



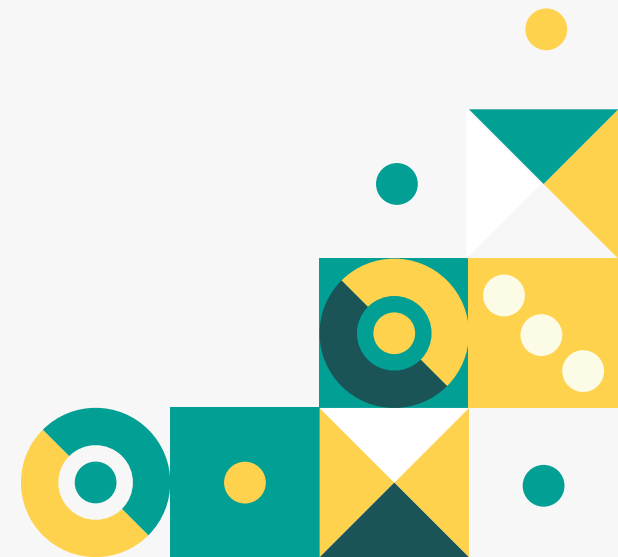
**A Report Documenting Patterns of Violations
Committed Against the IDPs in Marib Governorate From
2012 – 2019**



منظمة مساءلة لحقوق الإنسان
Musaala Organization For Human Rights

Internally Displaced Persons and The Scourge of the Conflict

www.musaala.org





1.	Introduction	3
2.	Objectives and methodology of the report	4
3.	General context	7
4.	International and national sources and standards	11
5.	Overview of the process of monitoring and documenting human rights violations	16
	Objectives	
	Methodology	
6.	Violations of international humanitarian law and international human rights law	20
1)	Targeting civilians	21
2)	Mines and explosive remnants of war	31
3)	Recruitment of child soldiers	36
4)	Arbitrary Arrests, Torture, and Enforced Disappearances	41
5)	Extrajudicial or arbitrary killings	48
7.	Voices of victims	55
8.	Conclusions and recommendations	58
	Conclusions	59
	Recommendations	62
9.	Sources and references	65

Table of Content



Introduction

Musaala for Human Rights is a Yemeni non-governmental non-profit organization working in the field of defending and protecting human rights, by monitoring and documenting human rights violations, supporting and redressing their victims, and holding accountable the authorities responsible for these violations in order to stop these violations and ensure that they do not recur. The organization was established on December 2018 ,10 and holds a license No. (275) to practice civil activity issued by the office of the Ministry of Social Affairs and Labor in Marib Governorate on April 2018 ,10 and its headquarters in Marib Governorate.

As part of the Yemen Human Rights Forensic Evidence Lab (YHRFL) program, which aims to increase the recognition and protection of human rights in Yemen by providing comprehensive access to a comprehensive repository of open-source digital evidence of human rights violations committed by all parties involved in the Yemeni conflict, in order for it to be used as evidence in transitional justice, legal accountability, and reconciliation processes, in addition to carrying out international advocacy activities aimed at enhancing awareness of human rights violations committed during the conflict in Yemen.

Musaala for Human Rights worked on training a number of field researchers distributed among the displaced who currently residing in and around the camps and the main sites for the displaced in Marib city and Al-Wadi district, in addition to training the project team on international human rights law, international humanitarian law, monitoring skills, reporting mechanisms and documenting evidence of human rights violations, as these researchers verified, monitored and documented the human rights violations that IDPs are exposed to in Marib governorate that occurred during the period 2022 - 2019, by conducting field visits to interview victims and eyewitnesses.

Musaala for Human Rights has collected and analyzed all documented information on incidents of human rights violations and issued it in this human rights report, which sheds light on the different patterns of violations committed by the parties to the conflict against the IDPs in Marib Governorate during the years 2022–2019. The consultant, Mr. Manaf Hammoud Al-Salahi, contributed to the analysis of the collected information and the preparation and drafting of the report.

Musaala for Human Rights would like to express its gratitude to everyone who provided testimony from those interviewed, including victims, victims' families, eyewitnesses, medical professionals, and humanitarian aid workers. We are also grateful to the field researchers and the consultants who assisted in conducting these interviews and verifying the data, as well as who assisted in reviewing and analyzing in order to prepare this report.





Objectives And Methodology of The Report



Objectives And Methodology of The Report

The primary goal of the report is to enhance the responsibility of the parties responsible for human rights protection, given that the protection of human rights and the prevention of violations are their legal responsibilities in the first place, and the role of the report is to assist them in fulfilling their legal responsibilities towards their citizens, in addition to contributing to raising public awareness about human rights violations related to IDPs.

Methodology

The report refers to the report's objectives and methodology as well as the general context of the events that occurred during the reporting period, particularly the conditions of the IDPs in Marib governorate. This report is based on investigative field research in which Musaala for Human Rights conducted a thorough investigation into incidents of violations committed against IDPs in Marib Governorate between January 2019 and December 2022. It is worth noting that the report covers issues for which Musaala for Human Rights was able to verify and document them, as well as reach victims and eyewitnesses, which are examples of different patterns and multiple violations committed by parties to the conflict against IDPs. The report does not cover all violations committed by the various parties to the conflict.

During the reporting period, Musaala documented the most recognizable patterns of human rights violations committed by all parties to the conflict in Yemen, the victims of which were internally displaced people. This report examines examples of violation patterns that targeted a set of fundamental rights and freedoms, which were chosen and presented to ensure diversity in these patterns. The alleged perpetrators, as well as the significance of these patterns and facts. The facts in this report are not exhaustive, and Musaala is still documenting incidents of various other violations.

The report also addresses the legal standards mentioned in national and international legal sources, particularly international human rights and humanitarian law. Although these standards establish the minimum conditions for exercising rights and protecting against violations, they also serve as a normative framework for defining individuals' protected rights. It defines violations and their elements or criteria, as well as a list of duties and obligations imposed on the parties to the conflict. The report gives insight into the organization's goals and methodology for monitoring in Marib governorate, as well as the interviews conducted and the standards and principles it followed.



