They broke my fingernails one by one and tore off three of my toenails. They beat me mercilessly with whips and nails. I screamed at the top of my lungs, but they showed no mercy. They deprived me of food and water. They wore masks, so I didn't recognize any of them.



Examples of Torture and Other Forms of Inhuman or Degrading Treatment:

On June 28, 2023, Ali Mohammed, aged 53, from the city of Ataq in southern Yemen, traveled to the city of Ibb to spend the Eid holiday. While on the road, specifically in the Jaar area of Abyan Governorate, members of a checkpoint affiliated with the Security Belt Forces, part of the Southern Transitional Council, detained him and transferred him to a prison in Jebel Khanfar. After his disappearance, his family posted a plea to search for him on social media on July 9, 2023. They received information that he was in Jaar prison, and one of his family members went there and secured his release. However, he was rearrested by the Security Belt Forces in the Mudia area near Qarn Ash'al. He was subjected to torture using sharp tools, electric wires, beatings, and burning on various parts of his body, including igniting fireworks in his ears until his entire body was scarred. After searching for him, his family found him in Hamran prison in poor health.

The victim's family told Mwatana, "On Saturday, July 16, 2023, we received Ali through a tribal intermediary who insisted that we refrain from taking him to the hospital or publicizing his case. They threatened us that speaking about the crime would result in us all being killed."

The family placed the victim in a house in Ataq, and tragically, he passed away on the same day of his release.

On Thursday, September 4, 2023, forces affiliated with the Southern Transitional Council in the Koud Al-Hiya region of Zinjibar district, Abyan governorate, near the Dofas checkpoint, detained Samir Sadiq (pseudonym, 26 years old) in front of the market where he worked selling fish. He was accused of affiliation with Al-Qaeda. They beat him and forcibly took him into a military vehicle, transferring him to the Dofas checkpoint where they beat him mercilessly with whips, broke his teeth and tore off his toenails.

The victim told Mwatana, "They wanted me to confess to a crime I didn't commit. They broke my fingernails one by one and tore off three of my toenails. They beat me mercilessly with whips and nails. I screamed at the top of my lungs, but they showed no

mercy. They deprived me of food and water. They wore masks, so I didn't recognize any of them. I was released with the help of a former commander who took me to Zinjibar General Hospital on a motorcycle. There, I received treatment, and my wounds were bandaged. I have a medical report, and I can file a complaint, but if anything happens to me again or if they detain me again, who will take care of my sick mother? There's no one else but me to care for her."⁵²

The examples of torture and arbitrary detention reviewed reflect the deliberate violation of international and national laws and infliction of harm on civilians by parties to the conflict. They demonstrate the egregious abuse of power by the parties involved, who deliberately disregard procedural justice and ignore legal safeguards that are guaranteed to individuals, including those accused. Dealing ruthlessly with civilians, parties to the conflict commit atrocious crimes in detention centers with impunity, relying on their influence and authority to evade punishment amid a complete absence of investigative and accountability mechanisms.



Torture

74

Cases

52 An interview conducted by Mwatana for Human Rights with the victim in Zinjibar district, Abyan governorate, on September 24, 2023.





Chapter Four:

Violations Related to Protected Facilities

Introduction

The parties to the conflict have caused extensive damage to the healthcare, education, and other service sectors, leading to the deterioration and complete paralysis of some and depriving civilian populations of the services provided by these facilities. This directly affects civilian lives, with thousands of students dropping out of school, while others receive education of low quality and in conditions unsuitable for academic achievement. The same applies to the healthcare sector, which fails to provide civilians access to quality services appropriate to their medical needs. Many are unable to afford medical treatment and medication due to their high cost, or because many public health centers have transitioned from being semi-free to profit-based centers, reliant on fees from patients. Additionally, some medical centers have been destroyed or rendered inaccessible due to road closures. In some areas, centers and hospitals that were once the sole providers of healthcare have been destroyed.

Mwatana documented 183 incidents of attacks on protected facilities, including 22 attacks on hospitals and health centers, 156 attacks on schools, and 5 attacks on other service facilities. The forces of the internationally recognized government are responsible for 9 attacks on schools, 5 attacks on hospitals and health centers, and 2 attacks on other protected facilities. The Ansar Allah (Houthi) group is responsible for 139 attacks on schools, 11 attacks on hospitals and health centers, and 3 attacks on other service facilities. The Southern Transitional Council is responsible for 6 attacks on schools and 4 attacks on hospitals and health centers. Al-Qaeda in the Arabian Peninsula is responsible for 2 attacks on schools. Additionally, the Saudi/UAE-led coalition, along with the Joint Forces, are responsible for 2 attacks each on hospitals and health centers.

Hospitals, healthcare centers, and schools are considered protected civilian objects under international humanitarian law, and direct targeting of these facilities is prohibited. Similarly, indiscriminate attacks that cause direct harm to such facilities are also prohibited, as these facilities are primarily intended to serve civilians and do not confer any military advantage to the conflict parties. Targeting them can result in direct and long-term harm to civilians and expose them to various risks, such as death due to deprivation from medical care, which can also affect wounded or injured fighters.



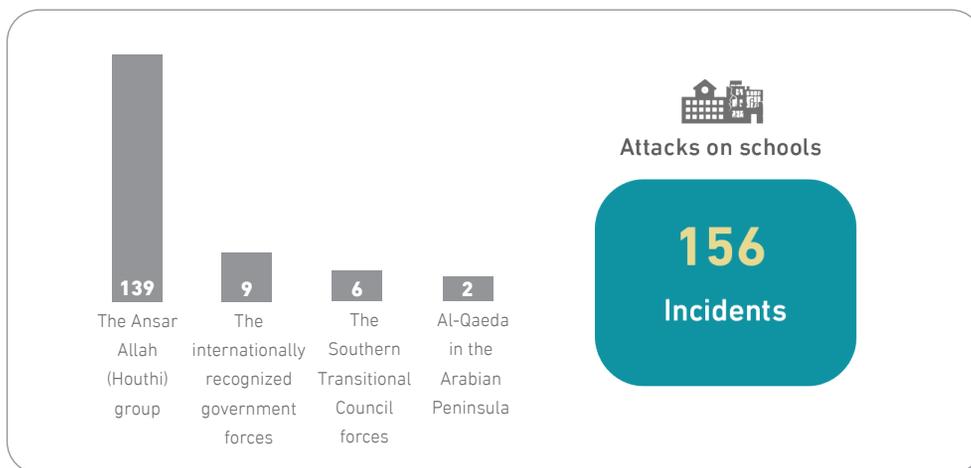
First: Attacks on Schools

Attacks on schools and educational facilities took various forms during the year, unlike previous years where attacks on educational facilities mainly involved occupying the premises or targeting them through ground and aerial attacks. Despite the continuation of these patterns of violations, the predominant form of attack on schools in 2023, as documented by Mwatana, was the use of schools for mobilization, sectarian indoctrination, and hosting events organized by the conflict parties. While these patterns can be documented, there are other forms of attack on the educational process that are difficult to document and quantify. These include changes in curricula and allocation of specific study sessions to listen to speeches by leaders of the parties. The pattern of using schools is most prominent in areas controlled by the Ansar Allah (Houthi) group. Among the 156 school attacks documented, the Ansar Allah (Houthi) group is responsible for 139 incidents, while the other parties collectively bear responsibility for 17 incidents, as follows: the internationally recognized government is responsible for 9 incidents, while the Southern Transitional Council forces are responsible for 6 incidents, and Al-Qaeda in the Arabian Peninsula is responsible for two incidents.

Legal Framework

The principles and rules of international humanitarian law prohibit directly targeting educational facilities or carrying out indiscriminate attacks that may cause damage to these facilities, as they are civilian objects. Targeting such facilities inflicts direct harm on civilians, particularly children, depriving them of their fundamental right to education. International humanitarian law not only prohibits direct attacks on civilian objects but also recommends assuming the civilian character of any targets the nature of which are in doubt. UN Security Council Resolution 2225/2015 on Children in Armed Conflict emphasizes the obligation of conflict parties to respect the civilian nature of schools.

International humanitarian law and international human rights law criminalize the use of schools for military purposes, which may render them legitimate targets for conflict parties. Parties are required to protect these objects and distinguish them from other objects. Using schools for military purposes or mobilization, militarizing them, or rendering them useless constitute serious crimes according to various international laws.





The military checkpoint established by government forces near the school has created chaos by turning the school in the heart of the neighborhood into military barracks



Examples of Attacks on Educational Facilities:

On Sunday, March 12, 2023, around 9:00 a.m., seven armed men affiliated with the Ansar Allah (Houthi) group stormed Al-Wagherah School in Al-Humaydat district, Al-Jawf Governorate, while students were taking their final exams. The armed men stopped the students from continuing their exams and gave them a lecture marking the anniversary of Martyr Day, demanding that they chant slogans associated with the group.

A witness (47 years old) told Mwatana, “I was at the school when approximately one hundred and thirty students from the sixth, seventh, and eighth grades were taking their final exams. Seven armed men stormed the school, stopped the students from taking exams, gave lectures, and demanded they chant the slogan of the Ansar Allah (Houthi) group. We were not aware of their arrival, nor were we notified beforehand. However, we did not show any reaction for fear of being harmed. The students were scared and confused, unable to focus and complete the exams.”

He added, “We are keen to keep the school away from such behaviors. We do not want it to be involved in sectarian conflicts and disputes, but we could not do anything. They are now the de facto authority and can enter any place and do as they please without anyone deterring them.”⁵³

On Thursday, January 19, 2023, around 8:00 p.m., the Ansar Allah (Houthi) group launched a ground attack using mortar shells on Al-Shaheed Saleh Al-Mukhnaqi Basic Education School in the village of Mukhnaq, located in Al-Hud district of Lahij Governorate. The school suffered extensive damage to its walls, doors, and windows. The educational process at the school was halted, depriving 190 students, both boys and girls, of education for several days. However, the educational process resumed amid ongoing attacks.

