

HUMAN RIGHTS IN THE MIDDLE EAST AND NORTH AFRICA: REVIEW OF 2018

26 February 2019

Index: MDE 31/9898/2019

YEMEN

Republic of Yemen

Head of state: **Abd Rabbu Mansour Hadi**

Head of government: **Maeen Abdulmalik Saeed (replaced Ahmed Obeid bin Daghr in October)**

All parties to the continuing conflict in Yemen committed war crimes and other serious violations of international law. Huthi forces, which controlled large parts of the country, indiscriminately shelled residential neighbourhoods and launched missiles indiscriminately into Saudi Arabia. The Saudi Arabia-led coalition, which supported the internationally recognized Yemeni government, continued to bomb civilian infrastructure and carry out indiscriminate attacks, killing and injuring civilians. All parties to the conflict engaged in illegal practices, including arbitrary detention, enforced disappearance, and torture and other ill-treatment. Those targeted included journalists, human rights defenders and members of the Baha'i community. The Saudi Arabia-led coalition continued to impose excessive restrictions on the entry of essential goods and aid, while the Huthi authorities obstructed aid movement within the country, deepening the humanitarian crisis. Women and girls continued to face entrenched discrimination and other abuses; the conflict left them with less protection from sexual and other violence, including forced marriage. No information was publicly available about executions, but death sentences were reported.

BACKGROUND

The divided territorial control of Yemen was entrenched as the conflict continued between the internationally recognized government of President Abd Rabbu Mansour Hadi, supported by the Saudi Arabia-led coalition, and the Huthis and their allied forces. Huthi forces consolidated their control over large parts of the country, including the capital, Sana'a. In April, Huthi leader Saleh al-Sammad was killed in a coalition attack; Mahdi al-Mashat replaced him.

President Hadi's government made several attempts to reassert its authority in the southern city of Aden. Clashes broke out between government forces and rival factions, such as the Southern Transitional Council, which was backed by the United Arab Emirates (UAE), part of the Saudi Arabia-led coalition. The UAE also supported and armed militias in other areas of southern Yemen.

The on-off battle for Hodeidah resulted in hundreds of civilian casualties; the UN reported that nearly half a million people fled the governorate during the year. There was continued fighting between armed factions in the city of Ta'iz, too.

According to the Office of the UN High Commissioner for Human Rights, 6,872 civilians had been killed and more than 10,768 civilians wounded between 26 March 2015, when the Saudi Arabia-led coalition became involved in the conflict, and 8 November 2018. The UN Office for the Coordination of Humanitarian Affairs reported in June that 22.2 million people needed humanitarian assistance and that around half the population, 14 million people, were at imminent risk of famine. Cholera continued to affect the entire country.

UN-backed talks in Sweden concluded on 13 December, resulting in agreements on several confidence-building measures, including prisoner exchanges and a ceasefire in Hodeidah, which came into effect on 18 December. The UN Security Council then adopted Resolution 2451 on 21 December, insisting on full respect for the ceasefire and authorizing the deployment of a monitoring team to Yemen to oversee the implementation of the agreements.

VIOLATIONS BY HUTHI FORCES

Huthi and allied forces continued to carry out indiscriminate attacks, shelling residential neighbourhoods and launching missiles indiscriminately into Saudi Arabia.

Huthi fighters fired mortars repeatedly into civilian areas of Hodeidah, according to people who had fled the city. A mortar hit the courtyard of Hays Rural Hospital on 25 March, killing a pharmacist and a nurse and injuring a 13-year-old boy.

Huthi forces further endangered civilians by basing troops and vehicles in residential areas. In November, Huthi and allied forces took up positions on a hospital roof in Hodeidah. They also planted internationally banned anti-personnel landmines that caused civilian casualties, prevented civilians from leaving the city and forcibly displaced civilians from their homes in areas captured from government forces.

VIOLATIONS BY THE SAUDI ARABIA-LED COALITION

Coalition forces continued to be the main cause of civilian casualties, according to the UN. They committed with impunity serious violations of international human rights law and humanitarian law. They used imprecise munitions in some attacks, including large bombs with a wide impact that caused deaths and destruction beyond their immediate strike location.