Objectives And Methodology of The Report

Between September and December 2022, field researchers conducted more than 100 interviews in Arabic with victims, victims' families, witnesses, and medical and humanitarian workers. The Monitoring and Documentation Unit team of the organization then reviewed and verified the data. This research relied on gathering testimonies and data from its primary sources in a secure and independent manner, especially when it came to information about the specifics of human rights violations.

The identities of several of those who testified were withheld in parts of this report to ensure their safety, and Musaala did not offer any cash or in-kind compensation to those who gave their testimony.

The report includes a deeper look at the most important findings of the monitoring and documentation team on the various patterns of violations related to international humanitarian law and international human rights law that affected the displaced, including direct targeting of civilians, mines and unexploded ordnance, child recruitment, arbitrary arrest, torture, arbitrary disappearance, and arbitrary killing.

The report also includes reference to the results of the monitoring and documentation process as statistical indicators of these results, which classify the violations in terms of number, type, responsible party, victims, and damages that resulted from the violations.

The report allocates a special section entitled Voices of the Victims, which includes the statements and testimonies of the victims, their relatives and witnesses, in the hope that it will reach the ears of the parties to the conflict and may influence their behavior and improve the human rights situation.

The report presents the conclusions reached after analyzing interviews and incidents and comparing human rights reports from various sources, as well as a list of recommendations to the conflict parties.





General Context



General Context

Several military, political, and humanitarian events occurred during the reporting period of 2022-2019. From a military standpoint, the Ansar Allah group (Houthis) has controlled Nehm and most of the regions and districts of Al-Jawf Governorate since September 2020, after which it was able to control Rahba district, Mahlia, Al-Juba, Al-Abdiya, Hareeb, and Jabal Murad in Marib Governorate. Civilians were subjected to various forms of violations, and their properties were damaged during the clashes, prompting them to flee once more in search of safety. On the other hand, the Ansar Allah group (Houthis) continued to launch drones and ballistic missiles on a number of areas, including Marib city, which is home to thousands of IDPs. This caused significant damage to civilians, and in response, coalition forces launched numerous air raids on various sites in Marib governorate, resulting in a number of civilian deaths and injuries.

On April 2022 ,1, the UN Special Envoy to Yemen announced that the Yemeni parties had reached a two-month humanitarian truce, which included the cessation of all air, land, and sea military operations. Despite international and regional efforts to reach a ceasefire agreement and launch a peace process, the Ansar Allah group (Houthis) refused to agree to an extension until the end of 2022.

On December 2022 ,26, the Executive Unit for the Management of Displaced Persons Camps in Marib announced that two main roads had been opened for the movement of citizens and for the entry of food and relief materials for the residents in Harib district through (Marib - Safer - Harib) as well as the (Shabwa - Bayhan - Harib) road.

Since January 2020, more than 158,000 people have been forced to relocate from conflict-affected areas mainly located in eastern and southern Marib to areas in Marib city and around it, while many have fled areas close to the front lines, and where conflict is still ongoing in the governorates surrounding Marib, such as Al-Jawf and Al-Bayda. Some families also moved from the affected areas in these governorates towards Marib in search of safe haven.



General Context

According to the United Nations website, more than 1,130 families, totaling 6,700 people, were displaced between October 1 and October 23, 2021, in Marib Governorate. According to reports from the International Organization for Migration (IMO), more than a third of those displaced have fled to Marib City, while about 24% have moved to safe havens in Al-Juba district and another 22% have moved to the Marib district. Some others were displaced to Serwah and Jabal Murad districts.

The Martyr Ali Abdel-Moghni Hospital reopened on October 20, 2021, after an attack on October 12 had partially damaged it. Because of the severity of the damage, it needed to be repaired and outfitted with new medical supplies. Additionally, there is a severe staffing shortage at the hospital, particularly in the wake of the attack. On October 25, the hospital received PPE, basic medical supplies, and equipment. In the Al Abdiya district, where there are more than 1,000 pregnant women in need of maternal health services, there is also an urgent need for medical supplies.

In December 2021, the Executive Unit for the Management of Displaced Persons Camps in Marib published a comprehensive survey that dealt with the humanitarian situation of the displaced in many Yemeni governorates. The study indicated that the number of displaced persons in the liberated areas in Yemen amounted to 445,410 families, which equals 2.83 million displaced persons, of whom there are 78.67 thousand families in camps, consisting of 403 thousand people, while the number of displaced families in homes reached 366.74 thousand displaced persons, for a total of 2.42 million displaced persons. According to the study, there are 547 thousand and 922 cases of vulnerable displaced people, of which 472 thousand and 993 cases are in people's homes and 74,929 cases are in people's camps.

The study also revealed that the displaced in 79 camps are threatened with expulsion, while 77,235 displaced families living in homes are threatened with eviction. 51,001 of which are exposed to eviction because they cannot afford their rent. 26,233 families are affected due to tension with the host community as a result of not targeting the host community with aid.

On December 31, 2022, the Executive Unit for the Management of Displaced Persons Camps in Marib Governorate announced that, since January 1 - December 31, 2022, it had monitored the internal displacement of 9,731 families; 52,914 people, or 52%, were displaced to Marib Governorate.



General Context

On July 2022, 13, the Marib Governorate experienced unprecedented torrential rains, storms, and strong winds carrying dust, as well as a large flow of torrential rains that flooded a significant portion of the homes of the displaced in the 197 camps. It resulted in significant material damage, 2,577 families suffered total damage, and 10,972 families suffered partial damage.

Despite Marib's housing this huge number of displaced people in camps set up for them by local and international relief organizations, many complaints have been made about the poor camp facilities, such as the lack of potable water, the scarcity of toilets, and the dilapidated tents that do not shield hundreds of families from the effects of winter and the sun's summertime flames.