On Tuesday, April 10, 2023, around 8:00 a.m., in the Dhawar area, Serwah district of Marib Governorate, the Ansar Allah (Houthi) group used Dhawar Elementary School

⁵³ An interview conducted by Mwatana for Human Rights in the Al-Wagherah area, Al-Humaidat district, Al-Jawf governorate, on May 13, 2023.

to host courses as part of the group's summer camps. Approximately 20 boys and girls, all 16 years old or younger, participated. During the summer camp, the children received lectures from the group's leaders, studied their pamphlets, and participated in other sectarian activities. The use of the school concluded on June 20, 2023.

On Sunday, July 2, 2023, around 2:00 p.m., soldiers belonging to the Fourth Battalion, affiliated with the forces of the internationally recognized government, established a checkpoint near Al-Ba'ima area, under the administration of Al-Maqterah district, Lahij Governorate. They positioned themselves near Al-Amal School and used it for military purposes, such as using it as barracks for soldiers, storage for weapons, and even as a detention center. Despite repeated demands from the area's residents to withdraw from the school, these requests were met with refusal. The soldiers also looted furniture and belongings from the school, including doors and windows.

A resident of the area, aged 54, told Mwatana, "The military checkpoint established by government forces near the school has created chaos by turning the school in the heart of the neighborhood into military barracks... Approximately 400 students, along with 15 teachers, benefit from the school's services. The military occupation of the school has made it vulnerable, putting both students and teachers at risk of targeting, leading many students to avoid attending school altogether. Additionally, these soldiers, besides the damage they caused to the school, harass women and passersby."⁵⁴



A school that has turned into a residence for several displaced families due to the war - Tuesday, September 26, 2023 - October 14 School - Qa'tabah City - 10:00 AM.

54 An interview conducted by Mwatana for Human Rights with a resident of the area in Al-Maqterah district, Lahij Governorate, on July 14, 2023.



A child sitting on the ruins of his school that was bombed - Um Al-Ma'arik School - Al-Nazzali - Hays District, Al-Hudaydah - April 22, 2023.



Second: Attacks on Healthcare Facilities

Attacks on healthcare have taken various forms, including physical and other forms of assault on doctors and healthcare workers, invading hospitals and health centers and using them for military purposes, and directly targeting hospitals, health centers, and ambulances. In 2023, there was a decrease in the frequency of attacks on healthcare facilities and personnel compared to previous years. However, Mwatana documented 22 attacks on hospitals and health centers. The forces of the internationally recognized government bear responsibility for 5 attacks on hospitals and health centers, while the Ansar Allah (Houthi) group bears responsibility for 11 incidents. The Southern Transitional Council is responsible for 4 attacks on hospitals and health centers, while the Saudi/UAE-led coalition forces, including the Joint Forces, are accountable for two separate incidents of this nature.

The targeting of healthcare facilities by parties to the conflict reflects their disregard for the impact of such actions on civilians. These repeated attacks in various forms have led to the collapse of the healthcare system, rendering it incapable of providing essential medical services. This occurs amidst a rise in the prevalence of many diseases and the spread of epidemics, exacerbating the harm inflicted on civilians by attacks on healthcare facilities.

Legal Framework

Healthcare facilities of all types, including hospitals, health centers, fixed and mobile clinics, pharmacies, and medical transport vehicles, as well as healthcare workers, including those affiliated with parties to a conflict and those who provide services to enemy soldiers and in combat zones, are protected entities under international humanitarian law and international human rights law. Targeting them under any pretext is prohibited as long as their services are limited to treating and providing healthcare to civilians and combatants.

According to the Rome Statute, directing attacks against medical buildings, supplies, units, transport, or individuals identified by distinctive emblems specified in the Geneva Conventions constitutes a war crime.

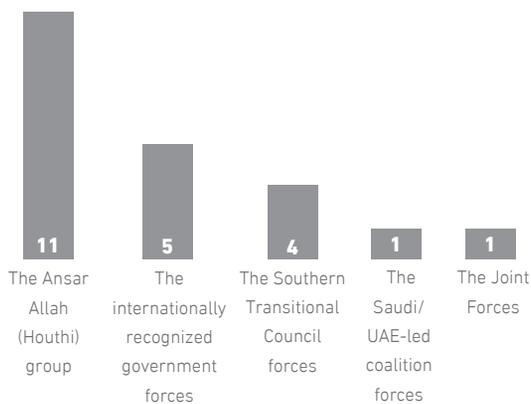
Hospitals and other healthcare facilities do not lose their protection as civilian objects unless they are used for activities harmful to the enemy and operated beyond their humanitarian mandate. Providing medical services to enemy combatants does not constitute a military detriment that justifies targeting these establishments and facilities in any form. Actions that cause these establishments to lose their protected status are limited to purely military activities, such as using the facilities to harbor combatants, store weapons, launch hostile attacks, or similar.

Attacks on healthcare, including assaults on healthcare facilities and personnel, constitute violations of the right to life, healthcare, and other rights guaranteed under international human rights law.



Attacks on hospitals and healthcare centers

22
Incidents





Currently, anyone in need of basic healthcare services is forced to travel to the city through rugged mountainous terrain, causing many residents to endure pain and illness due to their inability to travel for treatment.



Examples of Attacks on Healthcare Facilities:

On Sunday, May 7, 2023, around 10:00 a.m., in the district of Raydah, Amran governorate, the Ansar Allah (Houthi) group assaulted the director of Raydah Hospital. That day, three people injured in a car accident in the district of Harf Sufyan, including the friend of a Houthi leader, had been brought to the hospital for initial treatment. Due to the hospital's lack of proper facilities and the severity of the injuries, the patients had to be transferred to a hospital in either Amran or Sana'a. The group leader and some of his soldiers beat the hospital director for arranging the transfer of the patients to another hospital.

The victim (43 years old) told Mwatana, "I was appointed director of a hospital that lacks basic necessities, and I try to fulfill my duties and provide available services to those who come to the hospital. On the day of the incident, I heard noises in the hospital and went to see what was happening. I found three injured people accompanied by a Houthi leader heading towards the emergency room. They claimed they had been injured in a car accident, and the leader brandished his weapon at the staff. We provided them with initial aid and informed them that their stay in the hospital posed a risk to them and that they needed to be transferred to a better equipped hospital for proper care. I told them that every minute they spent here posed a danger to them. They left, and moments later, while I was in the hospital courtyard, the leader came and slapped me in the face, assaulted me, and attacked me. At first, I was shocked by what was happening, then I tried to defend myself, but the staff intervened and separated him from me."⁵⁵

55 An interview conducted by Mwatana for Human Rights with the victim in Raydah district, Amran Governorate, on August 10, 2023.

On Thursday, August 3, 2023, around 10:30 a.m., armed men affiliated with the 14th El-Sa'ka Brigade, under the Southern Transitional Council, raided the only health unit in the area of Dhalbir in Al-Malah district, Lahj governorate. The health unit provided free medical services with the support of the Swiss organization Medair. The raid led to the closure of the health unit, depriving the area's residents of the services it provided.

A resident of the area (59 years old) said to Mwatana, "The health unit in the area, before its closure due to the armed raid, provided services in the areas of maternal care, nutrition, and children's health, including vaccinations, first aid, and other services. Currently, anyone in need of basic healthcare services is forced to travel to the city through rugged mountainous terrain, causing many residents to endure pain and illness due to their inability to travel for treatment."⁵⁶

56 An interview conducted by Mwatana for Human Rights with one of the beneficiaries in the Dhalbir area of Al-Mallah district, Lahj governorate, on August 13, 2023.

A person in a green military uniform is holding a handgun, aiming it directly at the camera. The person is wearing a green jacket and dark pants. The background is blurred, showing what appears to be a concrete or stone surface. The text is overlaid on the lower half of the image.

Chapter Five:

Recruitment and Use of Children

Introduction

Since the onset of armed conflict in Yemen, the parties involved have recruited thousands of children, most without the knowledge of their families. They recruit children from schools, summer camps, neighborhoods, and mosques. Family problems have often served as an entry point for these parties to recruit children, exploiting any disputes or conflicts that arise between children and their families to deepen these divisions and enable recruitment. Moreover, they exploit the poverty and desperation of many families amidst the dire economic and living conditions caused by the ongoing armed conflict. They offer a nominal salary or wage in exchange for recruiting their children. Many families push their children into recruitment due to necessity and a lack of awareness of the risks involved. In many of the cases documented by Mwatana, families who accepted their children's recruitment for financial gain regretted their actions.

Mwatana documented 74 cases of child recruitment during the year 2023. The Ansar Allah (Houthi) group is responsible for 41 of these cases, while the Southern Transitional Council bears responsibility for 25 cases. The forces of the internationally recognized government are responsible for 8 cases.

Child recruits are tasked with various duties, including frontline combat, security tasks at checkpoints, logistical duties such as delivering supplies to fighters, and others. Upon recruitment, children are immediately exposed to the risks of death or injury, in addition to being vulnerable to numerous abuses, including sexual violence, torture, detention, and other violations.

The recruitment and use of children in 2023 were particularly concentrated in areas controlled by the Ansar Allah (Houthi) group. The latter months of the year witnessed extensive recruitment drives targeting children under the pretext of preparing them to support Gaza, coinciding with military operations conducted by Israel.

The Mwatana team faces significant challenges in documenting recruitment incidents as most families refrain from discussing these matters, fearing harm to themselves or their recruited children. Thus, what Mwatana manages to document represents only a small portion of the actual violations.