Coalition air strikes mainly targeted Huthi-controlled or contested areas, in particular Sana'a, Ta'iz, Hajjah, Hodeidah and Sa'da governorates, during which hundreds of civilians were killed and injured. Many attacks were directed at military targets, but others were indiscriminate, disproportionate or directed against civilians and civilian objects, including residential areas, buses and gatherings such as weddings. In January, a coalition air strike destroyed the Naji family home in al Rakab in the southern governorate of Ta'iz. The mother and two sons, aged six and 10, were killed. The father, a son aged three and a baby daughter were injured. In August, a coalition aircraft attacked a bus in the town of Dhahyan in Sa'da governorate, killing 29 children and injuring 30 others.

ARBITRARY ARRESTS AND DETENTIONS

Huthi forces, the Yemeni government, the Saudi Arabia-led coalition and UAE-backed Yemeni forces engaged in arbitrary detention practices.

In areas they controlled, Huthi forces arbitrarily arrested and detained critics and opponents as well as journalists, human rights defenders and members of the Baha'i community, subjecting scores to unfair trials, incommunicado detention and enforced disappearance. In September, they detained human rights defender Kamal al-Shawish incommunicado for over a month in an unknown location in Hodeidah. Six Baha'i men continued to be detained. Five of them faced charges that carried the death penalty: one, who had been held for nearly four years, was accused of apostasy; four were charged in September with serious offences, including espionage for foreign states.

The internationally recognized Yemeni government harassed, threatened and arbitrarily detained human rights defenders and other activists. In June, security forces arrested Radhya Almutawakel and Abdulrasheed Alfaqih, respectively chairperson and executive director of Mwatana Organization for Human Rights, in the southern city of Mukalla while they were travelling to Sey'un airport. Both were arbitrarily detained for a day before being released without charge. In October, government authorities and militias briefly detained Akram al-Shawafi, a human rights defender and founder of the Watch Team, a non-governmental organization. He was forced to relocate five times because of threats arising from his work on the treatment of civilians by the local authorities in Ta'iz.

UAE-backed Yemeni forces in southern Yemen conducted a campaign of arbitrary detentions and enforced disappearances. In May, Amnesty International investigated in Yemen the cases of 51 men held in a network of secret prisons by UAE and Yemeni forces operating outside the command of their own government,¹ including individuals detained between March 2016 and May 2018. The cases involved egregious violations, including enforced disappearances and torture and other ill-treatment amounting to war crimes. Some of the men were released between June and August, but many remained arbitrarily detained and over a dozen were still missing.

RESTRICTIONS ON ESSENTIAL GOODS

The Saudi Arabia-led coalition continued to impose excessive restrictions on the entry of essential goods and aid, while the Huthi authorities obstructed aid movement within the country, deepening the humanitarian crisis.² Vessels travelling to Yemen's Red Sea ports had to wait for coalition clearance; the resulting delays exacerbated a fuel shortage, reduced access to food, clean water and sanitation, and contributed to the spread of preventable diseases. Huthi forces imposed

¹ Amnesty International, *'God only knows if he's alive': Enforced disappearance and detention violations in southern Yemen* (Index: MDE 31/8682/2018).

² Amnesty International, *Stranglehold: Coalition and Huthi obstacles compound Yemen's humanitarian crisis* (Index: MDE 31/8505/2018).

excessive and arbitrary bureaucratic procedures that restricted the movement of humanitarian staff and aid. They sometimes attempted to control the delivery of aid and demanded bribes to allow humanitarian projects to operate.

Under international humanitarian law, all parties are obliged to allow and facilitate rapid and unimpeded delivery of impartial humanitarian assistance for civilians in need, and ensure freedom of movement of authorized humanitarian personnel.

WOMEN'S RIGHTS

The protracted conflict exacerbated discrimination against women and girls, and left them with less protection from sexual and other violence, including forced marriage.

DEATH PENALTY

The death penalty remained in force for many crimes. No information was publicly available about executions, but death sentences were reported. On 2 January, the Specialized Criminal Court in Huthi-controlled Sana'a sentenced Hamid Haydara to death after a grossly unfair trial. He was tried on account of his beliefs and peaceful activities as a member of the Baha'i community. In February, one woman and two men were forcibly disappeared, ill-treated and given a patently unfair trial before being sentenced to death by a court in Sana'a for allegedly aiding an enemy country. The trial was part of a wider pattern of the use of expedited mass trials by Huthis to persecute political opponents, including journalists and academics.