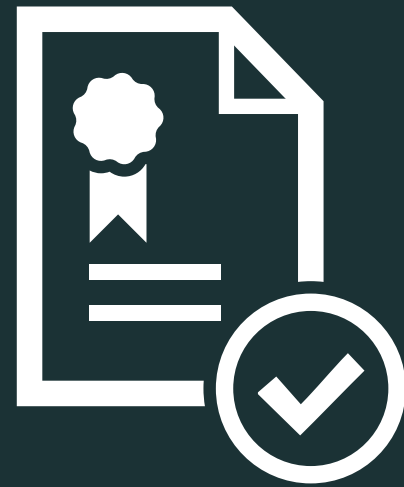
Thousands of civilians face many difficulties in the painful journey of escape and displacement from their former homes and camps, until they reach the places they made camps which exceed 10 camps scattered at close distances, in the vicinity of the Marib district, including (Al-Nuqa'a, Bani Mu'ili, Al-Jathwa, Al-Samya, Ghosn, Al-Ramsa, Al-Husun, Al-Arqaen, and Wahshan Al-Sharqi camp).

According to a report by the Sam Organization for Rights and Liberties, the IDPs are subjected to various types of violations, ranging from hindering the delivery of humanitarian aid to them to even targeting them militarily, which doubles their misery and suffering. All military operations that targeted the displaced since the outbreak of the war in Yemen were monitored until March 2021, 23, in which more than 157 military attacks were documented by the conflicting parties in Yemen on the camps and gatherings of the displaced. These attacks resulted in more than 600 deaths and 700 injuries among the displaced, the majority of whom were women and children, and the targeting of the shelter camps resulted in the displacement of thousands of people.

In November 2022, (IMO) declared that Marib Governorate in northeastern Yemen had the highest rate of internal displacement, stating that while there are many relocation camps spread across a number of Yemeni governorates, the city of Marib is home to the greatest number of them and that its estimates show that the city of Marib alone, the governorate's administrative center, received more than 73 thousand new displaced persons during the year 2022. Marib now has a population of more than 2.5 million, making it the ideal destination for many stranded civilians as the return remains a distant hope for the displaced persons. According to reports from local and international organizations the needs continue to increase.

According to most estimates, more than 70% of the displaced in Marib governorate live in difficult conditions, as they are now living in worn-out tents that do not provide them with the simplest protection from the effects of nature.





Sources And Legal Standards

Sources And Legal Standards

The special legal standards that govern violations are mentioned in order to create a clear understanding of the human rights standards relevant to each violation's subject matter. The main sources of the analysis methodology in this report are international human rights law, international humanitarian law agreements, and national legislation.

International Human Rights Law:

International human rights law includes a set of legal standards that define various types of rights that the state is required to fulfill and apply on the ground, such as the right to life, health, education, equality, non-discrimination, freedom of movement and travel, and so on. This applies to international human rights law in both times of peace and times of war. Yemen has ratified seven of the nine basic human rights treaties, and Yemen is obligated to respect, protect, and fulfill the human rights of all people on its territory, including preventing violations and effectively responding to violations through independent and judicial mechanisms that investigate violations, refer perpetrators to justice, and redress the victims, rehabilitate and compensate them when necessary. In addition, taking corrective action to stop violations from happening again in the future, as well as addressing the institutional and legal issues and gaps that led to these violations.

Guiding Principles on Internal Displacement:

The International Committee of the Red Cross (ICRC) adopted the Guiding Principles on Internal Displacement 22 years ago on April 1998, 17, as the first international standards for IDPs. It outlines their rights and governments' obligations to them, and it is widely regarded as the primary international framework for responding to internal displacement.

These Guiding Principles are a set of 30 standards that outline rights and guarantees for people who have been forcibly displaced during their displacement as well as during their return or resettlement and reintegration. They are essentially a restatement of international human rights and humanitarian law relevant to the IDP context.



Sources And Legal Standards

International Humanitarian Law:

The current armed conflict in Yemen is classified as a non-international armed conflict, and thus national laws and legislation, as well as provisions of international humanitarian law, specifically the provisions of Article (3) common to the four Geneva Conventions, are the legal framework that the parties to the conflict must apply and adhere to. In addition to the provisions of the Second Additional Protocol annexed to the Geneva Conventions. All parties are also required to follow the rules of customary international humanitarian law that apply to non-international armed conflicts, including the principles of distinction, proportionality, humanity, protection of civilians, persons hors de combat, humane treatment, regulation of methods of combat, and status of protected persons and objects.

The primary sources of rules and regulations of international humanitarian law are treaties and customary international law. States that ratify a treaty are obligated by its provisions since treaties are agreements between states.

Determine The Responsibility of The Parties:

First: **Violations by state agencies:**

The armed forces are an entity like other entities in the state's apparatus and authorities, such as the executive authority, the legislative authority, and the judicial authority of the state.

The rule that the state is responsible for the actions of its institutions is a long-standing rule of customary international law, contained in Article 3 of the 1907 Hague Convention on the Laws and Customs of War on Land and repeated in Article 91 of Additional Protocol I.



Sources And Legal Standards

Secondly, The Responsibility of Non-state Actors (Ansar Allah group Houthis):

Armed opposition groups must abide by international humanitarian law and conduct activities under responsible leadership. Therefore, it can be said that they are responsible for the actions of people belonging to these groups, but the consequences of this responsibility are unclear. There are multiple UN resolutions that demand that "non-state armed actors must respect and protect the human rights of persons and groups that perform government-like functions or exercise effective authority over territory and populations." Among these resolutions are: The Houthis can be deemed committed to upholding international human rights norms because they are the de facto authorities in northwest Yemen, according to paragraph 29 of the Human Rights Council report on the state of human rights in Yemen. The (ICRC), which has acknowledged the crucial role of non-state actors under human rights standards intended to safeguard citizens, has reaffirmed this.

The ICRC has added that "international humanitarian law continues to apply and protect civilians when non-state actors in armed conflicts dominate territory for a prolonged length of time."

There are instances where armed opposition organizations have been blamed. In a report on the state of human rights in Sudan, for instance, the Special Rapporteur of the Commission on Human Rights observed that the SPLA is to blame for the killing and abduction of civilians as well as for seizing humanitarian workers and holding them hostage.

Investigation of Violations:

For the proper application of treaty and customary rules of international humanitarian law in both international and non-international armed conflicts, it is acknowledged that investigations into possible violations of such law are of utmost importance.