It is worth mentioning that despite the decrease in military operations, child recruitment activities have not declined. Surprisingly, even after the announcement that the parties had reached a peace agreement, child recruitment saw a significant increase.

Legal Framework

Recruiting children or allowing their participation in combat activities is strictly prohibited. Issuing criminal judgments against individuals for reasons related to the conflict, whether during or after the conflict, is only permissible if adherence to procedural justice principles is ensured and the legality of judgments is sound. Suspects must be guaranteed all defense rights and protections, including protection against coerced confession. Furthermore, imposing penalties on individuals for performing medical duties is prohibited.

The texts of Additional Protocols I and II to the 1977 Geneva Conventions explicitly prohibit the recruitment of children or their involvement in combat activities. Protocol II, in paragraph (c) of Article 2, expressly forbids the recruitment of children into armed forces or groups and prohibits their participation in combat operations.⁵⁷

According to the 1989 Convention on the Rights of the Child, to which Yemen is party, the minimum age for recruitment is 15 years old. Additionally, the Optional Protocol to the Convention on the Rights of the Child stipulates that the minimum age for voluntary recruitment into the armed forces is 15 years old, while the age for compulsory recruitment is 18 years old. Armed groups are strictly prohibited from using children under the age of 18 under any circumstances. Additionally, the Optional Protocol to the Convention on the Rights of the Child urges states to criminalize such practices.

According to the laws of war, the recruitment of children under the age of 15 by parties to the conflict is considered a war crime. Commanders of armed forces or leaders of armed groups who knew or should have known about such practices and failed to take effective action to stop them may be held criminally responsible.

International humanitarian law recognizes the vulnerability and special needs of children in armed conflicts.⁵⁸ Article 45 of Yemen's Child Rights Law prohibits the direct involvement of children in war or the recruitment of anyone under the age of 18.

57 Additional Protocol II to the Geneva Conventions, 1977, available at: <https://www.icrc.org/ar/doc/resources/documents/misc/5ntce2.htm>

58 Protection of Children in International Humanitarian Law, ICRC, available at: <https://www.icrc.org/ar/doc/war-and-law/protected-persons/children/overview-protected-children.htm>





My son left home without my knowledge. He is still young, not yet 15 years old. I did not want him to be recruited, but the difficult living conditions and our circumstances forced me to not oppose it.



Examples of Violations Involving Recruitment and Use of Children:

On Wednesday, February 22, 2023, at around 8:00 in the morning, a military leader belonging to the Sixth Military Zone, affiliated with the internationally recognized government, recruited a 15-year-old boy from his home in the Al-Rayyan area in the Khub wa Al-Sha'af district, Al-Jawf governorate. The child underwent military training for approximately forty days at a recruitment camp affiliated with government forces in the Al-Kanais area, Ragwan district, Marib governorate. After that, the child was transferred between combat fronts and government military sites in the northeast of the Khub wa Al-Sha'af district, Al-Jawf governorate, on the Saudi border.

The child's father, aged 54, told Mwatana, "My son left home without my knowledge. He is still young, not yet 15 years old. I did not want him to be recruited, but the difficult living conditions and our circumstances forced me to not oppose it. He had expressed his desire to enlist several times before, aiming to secure a monthly salary, but I refused. As the days passed, our struggles multiplied due to financial need and the lack of income sources. Eventually, he went to enlist, and I only found out about it on the second day after he left the area."⁵⁹

On Tuesday, April 4, 2023, at around 4:00 p.m., a military supervisor (leader) affiliated with the Ansar Allah (Houthi) group in the Sharab Al-Salam district of Taiz governorate recruited a 16-year-old boy. The child was taken from his grandmother's house in the village of Al-Tafeeli, Bani Wahban area, Sharab Al-Salam district, Taiz governorate, and recruited without the knowledge of his parents. He underwent an educational training course in September 2022 in Al-Saleh complex in Al-Howban area, followed by a military training course in Dhamar governorate between January and February 2023. After that, he was given a weapon and began traveling in a military vehicle, living in military locations and enduring cold and hunger. His recruitment led to him dropping out of education and separating from his family's home.

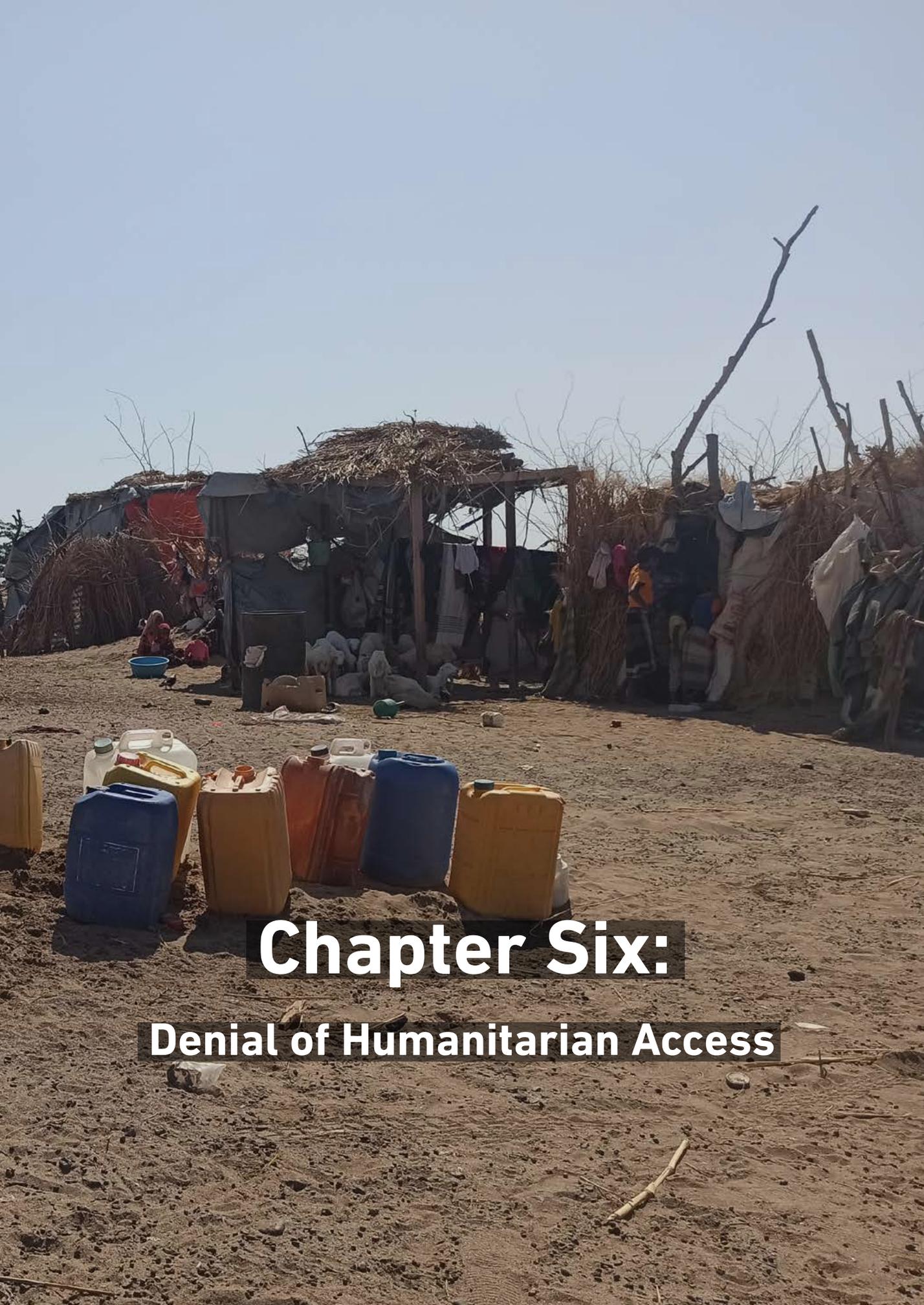
⁵⁹ An interview conducted by Mwatana for Human Rights with the child's father in Khub Wa sha'af district, Al-Jawf governorate, on July 17, 2023.

The child's mother, aged 38, told Mwatana, "I sent my son to his grandmother's house, and he used to move between our house and his grandmother's house. But every time he returned home, his way of dressing and speaking, his behavior, and his thoughts changed more and more. He started talking about 'Quranic Marches' and jihad slogans, and began to have differences of opinion with me. So, I became worried about these ideas and prevented him from going to his grandmother's house. At the beginning of Ramadan on March 23, 2023, he went to his grandmother's house in the village, far from me. When I went to visit my mother on April 4, 2023, I was surprised to find that my son was not there, and they told me he had joined Ansar Allah. I tried every possible way to bring him back, I cried and pleaded, but I couldn't convince him to return. After a while, he came back carrying a weapon." She added, "A child carrying a weapon taller than him. My heart breaks for my son. I don't want him to fight or to be killed; he's still a child. I still fear for him because of the cold, hunger, and thirst. How will he endure battles, fighting, sleeping in the open, and being with men much older than him whom he doesn't know? They took him without my knowledge and without my consent. He was outstanding in school; they stole his life and stole my son from me."⁶⁰

On Tuesday, May 7, 2023, at around 6:00 a.m., a leader of the Ansar Allah (Houthi) group in Al-Aqeeq area, Kitaf wa Al-Buqaa district, Saada Governorate, forcibly recruited a 16-year-old Ethiopian girl for a full month. During this time, she suffered various forms of harassment and sexual assault by the leader who recruited her until she managed to escape from the training camp on April 10, 2023.

⁶⁰ An interview conducted by Mwatana for Human Rights with the victim's mother in Sharab Al-Salam, Taiz governorate, on June 11, 2023.