The legal sources related to the duty to investigate the treaty and customary provisions of international humanitarian law can be found, among other sources, the commitment of the parties to the provisions of the Geneva Conventions of 1949 and their First Additional Protocol of 1977, to enact all necessary legislation to impose effective penal sanctions on persons who committed, or issued orders to commit any serious "violations" of these provisions.



Sources And Legal Standards

It should be noted that the Geneva Conventions distinguished between the State's duty to "repress" grave breaches, and its duty to "prevent" all other acts inconsistent with their provisions. The term "repression" is generally understood to include measures that include individual criminal prosecutions for acts that would be criminalized under treaty and customary provisions of international humanitarian law.

Typically, the term "prevention" refers to the broad range of actions that States are permitted to take to address all other violations of the laws and customs of war, including those for which there is no personal criminal liability, in order to ensure their prevention and avoid recurrence. The idea of prevention also incorporates the administrative steps that States may take, such as administrative investigations to address violations that do not amount to war crimes.

The obligation to look into specific human rights violations is expressly stated in human rights treaties. According to one interpretation, the organizations established by the Human Rights Convention have a general obligation to look into claims of violations in order to put the rights stipulated therein into effect.

The first of the four articles states that the parties agree to pass any laws required to impose deterrent punishments on those who commit or are ordered to commit any of the "serious violations" listed in the agreements. One of the system's original features was the ability to identify serious violations, but this does not excuse other crimes from punishment.

Serious Violations Include:

- 1 Acts committed against individuals protected by the conventions: willful killing, torture or inhumane treatment including biological experiments, and acts intentionally causing great suffering, serious injury to body or damage to health.
- 2 Acts against wounded, sick, shipwrecked and civilians: willful destruction and confiscation of property not justified by military necessity.
- 3 Acts against prisoners of war or civilians: forcing them to serve in the forces of an enemy state or deliberately depriving them of their right to a fair legal trial.
- 4 Acts against civilians: unlawful exile or deportation, unlawful detention and hostage-taking.





Overview Of the Process of Monitoring and Documenting Human Rights Violations



Overview Of the Process of Monitoring and Documenting Human Rights Violations

Team:

A number of field researchers were trained by Musaala for Human Rights and then dispersed among the displaced people living in and around the camps and the main sites for the displaced in Marib city and Marib district. The project staff also received training on international humanitarian law, monitoring techniques, reporting procedures, and compiling proof of human rights violations. These researchers conducted field-work, including interviews with victims and eyewitnesses, to investigate, monitor, and document the human rights violations that the displaced people in Marib Governorate experienced between 2019 and 2022. Manaf Hammoud Al-Salahi, a consultant, also contributed to the preparation and drafting of this report as well as the analysis of the information and data.

Monitoring and Documentation Methodology:

Determine the type and scope of the violation

The team determined the type of violation for every case they handled. It primarily means researching the legal sources and the standards and extracting a definition for each violation, which helps the team collect information, fact-finding, and gather evidence based on the definitions of these violations and the scope of the state’s obligations, taking into account the principle of "Do no harm." Because documentation requires respondents to engage in a process that may be fraught with physical and emotional risks, the scope of the documentation topic has been determined according to the time, funds, and resources available to the organization.

Monitoring and Documentation Period
2022 - 2019

Target Group
IDPs in Marib Governorate

Geographic coverage:
Marib Governorate



Overview Of the Process of Monitoring and Documenting Human Rights Violations

Define relevant human rights standards

To establish a clear understanding of the human rights standards relevant to the subject of each violation, the special legal standards that govern violations have been identified. The main sources of the analysis methodology in this report have been identified as international human rights law, international humanitarian law conventions, and national legislation.

Determine the required information and how to obtain it

Based on documentation methodology, the information needed to assess the presence or absence of human rights violations has been identified. This information includes:

- Direct sources such as victims and witnesses.
- Secondary sources such as reports from other organizations working in the field of human rights and media reports, etc.

Determine the Standard of Evidence

The standard of evidence is another component that may be critical to the work methodology, and the significance of this component emerges when the team's work includes "fact-finding" as well as documentation. In other words, it was necessary to seek "sufficient evidence" in order to draw conclusions relevant to an alleged human rights violation, and to satisfy this standard, the fact or hypothesis put forward must be more likely to be true.



Overview Of the Process of Monitoring and Documenting Human Rights Violations

Creating the documentation methodology and assembling the work team

- ① Time frame has been set for completing the monitoring objectives based on the funding and personnel available.
- ② Musaala formed a documentation team and was keen on maintaining the team's credibility, impartiality, and independence when selecting field researchers from the camps under study. Musaala was also keen to select those who have a good understanding of the local context and demographic nature, as well as the ability to communicate with others, while ensuring gender balance within the team.
- ③ The team was trained in the skills of monitoring and documenting violations, and the relevant national and international standards.
- ④ Adopting a case management system, in which Musaala has created a safe and effective case management system and has been keen to train all team members to use it. To ensure the case management system's effectiveness, a record of all activities has been kept, and documentation files have been organized in a systematic manner, as follows:
 - Maintain accurate, detailed, and clear records of all work completed for each case, including dates and times.
 - Keeping the evidence in classified files, for example: the respondents' statement file, the image file, and the physical evidence file; a document file, a file of photocopies of all documents and/or record of all documents obtained; and a file of drawings and maps.
 - Store all files in a safe place, encoding information and encrypting data.

Adopting confidentiality and witness protection standards

The protection of witnesses who might be persecuted for providing information about violations was our top priority. Witnesses were given the freedom to choose and decide where to meet. They have been given the option of publishing or not publishing their names because they are fully aware of the risk they may encounter. (80) people agreed to use and share information, including disclosing the interviewee's identity, while (24) did not.





Violations Of International Humanitarian Law And International Human Rights Law





Targeting Civilians



Targeting Civilians

Legal Standards

All parties are obligated to respect the rules of customary international humanitarian law applicable to non-international armed conflicts, and the rules it contains relating to the principles of distinction and proportionality, humanity, protection of civilians and persons hors de combat, humane treatment, regulation of fighting methods, and the status of protected persons and objects.

Civilians cannot be made the target of an attack in both international and non-international armed conflicts. According to the principle of "military necessity" the parties to the conflict may only use means and methods necessary to achieve the legitimate military purpose of the conflict that are not prohibited by international humanitarian law. As a result, the level of force and quality that can be used by parties to the conflict is limited to what is required to defeat the enemy as quickly as possible and with the least amount of losses in lives and resources. The principle of humanity forbids parties to a conflict from causing any suffering or destruction that is not necessary to achieve the conflict's legitimate goal.

Distinction: Parties to the conflict must distinguish at all times between civilians and civilian objects on the one hand, and combatants and military objectives on the other. In other words, no party to the conflict may direct its attacks only against combatants and military objectives, and direct attacks against civilians and civilian objects are prohibited. Indiscriminate attacks that are not directed at a specific military objective are also prohibited. Any object that is not a military objective is considered a civilian objective and cannot be the subject of attack unless it is effectively used for military purposes, in which case it may become a military objective.

Proportionality: Launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited.

Precautions: Parties to a conflict must take constant care to spare civilians and civilian objects during military operations. This may include verifying that the target is in fact a military objective or issuing effective warning to the civilian population before attacking.



Targeting Civilians

Prohibitions and restrictions imposed on some means and methods of fighting according to international humanitarian law:

- * Methods aimed primarily to spread terror among the civilians.
- * Do not distinguish between combatants and civilians and their (property).
- * Causing superfluous injury or unnecessary suffering.
- * Causing severe and long-term damage to the natural environment.
- * Looting of private property.
- * Starvation of the civilians

Monitoring Process Findings

Musaala for Human Rights tracked civilian casualties among IDPs as a result of the parties to the conflict in Yemen failing to meet their obligations under international humanitarian law. The parties to the conflict did not always distinguish between civilians and civilian objects on the one hand and combatants and military targets on the other. The total number of cases monitored was 31 incidents targeting IDPs, with the majority of them concentrated in Marib governorate and Al-Jawf.

The violations included the following:

- Military attacks (air bombardment and ground bombardment).
- Destroying homes and private property.
- Looting and/or seizure and use of property by parties to a conflict.

All parties to the conflict committed various violations against the IDPs in Marib governorate. The Ansar Allah group (Houthis) committed 15 violations, which include 13 ground bombardments and two aerial bombardments by drones. While the Saudi-led Arab Coalition committed 11 violations. The internationally recognized government was found responsible for three ground-bombing violations. In two cases, the victims and witnesses were unable to determine who was responsible for the bombing and always pointed to the responsibility of either the internationally recognized Yemeni government or the Ansar Allah group (Houthis).



Targeting Civilians

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The number of civilian casualties has reached 49 at least, including seven females and 10 children, and the number of affected families is more than 24 families, which have suffered material or psychological damage.

Musaala for Human Rights was able to gather evidence and testimonies regarding the number of civilian victims killed or injured, as well as those whose homes were destroyed. Additionally, those who have suffered material and psychological harm to themselves and their property as a result of these violations, with the identification of the party accused of being responsible. Nonetheless, Musaala is convinced that the parties to the conflict have caused great suffering and destruction to civilians and their property, causing civilian casualties, destroying their homes, damaging their property, forcing the majority of them to flee and escape certain death, and exacerbating the humanitarian and living situation, which is many times worse than what Musaala has monitored.



Targeting Civilians

Patterns of Violations Committed Parties to The Conflict

The Appropriation and Use of Property by Parties to The Conflict

Medghal District is one of the districts of Marib Governorate, which was controlled by the internationally recognized government until January of the year 2020. After the withdrawal of the internationally recognized government from Nihm towards Marib, the battles continued between the two parties until the Ansar Allah group (Houthis) announced their control of the district in September 2020.

On the morning of Monday, October 2020 ,19, the Arab coalition warplanes launched an air strike on Mardi Al-Saghir's house. This resulted in total destruction of the house after Ansar Allah group (Houthis) took it as a place for meetings and rest. This was after the displacement of the victim with his family and the villagers from their homes to Marib city before Ansar Allah group (Houthis) took control of the area in mid-August 2020. According to witnesses, Houthi forces after their control of Medghal district, stormed the citizen's house and converted it into a military barracks. By their behavior, turned the house into a military target, because of which the coalition aircraft attacked the house with an air raid, which caused complete destruction.

In a similar case, after the Houthi forces took control of the Harib district in Marib governorate, they were able to advance and control the adjacent Al-Juba district in mid-October 2021, up to this day. Due to this, the majority of the district's residents were forced to relocate to Marib City and the Marib District, leaving only a small number of citizens.

The victim, Ahmed Talib Shafah, says: "On September 2021 ,26, the fighting erupted and forced us to flee, forcing us to leave our home. We were unable to take anything from the contents of the house, and after the Houthis overtook the village, they broke into my home and looted everything inside". Ahmed adds, " The Houthis converted the house into a military barracks, making it a military target for coalition aircraft. On Monday morning, October 2021 ,7, the coalition aircraft then targeted our house with an air strike. The house was completely destroyed as a result of the bombing".



Targeting Civilians

Air Raid of The Arab Coalition on The Wadi Dhana Area in Serwah District - Marib Governorate, Killing and Injuring Civilians and Destroying Civilian Objects and Property

The victim (A.S.) claims: "On November 2018 ,26, at 1:00 PM, the coalition forces unexpectedly launched an airstrike on our house. At the time, I was unaware of what was going on. We became frightened and began yelling and fleeing. " The bombing resulted in the destruction of our home and the death of my husband. My cousins and my uncle also died in the airstrike. We lost our breadwinner, and now we suffering from the ravages of war.

Ground Bombardment by The Forces of The Ansar Allah Group (Houthis) On the Headquarters of The Third Military District in Marib City, Causing Civilian Casualties and Material Losses

Since 2015, the Ansar Allah group (Houthis) has been launching projectiles and ballistic missiles at Marib City, which has resulted in the deaths and injuries of hundreds of civilians, as well as the destruction of dozens of homes and other civilian property. Drone flights have intensified as the conflict between the Houthis and the Army forces in Fardat Nehm and Al-Jawf has heated up.