Chapter Six:

Denial of Humanitarian Access

Introduction

Since the outbreak of armed conflict in Yemen in September 2014, parties to the conflict have committed hundreds of violations involving denial of humanitarian aid to affected populations. With increasing levels of food insecurity and the loss of income sources among the population, humanitarian aid has become one of the primary pillars and essential sources sustaining thousands of families. Any form of prevention or delay in delivering this aid has severe negative impacts and consequences on beneficiaries.

Thousands of families anxiously await scheduled distributions of aid to meet their basic needs. Denial of humanitarian access to intended recipients takes various forms, including obstructing the movement of humanitarian aid and workers through manipulation of beneficiary lists. Additionally, interference in humanitarian activities and assaults on humanitarian workers, such as arbitrary arrests or mistreatment, are tactics commonly employed.

Humanitarian aid takes various forms, including food, medical, and shelter assistance provided by international and local relief, medical, and developmental organizations. All these efforts are urgent measures aimed at ensuring the survival of civilians amidst the ongoing armed conflict in Yemen.⁶¹

Mwatana documented 54 incidents of humanitarian aid obstruction during the year 2023. The Southern Transitional Council is responsible for 9 incidents, while the forces of the internationally recognized government are responsible for 5 incidents, and the Joint Forces are responsible for 2 incidents. One incident of aid denial is attributed to human trafficking and smuggling gangs. The majority of aid obstruction incidents occurred in areas controlled by the Ansar Allah (Houthi) group, which is responsible for 37 of the incidents recorded.

61 Humanitarian Aid Obstruction, Mwatana for Human Rights, available at: <https://www.mwatana.org/subjects-en/humanitarian-aid-obstruction>

The obstruction of humanitarian aid resulted in dozens of the poorest families being deprived of their right to access humanitarian assistance. The various methods used by the conflict parties to obstruct humanitarian aid, as documented by Mwatana, included restricting the movement of aid and humanitarian workers, reducing the ration amounts for beneficiaries, controlling distribution mechanisms, interfering with and manipulating beneficiary lists, among other tactics. Additionally, many restrictions were imposed on the staff of humanitarian organizations and numerous obstacles were created to hinder the swift delivery of humanitarian aid to civilians.

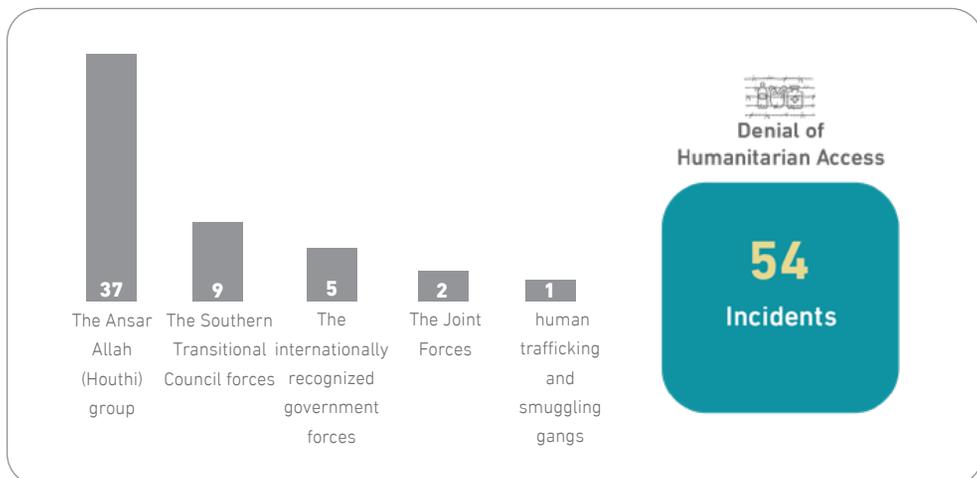
The continuous intervention by conflict parties to restrict and impede humanitarian access, and their attempts to steer aid towards specific groups, have led to the suspension or reduction of many relief activities. This has deprived thousands of families of their right to receive such assistance.

Legal Framework

Denying humanitarian access during armed conflict amounts to a war crime under the Rome Statute. Preventing access to humanitarian aid constitutes a form of starvation by depriving individuals of their essential needs. Using starvation as a method of warfare is prohibited under international humanitarian law.

Conflict parties are obligated to allow safe and unhindered access to humanitarian aid for civilians, facilitate the movement of humanitarian workers, and refrain from interfering in aid delivery. Denial of humanitarian access is considered a serious crime under international humanitarian law and international human rights law due to the direct harm it causes to civilians, especially children.

In addition to international humanitarian law, obstructing and impeding access to humanitarian aid violates numerous rights guaranteed under international human rights law, such as the right to life, health care, food, and other rights.





when we communicated with the General Director of the office and the Director of School Health Management, they categorically refused to allow us to provide this assistance. They told us that we are an organization and they have directives to prohibit any organization from intervening or providing any assistance to schools.



Examples of Restriction and Denial of Humanitarian Access:

On the morning of Saturday, May 6, 2023, the Ansar Allah (Houthi) group, through its Education Office in Al-Mahwit, prevented the Yemeni Red Crescent Society from providing humanitarian assistance. This assistance included the provision of field medics, first aid kits, medications, and an ambulance for examination centers in the districts of Al-Mahwit City, Al-Rujom, and Jabal Al-Mahwit for male and female students taking primary and secondary school exams. The aid was intended to enable the provision of treatment to students during exams, offer health prevention measures, and provide first aid and disinfection for classrooms and halls. It is worth noting that during exam periods, many cases of fainting occur among students, necessitating immediate medical assistance.

One of the employees of the Yemeni Red Crescent Society, aged 45, said to Mwatana, “We received an urgent directive from the Yemeni Red Crescent central headquarters via email to swiftly select at least ten major examination centers with a high student density out of the examination centers for primary and secondary school students in the governorate center and nearby districts. The directive instructed us to nominate volunteer medics trained and qualified in first aid, rescue, and psychological support, and provide first aid kits and medications for each medic and at least one ambulance per district to offer treatment and first aid services at the examination centers.

As there were more than 300 examination centers in the governorate, we decided to increase the number of targeted centers. When we contacted local authorities to coordinate before implementation, we submitted the names of the volunteers nominated for the task and selected five major examination centers in the governorate center in Al-Mahwit City, two centers in Al-Rujom district, and three in Jabal Al-Mahwit district. However, when we communicated with the General Director of the office and the Director of School Health Management, they categorically refused to allow us to provide this assistance. They told us that we are an organization and they have directives to prohibit any organization from intervening or providing any assistance to schools.”⁶²

62 An interview conducted by Mwatana for Human Rights with a Red Crescent employee in the Al-Wasiya area in Al-Mahwit Governorate on June 7, 2023.

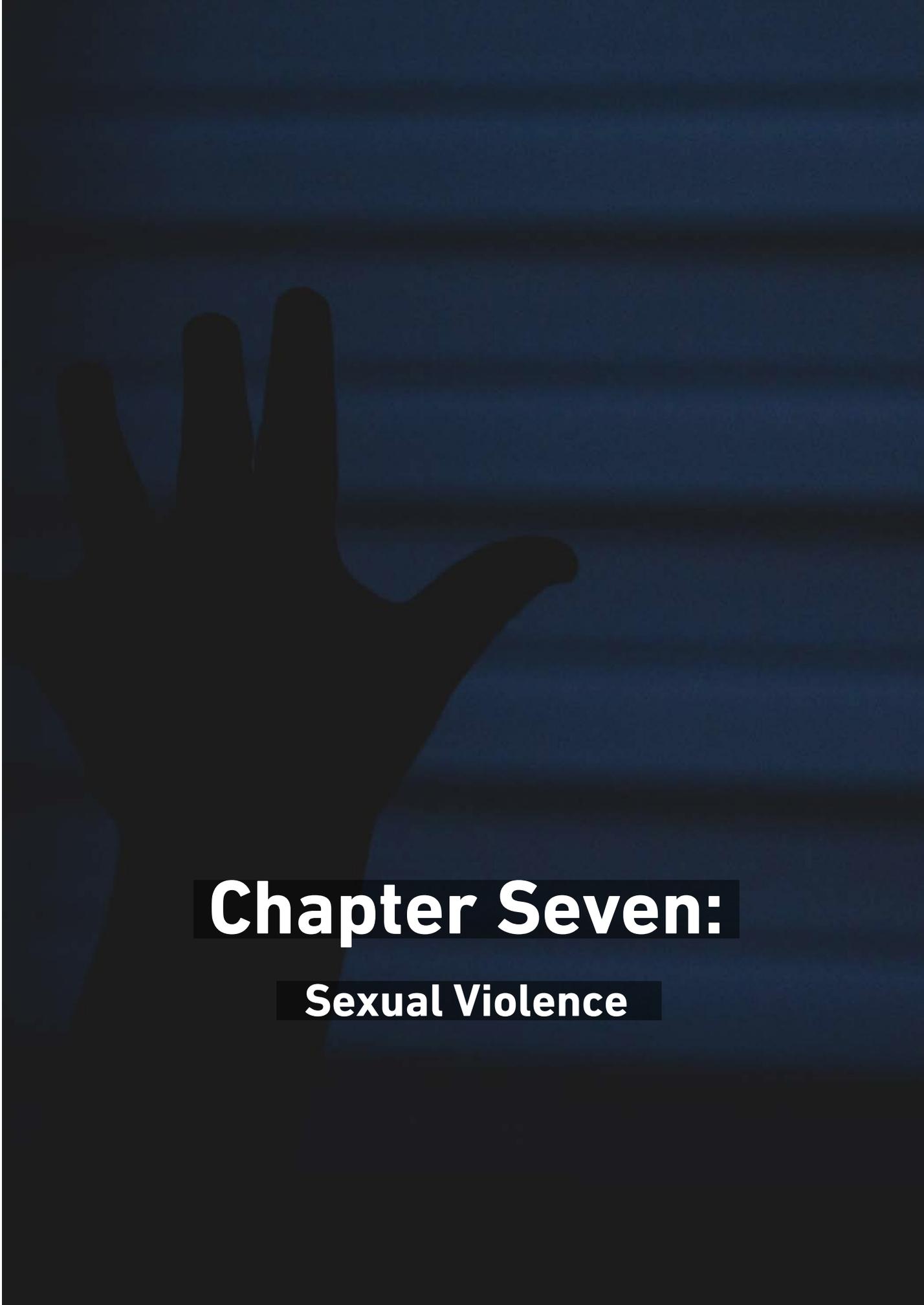
On Thursday, August 17, 2023, around 12:00 p.m., the Ansar Allah (Houthi) group restricted the delivery of humanitarian aid provided by the Waqf Al-Waqifeen International Foundation in Al-Koayhah Village, Maqbanah District, Taiz Governorate. The delivery of aid was restricted as a result of the group firing a shell near the wall of the Al-Zubairi School while a committee responsible for distributing food items to 42 beneficiaries was present. This incident caused panic and fear among those inside the school, obstructing the movement of beneficiaries and leading to a temporary halt in the distribution process, which later resumed.

On Friday, April 21, 2023, at 8:00 a.m., in Abyan Governorate, Al-Khunfara District, Ja'ar area, four members of the Security Belt Forces affiliated with the Southern Transitional Council raided a warehouse containing food supplies provided by the Emirati Red Crescent Association. The men fired shots to break the locks and opened the warehouse door. Inside were 850 food baskets, some of which the armed men distributed randomly to those nearby during the raid. They then loaded approximately 250 food baskets onto Security Belt vehicles and left.

On Thursday, April 20, 2023, around 8:00 a.m., in Al-Masloub area of Al-Masloub district in Al-Jawf Governorate, the Supreme Council for Management and Coordination of Humanitarian Affairs (SCAMCHA), established by the Ansar Allah (Houthi) group during the ongoing conflict to manage and organize humanitarian operations in the areas under its control, deprived 50 displaced and war-affected households of cash assistance provided by Yemen Al-Khair Relief and Development Foundation with funding from the United Nations High Commissioner for Refugees (UNHCR). The cash assistance amounted to 120,000 Yemeni riyals per beneficiary household. The SCAMCHA removed the names of the intended beneficiaries and replaced them with others affiliated with the group. It is noteworthy that the SCAMCHA in Al-Jawf directly interferes in the activities of organizations operating in the humanitarian sector.



Gathering of displaced people and residents while receiving food aid from the World Food Program. Hays District, Al-Hudaydah Governorate. The photo was taken on December 28, 2023.

A dark blue background with a silhouette of a hand with fingers spread, positioned on the left side of the frame. The hand is dark, almost black, and its fingers are slightly curved. The background has a subtle gradient and some faint horizontal lines.

Chapter Seven:

Sexual Violence

Introduction

Sexual violence consists of sexual practices imposed by force or coercion, such as those resulting from fear of violence, coercion, confinement, psychological repression, or abuse of power directed against any victim, male or female, of any age. Taking advantage of a coercive environment or the victim's inability to give genuine consent is also a form of coercion. Sexual violence includes rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization, and other forms of sexual violence.⁶³

Armed conflicts provide a fertile environment for various forms of gender-based violence, including different types of sexual violence. Incidents of sexual violence are not limited to acts committed by conflict parties during conflict periods. The breakdown of security and the psychological disturbances accompanying armed conflicts contribute to the spread of sexual violence within civilian communities.

Documenting sexual violence incidents and obtaining information about them is extremely challenging due to the sensitivity of these violations in society on the one hand, and the necessity of respecting victims' situations, interests, and preferences regarding disclosure on the other. The vast majority of victims of these types of violations prefer not to disclose what they have experienced. Those who are willing to disclose often require a long time to overcome the effects of the violation before they can disclose. Only a few victims are comfortable with disclosing early on.

Mwatana's team faces significant challenges in documenting incidents of sexual violence, whether committed by parties to the conflict or civilians. Despite being informed of the purpose of documentation and giving their informed consent beforehand, many victims whose experiences have been documented later inform the team that they do not wish the information they shared to be published or used. Mwatana assigns great importance to the needs, feelings, and best interests of victims, and consistently complies with their expressed wishes.

Despite the difficulty in obtaining information about this type of violation, it is of critical importance to accountability, deterring perpetrators, achieving justice for victims, and putting an end to such violations. Without such information, it would be challenging, if not impossible, to uncover these violations and consequently find appropriate solutions

63 <https://www.icrc.org/en/document/sexual-violence-armed-conflict-questions-and-answers>

to address them and hold those involved accountable.

Sexual violence in its various forms inflicts significant harm on victims at the psychological, social, and physical levels. Many of these violations cause severe physical damage, and while victims may recover from physical injuries over time, it is extremely difficult to overcome the psychological effects, which can persist for long periods, often throughout life.

Mwatana documented 45 cases of sexual violence that occurred during the year 2023. The forms of sexual violence documented ranged from sexual harassment to rape and exploitation, and affected 36 victims, including 34 children. Responsibility for 12 cases of sexual violence is attributed to the Southern Transitional Council, while the forces of the internationally recognized government are responsible for 12 incidents. The Ansar Allah (Houthi) group is responsible for 8 incidents, and the Joint Forces are responsible for 2 violation incidents. Additionally, the Saudi/UAE-led coalition forces bear responsibility for 4 incidents. Out of the total cases documented, 7 incidents are attributed to individuals not holding a position of authority.

The documentation of such a significant number of violations is an indicator of their widespread occurrence. In reality, these figures represent only a fraction of the total violations. In a context as sensitive to this type of violation as the Yemeni environment, documenting a large number of violations in one year signals significant risks associated with the high prevalence of this pattern.

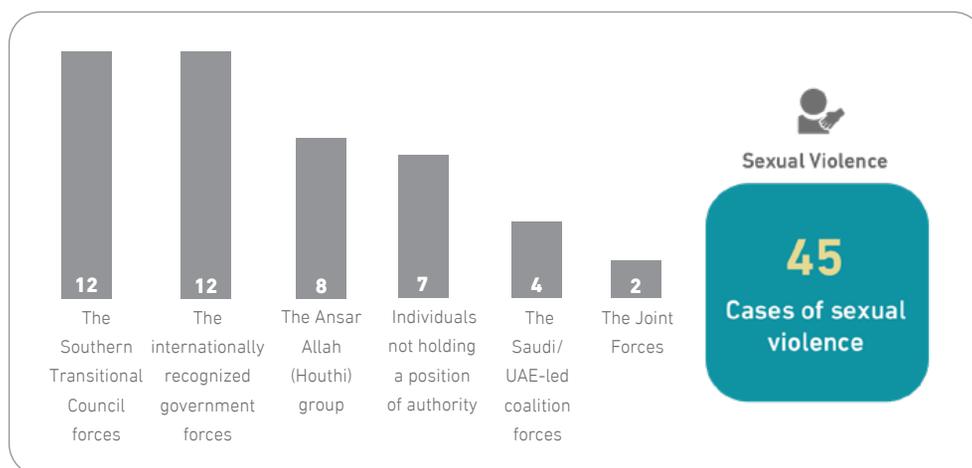
Legal Framework

The Rome Statute classifies rape and certain forms of conflict-related sexual violence as war crimes. These violations are also considered crimes against humanity when committed as part of widespread or systematic attacks directed against any civilian population.⁶⁴

The Geneva Convention (IV) and its Additional Protocols, along with other international humanitarian law treaties, prohibit sexual violence in its various forms. All parties to armed conflicts are obligated to prohibit sexual violence and hold perpetrators of these violations accountable.

Various provisions of international human rights law, which remain applicable during armed conflict, prohibit sexual violence in all its forms. Customary international law, applicable in situations of armed conflict regardless of their nature, criminalizes such violations.

Forms of sexual violence that amount to serious violations of international humanitarian law entail individual criminal responsibility and require the prosecution of perpetrators. All states are obligated to criminalize these violations under domestic law, effectively investigate any case of sexual violence, and prosecute the perpetrators.⁶⁵



64 Rome Statute of the International Criminal Court, available at: https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.ohchr.org/ar/instruments-mechanisms/instruments/rome-statute-international-criminal-court&ved=2ahUKewjS1PvPn6SEAxXeAtsEHXgNCggQFnoECAwQAQ&usg=AOvVaw1UzRgjcaAN_slid7zi8_Ca

65 Sexual Violence in Armed Conflict, International Committee of the Red Cross, available at: <https://www.icrc.org/en/document/sexual-violence-armed-conflict-questions-and-answers>