On Monday, November 2022 ,7, the Ansar Allah group (Houthis) bombed the headquarters of the Third Military District in Marib city, hitting one of its weapons depots, resulting in a series of explosions as projectiles flew randomly on neighborhoods near the headquarters of the Third Military District. More than three projectiles crashed near the Al-Jufaina IDP camp (the largest camp for internally displaced persons in Yemen).



Targeting Civilians

The first missile hit a residence that is home to multiple displaced families. The house is located in the third sector, Square 3, close to the Omar Mosque. There were 12 children present at the time, and as soon as they heard explosions and missiles raining down on the camp, they fled from their tents to seek safety in a cement room. However, the second missile struck the room's roof. Rehab Mohammad Qusila, age 5, and Romosh Saleh Qusila, age 16, were all killed, and Marib Saddam Qusila, age 5, was seriously injured.

"I felt helpless when I tried to rescue the child, Romosh Qusayla. The missile had penetrated her body and pinned her to the ground," one eyewitness says. He adds: "we tried repeatedly to pull her body out from under the missile, which did not explode, but we couldn't, and the body was not recovered until the explosives experts arrived". He continues, "police and paramedics then transported the victims to the hospital. After less than a half-hour, another missile fell sixty meters away from us, causing terror and panic in the camp. Women and children ran towards the mosque to take cover, in a scene I had never seen before".

Projectiles flew for several hours, one of which landed on shops and a private school on Al-Shirkah Avenue in the town center, killing, injuring, and causing significant material losses. According to a report issued on November 2022 ,7, by the Executive Unit for the Management of Displaced Persons Camps - Marib Governorate, the bombing resulted in four deaths, 23 injuries, including five serious injuries, and 13 partially destroyed houses. Three Tents were set on fire, and 53 water tanks were destroyed.

Aerial Bombardment by Drones of Ansar Allah Group (Houthis) Forces, Causing Three Children Injured In Harib District - Marib Governorate

On the morning of Saturday, February 2022 ,19, three children were injured in an attack by a drone belonging to the Ansar Allah group (Houthis) in Harib district, south of Marib. The drone dropped a projectile while the children were leaving Al-Wehda school. Children were injured by the projectile shrapnel and they were taken to a hospital in Shabwa governorate. The injured children are: Ali Naji Al-Qaisi (16), Mohanad Mubarak Al-Akili (14), and Hamdan Zayed Al-Qaisi (13).



Targeting Civilians

Clashes and Ground Shelling Caused the Destruction of Property, Injuring and Displacing Civilians in Serwah District - Marib Governorate

"On Monday, February 2020 ,17, at 12:30 PM, violent clashes took place between the Houthi forces and the Yemeni government near our house in Al-Zour area, Sirwah district," Ali Ali Al-Saghir (32 years old) says. As a result, our house was destroyed, and I was hit by shrapnel in my left thigh; thankfully, none of my four family members were injured. We fled from Al-Zour area to Wadi Dhana in a pickup truck with some of our neighbors at the time.

I used to work as a day laborer in construction, then as a farmer after being displaced to Wadi Dhana, where we stayed in the camp for five months. "As the battles intensified and approached the area, we were displaced again from Wadi Dhana to Al Samya camp in Al Wadi district in Marib Governorate, and since that day we have been displaced and we do not know when we will return home".

Air Raid of The Arab Coalition on Al-Zour Area in The Serwah District - Marib Governorate, Killing and Injuring Civilians and Destroying Civilian Objects and Property

"On Sunday, May 2019 ,12, my family was in our house in Al-Zour area in Sirwah district," one of the victims says. Our house had two floors and was quite large. We had thirty sheep as well. Our house was hit by an air strike by Arab coalition aircraft at exactly 12:00 a.m. My mother was killed in the raid, and her body was found in pieces; we never found her whole body. The house was completely destroyed, all of our sheep were killed, and my two sisters were injured, one by multiple shrapnel and the other by disability in her foot, which she now walks with difficulty. After the accident, we fled to Wadi Thanah, and then we recently moved again to Marib district- Marib Governorate."



Targeting Civilians

Analysis Results

All human rights organizations (international and local) interested in monitoring violations of international humanitarian law in Yemen agree that the parties may have engaged in acts that constitute violations of their obligations under international humanitarian law.

By analyzing the documented facts, Musaala for Human Rights noticed an almost complete symmetry between the circumstances related to the parties' behavior towards civilians and civilian objects and what it has monitored on its part, indicating a failure on the part of all parties to the conflict to take all possible precautions to reduce civilian casualties and the effects of hostilities and to adhere to the principles of distinction, proportionality, and precaution. Parties to the conflict, particularly the Ansar Allah group (the Houthis), continue to carry out indiscriminate attacks that are illegal under international humanitarian law.

According to HRW report on Yemen for 2021, the Houthi armed group indiscriminately fired artillery and missiles into heavily populated areas in Marib governorate, killing and wounding civilians. Sirwah district in Marib was the main focus of the Saudi and UAE-led coalition's airstrikes in 2021 as coalition forces attempted to prevent Houthi forces from advancing into Marib city.

In this regard, and based on what has been monitored, Musaala for Human Rights agrees with the GEE's conclusion that the coalition's air strikes indicate that the coalition may have failed to take all legally required measures to reduce civilian casualties. In particular, verifying a target as a legitimate military objective; gathering and analyzing intelligence on potential civilian impact; canceling or suspending an attack if it appears that the target is not a lawful target; and providing effective advance warning, if possible. Even if it was confirmed that the coalition was targeting legitimate military targets during some of these airstrikes, the civilian casualties that could have been expected raise serious concerns about the proportionality of the attacks and whether adequate precautions were taken during the attack.

However, even if there was a legitimate military target, the attack appears to have been carried out in an indiscriminate manner. The witnesses interviewed by the team stated that the area in general was bombed several times prior to that incident and throughout the conflict.



Targeting Civilians

Analysis Results

Musaala also agrees with the findings in the report of the GEE that parties to the conflict continue to use indirect-fire weapons systems with wide-area effect, such as rockets and mortars, especially in populated areas.

Such incidents amount to indiscriminate attacks prohibited under international humanitarian law, whether such attacks are not directed at a specific military objective and/or attacks involve a means of warfare that cannot be directed at a specific military objective. Indiscriminate attacks constitute a war crime under customary international law. Such incidents also reflect a failure to take all feasible precautions to minimize civilian casualties under international human rights law.





Landmines and Explosive Remnants of War



Landmines and Explosive Remnants of War

Legal Standards

The crime of laying antipersonnel mines is a criminalized violation of international humanitarian law, and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines prohibits the use, stockpiling, production, and transfer of antipersonnel mines. Since Yemen has ratified the agreement, the authorities of the Ansar Allah group (Houthis) have acknowledged that they are committed to the convention. Accordingly, the parties to the conflict must abide by the following:

- 🌐 Not to use anti-personnel mines under Article (1) Paragraph A of the Convention.
- 🌐 Not to develop, produce, otherwise acquire, stockpile, retain or transfer anti-personnel mines (Article 1) Paragraph B of the Convention.
- 🌐 Undertaking to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control.
- 🌐 Making every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed (Article 4).

In regard to anti-vehicle landmines, customary international law does not prohibit their use but places restrictions on their use, and accordingly, parties to the conflict must take special care to minimize the indiscriminate effects of such mines.



Landmines and Explosive Remnants of War

Monitoring Process Findings

Landmines and explosives specifically pose a direct threat to the lives of civilians and children. The latest humanitarian update on the situation in Yemen reveals that explosive remnants of war are now a major cause of civilian casualties.

Since the start of the truce on April 2022, the number of civilian casualties from explosive remnants of war and landmines has increased by nearly 20% compared to the previous six months. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in its latest humanitarian update on the situation in Yemen, explosive remnants of war are becoming a major conflict-related cause of civilian casualties after the truce. Landmines and unexploded ordnance caused nearly 300 civilian casualties between April and September 2022, including 95 deaths and 248 injuries.

The worst affected areas are the wider frontline areas in the governorates of Al Hudaydah and Al Jawf.

Musaala for Human Rights monitored nine cases of civilian casualties among the IDPs, seven of which were caused by landmine explosions and two by camouflaged projectiles or explosives. With the exception of one case involving a displaced family in Al-Jawf Governorate, all of the cases that were monitored involved displaced victims in Marib Governorate.

The field researchers were able to gather evidence and testimonies about the number of civilian victims who were killed or injured, as well as those whose cars were destroyed or damaged, or they and their property suffered material and psychological damage as a result of landmines and explosive shells. **The number of civilian casualties reached (14) , with (8) children among them. (9) people were killed, (5) were injured, and (4) cars were damaged.**

The Ansar Allah group (Houthis) was the only party to the conflict that is responsible with laying mines, according to the evidence and testimony of witnesses available to Musaala. As for the projectiles and camouflaged mines, neither the monitoring team nor the witnesses were able to determine the party responsible for them.



Landmines and Explosive Remnants of War

Patterns of Violations

Civilians Were Injured and A Car Was Destroyed by A Landmine Explosion in Harib District - Marib Governorate

At around 1:00 p.m. on Thursday, March 2022 ,3, two civilians were injured as a result of a landmine explosion planted by the Ansar Allah group (Houthis) while their car was passing by a side road in the "Al-Farsha" area, Hareeb district, Marib governorate. Citizens who witnessed the incident reported seeing soldiers from the Ansar Allah group (Houthis) lay numerous mines in the area where the accident occurred.

One of the victims of the explosion, in which he and his son were injured in addition to the destruction of his car, says: "I was on my way from home in Marib city to Harib district at around 1:00 p.m. on Thursday, March 2022 ,3. When we reached the Al-Farsha area, suddenly we heard the sound of an explosion; the windshield was shattered, shrapnel and dust rushed over us, and I saw nothing but blackness, and we no longer heard anything because of the intensity of the explosion". The victim adds, "The explosion broke my leg and my ribs. My son was also injured by shrapnel in his face and received wounds in separate areas of his body. Fortunately, there was another car behind us. They saw the explosion, and they rushed to us and took us to the hospital in Harib district.

Camel Herder Injured and car destroyed in a Landmine Explosion – Harib district, Marib Governorate

Nasser Ali Al-Rouqi (50 years old) was injured in a landmine explosion in his car at 4 p.m. on Monday, December 2021 ,20, while checking his herd of camels in the vicinity of Jabal Blaiq, north of Harib district. After entering a minefield planted by the Ansar Allah group (Houthis) in preparation for an attack by "Amalika Forces".

The victim was injured by shrapnel in his back as a result of the explosion, and his four-wheel-drive vehicle was completely destroyed. He was taken to Asilan Hospital, where he is still being treated.

"I am a mobile Bedouin, and I always go to look after my camels and search for pasture," Nasser, the victim, says. Even though I have children and a house in the city, I actually hate living there. On Monday, December 2021 ,20, I prayed Al-Asr and moved to check my camels until 4:00 p.m., when I arrived in the Blaiq area. A mine exploded in the back of my car while I was driving, lifting the vehicle off the ground. Shrapnels and windshield fragments flew from the vehicle's rear. I called up my sons, who assisted me and then drove me to Asilan Hospital. Nasser continues, " I thank Allah that my condition improved after the shrapnel was removed from my body, but the accident limited my ability to move slightly.



Landmines and Explosive Remnants of War

An Explosive Device Kills Two Children and Injures Another in Marib City- Marib Governorate

On Thursday, August 2022, 11, an explosive device disguised as a power bank exploded in the Al-Rawdah neighborhood of Marib City, killing two children and injuring another IDP. "The child Abdul Jalil (15 years old) returned from the mosque after Al-Asr prayer and found an explosive device in the form of a power bank near the house, and he did not know what it was and sat playing with it," one of the victim's relatives says. While he was playing with it, it exploded, killing him and the 7-year-old child, Shams. The explosion also injured the child Tariq (5 years old), who was injured in his legs and was taken to Egypt for treatment, where he is still being treated because the accident caused the amputation of his toes.

Analysis Results

According to what Musaala has observed in all incidents involving the laying of mines, as well as the reports issued by various national and international human rights bodies and organizations, the Ansar Allah Group (Houthis) is responsible for these violations. In contrast to other parties involved in Yemen's armed conflict, they exclusively engage in this type of violation, clearly violating the Mine Ban Treaty.