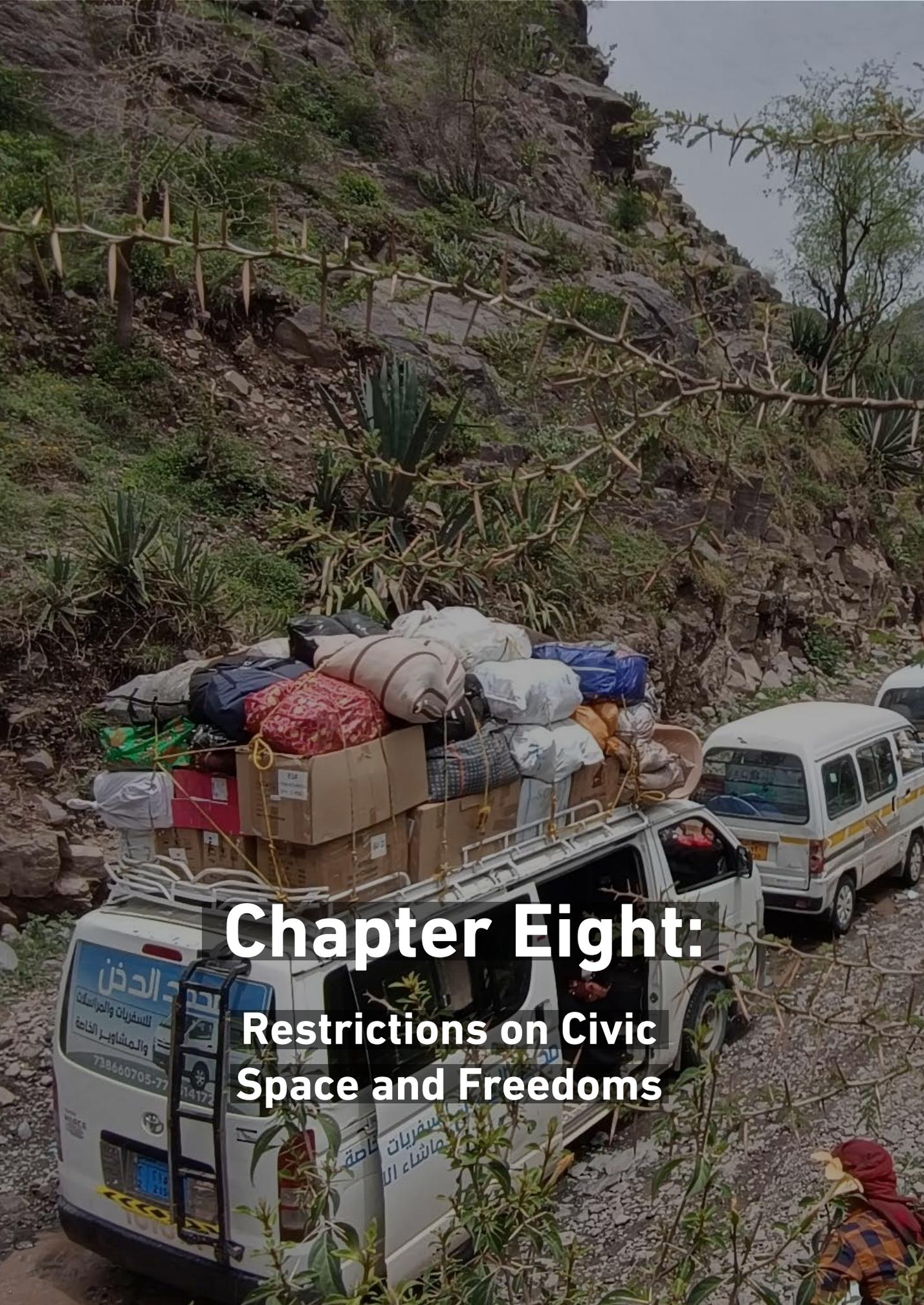
Examples of Sexual Violence Incidents:

On Monday, May 1, 2023, at around 7:00 in the morning, in Al-Wadee area, Gaol Al-Wadee District of Abyan Governorate, a 15-year-old boy was raped and beaten by two soldiers affiliated with the Security Belt Forces of the Southern Transitional Council. This happened when the child was grazing sheep near a military site where members of the Security Belt forces were present. When an explosion occurred near their site, the child was detained, a kilometer away from the military site and an hour's walk from his home. He was then held at the military site from 7 a.m. to 8 p.m. there he was tied up, beaten, and raped. When his father learned of his presence there, he went to take him, but after he was raped, threatened, and threatened his father. For fear of the child, the father left the area to escape to the Al-Khamelah area in Khanfar district.

On Thursday, March 6, 2023, at approximately 9:00 am, 4 members of the government forces in Hayran District, Hajjah Governorate, kidnapped four girls aged 13-17 and sexually assaulted them. This happened while the girls were going to collect firewood from a wood pasture. Soldiers aboard a military vehicle intercepted the girls' path. They took the girls by force to an uninhabited area, beat them, raped them, and left them there, then fled.

On Saturday, April 8, 2023, at approximately 10:00 p.m., in Al-Sharqiya area, Dar Saad District, Aden Governorate, an armed man affiliated with the Southern Transitional Council molested a 9-year-old girl. The man gave her sweets, lured her to his house, took off her clothes, and molested her. When the child screamed loudly, he let her go and she ran back home. She told her mother what had happened. The child's mother went to file a report at the Dar Saad police station. The director of the police station threatened her and forced her to drop the report.

Thursday, July 20, 2023, at approximately 10:00 am, in the Al-Salak area of Radfan District, Lahj Governorate, a soldier belonging to the Third Brigade of the Shabwa Defense forces, affiliated with the Southern Transitional Council, raped a boy at gunpoint and filmed the act on his mobile phone. This happened after the soldier paid the boy to transport him on his motorcycle to a remote area. The perpetrator was arrested two days after the incident. However, a day after his arrest, he was smuggled out of prison by the commander of the Emergency Forces of the Southern Transitional Council. The Emergency Forces used the video clips that were filmed to blackmail the victim. On July 30, 2023, the commander of the Emergency Forces brought the victim to the security directorate of Radfan without the knowledge of his family. He showed him the video and threatened him to reveal what happened for the purpose of exploiting him sexually, taking advantage of his position of authority as commander of the Emergency Forces. When the child's family learned of what had happened, they moved to another governorate.



Chapter Eight:

Restrictions on Civic Space and Freedoms

Introduction

Over the last years, parties to the conflict including the Ansar Allah (Houthi) group, the Southern Transitional Council forces, the forces of the internationally recognized government, the Joint Forces, and the Saudi/UAE-led coalition imposed numerous restrictions and conditions on humanitarian and human rights work. They committed various violations against workers in the humanitarian field, activists, civil society institutions, and other groups. Among these violations were the detention of workers in these fields and the restriction of their freedom, preventing them from traveling and imposing surveillance on their communications and movements. This was in addition to the tightening of control over groups and organizations by denying them work permits and suspending or closing down their activities.

Conflict parties impose various restrictions on public and fundamental freedoms, foremost among them the freedom of movement. These restrictions continue to increase over time, where what was permitted today may be prohibited tomorrow. This extends beyond specific aspects of life to encompass all aspects. Women are the group most affected by these violations compared to other segments of society, as the conflict parties view women as a means to exert power and demonstrate authority by imposing endless restrictions on their attire, movement, the types of work they are allowed to engage in, their travel conditions, and more.

Mwatana documented 39 incidents of restrictions on civic freedoms, including 13 cases of restrictions on freedom of movement, 20 incidents of assaults on civic space, 5 cases of suppression of freedom of expression, and one violation of personal freedom. The Ansar Allah (Houthi) group is responsible for 27 of these incidents, while the Southern Transitional Council and the internationally recognized government forces are each responsible for 6 incidents.

Mwatana's team faced significant challenges in documenting these violations due to victims' reluctance to disclose their experiences, fearing further harm from various parties. Therefore, these numbers do not fully reflect the actual extent of the violations, which have impacted various aspects of life, including highly private matters.

Among the violations committed by the conflict parties are various forms of attack on journalists, media establishments, and media personnel, including arbitrary detention, enforced disappearance, physical assault, closure of media institutions, and the banning of websites that do not align with the group's policies, including news websites.

Legal Framework

International humanitarian law and international human rights law guarantee various rights and freedoms, including the freedom of movement, expression, peaceful assembly, and others. While international law allows for the restriction of certain freedoms such as freedom of movement under specific circumstances, such allowances are temporary and warranted by particular situations.

International human rights law remains applicable in non-international armed conflicts, obligating conflict parties to adhere to and implement its rules alongside principles of international humanitarian law.

International human rights law guarantees freedom of movement and travel, as stated in the Universal Declaration of Human Rights, affirming a person's right to move freely and choose their place of residence within a state's borders.

The International Covenant on Civil and Political Rights underscores this right, asserting in Article 12(1) that every person legally residing within a state's territory has the right to freedom of movement and choice of residence.

Additionally, international humanitarian law protects the right to expression, safeguarding journalists as civilians and prohibiting their targeting unless directly participating in hostilities. Media coverage, unless directly inciting hostility, does not undermine journalists' protection or that of media institutions. International human rights law ensures the preservation of the right to freedom of expression and protects journalists from any form of violence or restriction.

International human rights law guarantees the right to peaceful assembly, demonstration, association, the right to work, to access information, and other rights outlined in the Universal Declaration of Human Rights, as well as the Covenant on Civil and Political Rights, the Covenant on Economic, Social, and Cultural rights, and other treaties.

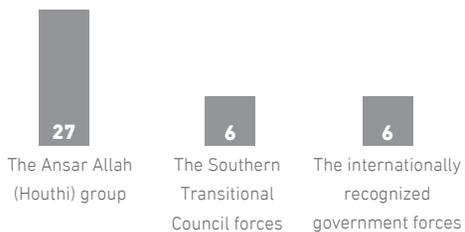
The Yemeni Constitution affirms in its first Article Yemen's commitment to international charters. Yemen is party to numerous agreements, including the two international covenants, which obligate state parties to adhere to their principles and the human rights they encompass, including fundamental rights and freedoms.

Violations of Civic Space and Freedom Restrictions



39 Incidents of freedom restriction

Cases of freedom of movement restriction **1** Case of attack on personal liberties
Cases of attacks on civic space **5** Cases of freedom of expression restriction





They demanded written consent from my father to allow us to travel, despite my elderly mother being with me and the driver being a family member known to us. However, they refused to let us proceed until my father provided written consent allowing us to travel without a male guardian.



Examples of Restrictions on Civic Space and Freedoms:

On Wednesday, May 31, 2023, around 6:00 a.m., at the Al-Alam security checkpoint in Mansoura district, Aden governorate, Security Belt forces affiliated with the Southern Transitional Council stopped four Mwatana employees while they were traveling by private car from Al-Sahwa Hotel in Aden to the ports of Ain Bamabad and Bir Ali in Shabwah governorate via Abyan governorate for a work assignment. The interruption lasted for about two hours with no clear reasons provided by the perpetrators. The officers proceeded to inspect the victims' phones, extorting them with private photos they found to obtain money, and threatening them with arrest. The victims were only allowed to pass after paying a sum of money, resulting in a delay of approximately three hours to their work duties.

On December 10, 2023, as part of the restrictions on women's freedom and the enforcement of policies by the Ansar Allah (Houthi) group, which require the presence of a male relative or "Mahram" to accompany women during their travel from areas under the group's control, an official at the Ministry of Interior affiliated with the group refused to issue a travel permit for Sally Qahtan, Director of the Research and Studies Unit at Mwatana, to travel to Aden for work.⁶⁶

As part of their policy to restrict freedom of movement, particularly targeting individuals in the human rights and humanitarian field, the Ansar Allah (Houthi) group prevented Mwatana's Chairperson, Vice Chairperson, and three other team members from traveling through Sana'a International Airport on Saturday, September 3, 2023. Members affiliated with the group, who refused to disclose their names and affiliations, summoned the Mwatana team members individually for interrogation. The victims were informed that they were prohibited from traveling based on higher directives. Subsequently, the bags that they had checked for the flight were returned, and orders were issued to cancel the departure visas for two members of the organization before they could board the plane.⁶⁷

66 Houthi-controlled Areas Are an Open Detention Center for Women, Mwatana for Human Rights, available at: <https://www.mwatana.org/posts-en/yemeni-women#:~:text=Blogs-,Houthi%2Dcontrolled%20Areas%20Are%20an%20Open%20Detention%20Center%20for%20Women,freeom%20of%20movement%20and%20travel>.

67 Mwatana team was Prevented From Traveling Through Sanaa Airport, Mwatana for Human Rights, available at: <https://www.mwatana.org/posts-en/prevented-from-traveling>

On September 9, 2024, at 3:00 p.m., armed elements affiliated with the Ansar Allah (Houthi) group detained Hisham Al-Hakimi (44 years old), an employee of the international organization Save the Children, while he was with his daughter at Sam Mall in Sana'a. They initially brought him to his house, which they searched extensively, and then took him to an unknown location.

A relative of the victim told Mwatana, "On the morning of the second day of Hisham's detention, we went to the headquarters of the Security and Intelligence Agency in Hadda and also in Shamlan, and communicated with the agency's operations department. They instructed us to go to the Suhail Police station to inquire about him, but when we went there, we did not find him. After that, we went to the headquarters of the Supreme Political Council, but without success. As for Save the Children, the organization where Hisham works, their only response was to send a message to the Supreme Council, but they received no reply. After searching for him extensively for a month, some acquaintances who are members of the Security and Intelligence Agency, affiliated with Ansar Allah, informed us that Hisham was detained in the agency's prison. They reassured us not to worry about him and that he would be released, advising us to remain calm and focus on our work. When we asked them to look up his name in the agency's database, we found that he was not listed. When we inquired about the charges against him, we were told that there were no charges. Some people informed us that the release order was ready and awaiting the signature of the Security and Intelligence Agency's representative. Then, at exactly 8:30 p.m. on October 24, 2023, the victim's brother received a call from the Security and Intelligence Agency's operations department asking him to come and receive his brother's body."⁶⁸

Hisham's family did not know the reason for his death, where he was held during his disappearance, or what he was subjected to throughout his detention. Hisham died under mysterious circumstances in a detention facility affiliated with the Ansar Allah (Houthi) group, carrying with him the details of what he endured.

68 An interview conducted by Mwatana for Human Rights with the victim's relative at the organization's headquarters in Amanat Al-Asimah on October 25, 2023.

On Monday, July 17, 2023, around 10:45 a.m., eight people traveling from the Wadi Ayyan area in Al-Khabt district towards the capital Sana'a were obstructed from passing through a security checkpoint belonging to the Emergency Police under the authority of the Ansar Allah (Houthi) group in the Beit al-Nuwar area of the Rujom district in Al-Mahwit governorate. They were traveling in a Hilux. The justification given was that there were instructions to investigate all travelers coming from the direction of the coastal regions of Tihama. Their obstruction lasted from 10:45 a.m. until 1:20 p.m.

On Tuesday, November 21 around 6:00 p.m., at a checkpoint in Naqil Yaslih, Bilad Ar-Roos area, Sana'a Governorate, soldiers affiliated with the Ansar Allah (Houthi) group, numbering 12 and dressed in blue and green military uniforms, stopped a taxi carrying Aliaa Mohammed (pseudonym, female, 32 years old) and Soha Ahmed (pseudonym, female, 25 years old) for 4 hours. They claimed there was no male guardian (mahram) accompanying them and demanded written approvals from their families to travel from their governorate to Sana'a to attend a training course at Mwatana. This stop caused significant distress to their families and embarrassment to the taxi driver, as well as severe fear and anxiety for both passengers. The soldiers insulted and verbally abused the two women and the driver, and one soldier even attacked the car door.

Soha told Mwatana, "One of the soldiers at the military checkpoint loudly called his supervisor, saying, 'Sir, these girls are traveling without a male guardian!' (a first-degree male relative to accompany them during travel). He asked, 'Does this please you?' I responded from inside the car, 'Yes, it does please us.' He then aggressively attacked the car door, and I tried to film him, which enraged him further. He attempted to grab my phone, and if it weren't for my mother holding onto the car door forcefully and trying to prevent him from opening it to attack us, the situation could have been worse. They demanded written consent from my father to allow us to travel, despite my elderly mother being with me and the driver being a family member known to us. However, they refused to let us proceed until my father provided written consent allowing us to travel without a male guardian."

On Saturday, February 18, 2023, around 9:00 a.m., soldiers from the Public Security forces, along with guards and armed groups affiliated with the director of As-Saiyd district (Abubakr bin Fareed Al-Awlaqi), prevented residents of certain areas of As-Saiyd district in Shabwa governorate from attending a protest against corruption in the district. As a result, people from areas such as Sadr Baras, Yashbum, and Al-Mas'ha'a were prohibited from reaching the protest site in the district center. Additionally, the soldiers raided the protest site and threatened protestors with detention and physical violence if they remained at the site, particularly targeting vulnerable groups among the population, and forced them to remove posters and banners related to the protest.

On Monday, July 24, 2023, at 9:00 a.m., security forces affiliated with the internationally recognized government restricted the movement of a student (Huda Hamoud, pseudonym, 27 years old, female) at a checkpoint at the Al-Faw-Marib Old Junction in Marib City while she was heading to the Sayrh Marib College to take final exams for the second semester of her first academic year. She was detained and referred to the policewomen at the same location for questioning, then released after approximately an hour of detention. This was not the first time Huda had been stopped on her way to university; she was previously detained for similar reasons. Soldiers justified this action as necessary for maintaining security, citing previous arrests of women at the same checkpoint who were allegedly working for the Ansar Allah (Houthi) group. Many female travelers, including women using public transportation, are often stopped along the same route.

On Thursday, January 12, 2023, at 10:30 a.m., members of the Ansar Allah (Houthi) group stopped an event at the Basamat Cultural Foundation on the Ring Road, Al-Wahda district, Sana'a city. The event was a youth debate entitled "The private sector in Yemen plays a role in supporting and empowering youth... are you for or against it?" The interruption was carried out by a supervisor appointed by the Ministry of Culture, who halted the event approximately twenty to thirty minutes after it began.

The given examples are merely illustrations of the types of violations suffered by Yemeni civilians in the area of personal and public freedoms and civic space. They represent arbitrary actions and restrictions aimed at narrowing the public space for civilians, denying their rights, and violating their freedoms without any legitimate justifications. These patterns have become obstacles to civilians leading their normal lives throughout years of conflict. The significant reduction in military operations has not contributed to reducing these violations, which is a serious indicator that these violations could continue after the armed conflict ends unless peace initiatives prioritize human rights and freedoms in their programs and activities, as Yemenis hope for.



Recommendations

● **To the Conflict Parties:**

- Immediately cease unlawful attacks on civilians and adhere to the fundamental principles of international humanitarian law.
- Facilitate the safe and unhindered movement of humanitarian supplies and relief workers to all Yemeni governorates.
- Respect international human rights law, including economic, social and cultural rights, and adhere to the obligations under relevant international human rights conventions.
- Close illegal detention centers, immediately release arbitrarily detained individuals, disclose the fate of forcibly disappeared persons, investigate incidents of torture and other forms of cruel, inhuman, or degrading treatment in detention centers, and provide humane and sanitary detention facilities for those facing criminal charges.
- Immediately cease the recruitment and use of children in the armed conflict, promptly release child soldiers, and take all necessary measures to promote their rehabilitation and reintegration into society.
- Take all necessary steps to end and prevent sexual violence, investigate violations of this nature, and hold perpetrators accountable.
- Stop targeting civilian objects and conducting indiscriminate attacks likely to cause harm to civilian objects, especially vital ones.
- Stop targeting healthcare facilities and schools, refrain from using them for military purposes, and remove any indicators of militarization.
- Respect human rights principles related to freedom of movement, expression, peaceful assembly, and other fundamental freedoms.
- Cease the planting of landmines and the use of explosive devices in any form, decontaminate affected areas, and take all necessary measures to protect civilians by providing warning signs, distributing maps of mined areas, and removing mines completely.
- Conduct impartial and transparent investigations into serious violations and

grave crimes committed by leaders and those under their command, hold perpetrators accountable, and provide comprehensive remedies for civilian victims.

● **To Ansar Allah (Houthi) Group:**

- Immediately stop indiscriminate attacks and the targeting of civilians and civilian objects, cease the use of explosive devices in various forms, and refrain from endangering civilian lives.
- Allow independent access to humanitarian aid, especially for the most vulnerable individuals and families, and cease arbitrary intervention in the transportation and distribution of aid, such as determining lists of beneficiaries and any other forms of interference that hinder the delivery of humanitarian aid.
- Cease the arbitrary detention of civilians, disclose the fate of forcibly disappeared persons, immediately halt torture and other forms of cruel, inhuman, or degrading treatment, ensure appropriate and sanitary detention conditions for those facing criminal charges, enable humanitarian agencies to regularly access detainees, and close unofficial detention centers.
- Provide facilitation and necessary support to international organizations providing humanitarian assistance to war-affected populations in their areas of control, especially the most impoverished families.
- Commit to ending the use of anti-personnel and anti-vehicle mines, provide maps of mine-affected areas to facilitate mine clearance operations and avoid civilian harm, and place warning signs for residents in areas contaminated with landmines and other explosive devices.
- Immediately stop using schools and other vital facilities for military purposes, and commit to safeguarding the educational process from militarization or misappropriation in pursuit of the group's own goals.
- Conduct transparent and impartial investigations into incidents of gender-based violence, including sexual violence, hold perpetrators accountable, provide effective mechanisms for reporting such violations, and take all necessary measures to prevent them.

- Immediately stop recruiting and using children in the armed conflict, promptly release child soldiers, and take all necessary measures to promote their rehabilitation and reintegration into society.

● **To the Saudi/UAE-led Coalition Forces:**

- Conduct reliable, impartial, and transparent investigations into violations against civilians and civilian objects in Yemen.
- Immediately cease indiscriminate and unlawful attacks within Yemeni territory causing harm to civilians and civilian objects, including hospitals, markets, and homes, and adhere to the fundamental principles of international humanitarian law, including distinction, proportionality, and precautions.
- Halt the use of torture and other forms of inhuman treatment in coalition-run detention centers in Yemen, and facilitate regular, safe, and swift access to those detention centers by international agencies.
- Provide prompt and adequate remedies to victims and their families for deaths, injuries, and damages resulting from unlawful attacks and adopt a unified and easily accessible mechanism to provide compensation to victims.

● **To the Internationally Recognized Government:**

- Immediately stop indiscriminate attacks and the targeting of civilians and civilian objects, cease the use of explosive devices in any form, and refrain from endangering civilian lives.
- Cease the arbitrary detention of civilians, torture, and other forms of inhuman or degrading treatment, disclose the fate of forcibly disappeared persons, provide sanitary and appropriate detention facilities for those facing criminal charges, and allow international agencies to have safe, swift, and regular access to detention centers.
- Conduct transparent investigations into serious violations against civilians, hold perpetrators accountable, and compensate victims.
- Ensure access to humanitarian aid and refrain from any form of arbitrary intervention that may prevent, restrict, or delay the delivery of humanitarian aid

to beneficiaries.

- Conduct transparent and impartial investigations into incidents of gender-based violence, including sexual violence, hold perpetrators accountable, provide effective mechanisms for reporting such violations, and take all necessary measures to prevent them.
- Stop targeting healthcare facilities and schools, refrain from using them for military purposes, and remove any indicators of militarization.
- Immediately stop recruiting and using children in the armed conflict, promptly release child soldiers, and take all necessary measures to promote their rehabilitation and reintegration into society.

● **To the Southern Transitional Council Forces:**

- Immediately stop indiscriminate attacks and the targeting of civilians and civilian objects, cease the use of explosive devices in any form, and refrain from endangering civilian lives.
- Conduct transparent and impartial investigations into incidents of gender-based violence, including sexual violence, hold perpetrators accountable, provide effective mechanisms for reporting such violations, and take all necessary measures to prevent them.
- Close unofficial detention centers, immediately cease the arbitrary detention of civilians, torture, and other forms of inhuman or degrading treatment, disclose the fate of forcibly disappeared persons, provide sanitary and appropriate detention facilities for those facing criminal charges, and allow international agencies to have safe, swift, and regular access to detention centers.
- Ensure access to humanitarian aid and refrain from any form of arbitrary intervention that may prevent, restrict, or delay the delivery of humanitarian aid to beneficiaries.
- Stop targeting healthcare facilities and schools, refrain from using them for military purposes, and remove any indicators of militarization.
- Immediately stop recruiting and using children in the armed conflict, promptly

release child soldiers, and take all necessary measures to promote their rehabilitation and reintegration into society.

● **To the Joint Forces:**

- Immediately stop indiscriminate attacks and the targeting of individuals and civilian objects, cease the use of explosive devices in any form, and refrain from endangering civilian lives.
- Cease the arbitrary detention of civilians, torture, and other forms of inhuman or degrading treatment, disclose the fate of forcibly disappeared persons, provide sanitary and appropriate detention facilities for those facing criminal charges, and allow international agencies to have safe, swift, and regular access to detention centers.
- Conduct transparent investigations into serious violations against civilians, hold perpetrators accountable, and compensate victims.
- Ensure access to humanitarian aid and refrain from any form of arbitrary intervention that may prevent, restrict, or delay the delivery of humanitarian aid to beneficiaries.
- Conduct transparent and impartial investigations into incidents of gender-based violence, including sexual violence, hold perpetrators accountable, provide effective mechanisms for reporting such violations, and take all necessary measures to prevent them.
- Stop targeting healthcare facilities and schools, refrain from using them for military purposes, and remove any indicators of militarization.
- Immediately stop recruiting and using children in the armed conflict, promptly release child soldiers, and take all necessary measures to promote their rehabilitation and reintegration into society.

● **To the Member States of the United Nations:**

- Support efforts to cease hostilities in Yemen, achieve a lasting and comprehensive peace, ensure accountability for violations and serious crimes in Yemen, and prioritize human rights issues in any forthcoming peace endeavors.

- Establish an international criminal mechanism to investigate human rights violations in Yemen, including grave violations.
- Support independent civil society organizations to enhance their capacity to monitor and document violations and abuses committed in Yemen.

● **To the United Nations Human Rights Council:**

- Establish an international, investigative mechanism to identify those responsible for alleged violations, including grave violations and crimes, with the aim of ensuring full accountability for perpetrators, achieving justice, and providing redress to civilian victims.

● **To the United Nations Security Council:**

- Utilize the resources at the Council's disposal, including the imposition of sanctions on individuals or entities responsible for attacks against civilians, as necessary, to press for the full and unimpeded delivery of humanitarian aid, support the political process as the only viable pathway to end the armed conflict in Yemen, and prioritize human rights issues in any forthcoming peace endeavors.
- Emphasize the human rights dimensions of the conflict in Yemen and ensure accountability for the most serious crimes.
- Instruct the Secretary-General to publish a comprehensive and accurate list of perpetrators in the annual report on Children and Armed Conflict.
- Refer the human rights situation in Yemen to the International Criminal Court to ensure comprehensive criminal accountability and justice for victims.

● **To Civil Society Organizations:**

- Establish an independent investigation and reporting mechanism comprising representatives of local and international independent civil society organizations working to uncover violations and abuses committed in Yemen.

Acknowledgments

This report, in its Arabic and English versions, was produced through the collaborative efforts of a team of researchers and lawyers from Mwatana's Research and Legal Support Units. Various other units and departments within the organization contributed to its development.

The report underwent several levels of review by the organization's management and relevant units. The Media and Communications Unit at Mwatana handled the design and publication processes.

Mwatana extends its heartfelt thanks and deep appreciation to everyone involved in producing this report, especially the witnesses, survivors, victims' families, healthcare workers, activists, and other contributors who provided the information and data that formed the substance of this report. Gratitude is also extended to all the organization's supporters, partners, allies, and advocates.

Mwatana also expresses its appreciation to the field researchers, lawyers, and other contributors who played essential roles in documenting and verifying the information in this report.

Mwatana calls upon all parties to the conflict in Yemen, the UN and US envoys to Yemen, the European Union, UN bodies and agencies, UN Security Council member states, all other stakeholders in the international community, local and international civil society organizations, media outlets, researchers, and advocates to consider the contents, findings, and recommendations of this report and previous annual reports when addressing the situation in Yemen. Human rights issues should be a focus and priority of all peace plans, programs, and any forthcoming transitional processes to ensure justice, accountability for perpetrators, and redress for victims.



Cover photo: A picture of a disabled man and woman next to their humble workplace, with children next to them. Al Shaqab Village - Sabr Al Mawadim District - Taiz Governorate. 6 - February - 2024

Legacy of Gunpowder

Human Rights Situation in Yemen 2023

In its seventh annual report, Mwatana for Human Rights outlines the most prominent violations committed during the year 2023 by various parties to the conflict in Yemen, including the Ansar Allah (Houthi) group, the Southern Transitional Council, the internationally recognized government, the Joint Forces, and the Saudi/UAE-led coalition. The violations documented by Mwatana's field team, composed of both researchers and lawyers, demonstrate a blatant disregard for the principles and rules of international humanitarian law and international human rights law.

The report sheds light on the human rights situation in Yemen for the year 2023 and the ongoing suffering experienced by civilian populations in Yemen at various levels since the outbreak of the armed conflict in September 2014. Yemen's civilians have now endured nearly a decade of atrocities.

The report calls on the parties to the conflict in Yemen to immediately cease all violations, conduct reliable and transparent investigations into violations of international law and abuses against civilians, and provide prompt and adequate redress to victims and their families. It also urges UN member states to support peace efforts and prioritize human rights issues and accountability for perpetrators, ensuring that justice for victims will be secured when planning peace programs and any forthcoming transitional processes. Additionally, the report advocates for the establishment of a criminal justice-focused mechanism to investigate human rights violations, including potential international crimes.