According to the Civilian Impact Monitoring Project, landmines and unexploded ordnance have caused nearly 9,000 civilian casualties since the beginning of the conflict and 284 in 2020, including 55 children. Ansar Allah (Houthis) have used antipersonnel landmines in violation of the 1997 Mine Ban Treaty.

In 2021, the Group of Eminent Experts also reported that the Ansar Allah group (the Houthis) used anti-personnel landmines, which may constitute war crimes. According to an investigation conducted by Mwatana Organization, the use of landmines by the Ansar Allah group (Houthis) against essential survival items exacerbated the humanitarian crisis and caused civilians to starve. Civilians, travelers, herders, farmers, children, women, displaced persons, and even animals face grave dangers in addition to psychological and social distortions among landmine victims. Landmines and explosives pose a direct threat to civilians in general and to displaced people in particular. Despite fleeing their homes and property in search of safety, they face the threat of mines from the journey of displacement to the loss of the displaced family's main breadwinner, as well as the inability of the displaced families to return to their villages and homes due to the ongoing fighting. Furthermore, their villages and homes become infested with landmines.





Child Recruitment



Child Recruitment

Legal Standards

The recruitment of children into armed forces or groups and their use in hostilities, voluntarily or involuntarily, is prohibited under international humanitarian law and international human rights law. International law tends to set the minimum age for **child recruitment at 18 years**, and Article 38 of the Convention on the Rights of the Child prohibits the recruitment of children under the age of **15 years into the armed forces**, and under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, which Yemen has ratified, sets the **age of 18 as the minimum** age for participation in hostilities and prohibits the recruitment and use in armed conflict of children under the age of 18. The Child Rights Act also sets the age for recruitment to the armed and **security forces at 18 years**.

ILO Convention No. 182 on the Worst Forms of Child Labor: This Convention was adopted by the International Labor Organization in 1999 and prohibits the use of children in armed conflict as one of the worst forms of child labor. Article 2)8)(b)(26) of the Rome Statute also **defines the recruitment or involvement of children under the age of 15 in armed forces or groups as a war crime**.

The four Geneva Conventions of 1949 and their Additional Protocols of 1977 set out the rules of international humanitarian law that apply in armed conflicts, and these conventions prohibit the recruitment or exploitation of children under the age of 15 in the armed forces.

In addition, all relevant national military legislation stipulates acceptance of compulsory or voluntary conscription for those who have reached the age of eighteen as a minimum for recruitment. Among those laws are Law No. 67 of 1991 regarding service in the armed and security forces, Law No. 23 of 1990 regarding reserve forces, and Law No. 22 of 1990 regarding compulsory national defense service, which makes it compatible with the protocol and the binding declaration. There are shortcomings in the legal texts with regard to determining the punishment for acts related to the recruitment of children and their involvement in armed conflicts.

In addition, according to the detailed findings report prepared by the International Group of Experts on Yemen 2020, the Yemeni government made a binding declaration under Article 3 of the Optional Protocol to the Convention, which indicates that 18 years is the minimum age for voluntary conscription. We also note that Yemen has signed the Paris Principles on Children Associated with Armed Conflict, a set of principles adopted in 2007 to provide a framework for protecting children from recruitment and use by armed forces or armed groups.



Child Recruitment

These international legal sources impose obligations on parties to the conflict, including:

- 1- To take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.
- 2- Prohibition and prevention of the recruitment of children and their participation in hostilities.
- 3- Ensuring the release of children and their physical, psychological and social rehabilitation.
- 4- Protecting children from being exploited in military operations in a way that affects their morals, development and education.
- 5- Ensure that those responsible for child recruitment are held accountable.

Monitoring Process Findings

The practices of the parties to the conflict to recruit children are becoming common practices, which expose children to the risks of murder and exploitation, especially sexual exploitation, and deprive them of a long list of their rights, especially their rights to survival, development, and protection, the right to education, health, and other rights.

At least seven children were recruited in five cases of displaced child recruitment that Musaala for Human Rights monitored. At least four of them died as a result of recruitment. All the cases that were monitored in Marib Governorate by the internationally recognized Yemeni government. However, this does not imply that the Houthis' Ansar Allah group does not seek out young recruits. On the contrary, the International Team of Experts concluded that the Houthis also practice child recruitment, as the report stated, "The Houthi recruitment is beyond the Team of Experts' ability to verify." ". According to the Secretary-General, 1940 children, which equals 64 percent, were recruited by the Houthis out of 3,034 who were recruited during the war in Yemen".

Thousands of families with their children have been displaced due to the armed conflict in Yemen, which has led to further displacement, worsening of the social and economic conditions of IDPs, an increase in the rate of recruitment of displaced children into armed forces and groups, and other negative effects. Some parents were unable to enroll their children in school because they had lost their official documents and sources of income as a result of being displaced. As their living and economic circumstances worsened, many parents encouraged their kids to look for jobs in order to provide a daily income for their families. Given the challenging living conditions they experience in relocation camps and sites, the displaced have also encouraged their children to enlist and become involved in the conflict, either directly or indirectly, in the hopes of earning a monthly salary to improve the standard of living for the family.



Child Recruitment

Patterns of Violations

On Sunday, September 2022 ,18, the -14year-old child Al-Zubair was killed while dealing with a "BMP" projectile in the yard of Brigade Camp (203) in Marib Governorate. One of the witnesses says: "The child Al-Zubair (a displaced student at Al-Wahda School in Al-Jufaina IDP camp) was pushed by his father to enlist against his will. He tried to escape the camp three times, and at the last time, he told his father that he would have to take a video of himself in the camp to show the public how children are recruited. On the afternoon of Sunday, September 2022 ,18, he was seen in the training yard in the camp playing with a BMP remnant; he took it to play with it, and it exploded, injuring him severely in separate parts of his body, and his right hand was amputated. After that, he was taken to the hospital, but as soon as he reached the hospital, he died." In a different incident, Hammam, a -15year-old boy, was killed on August 2020 ,31, after participating in the conflict with the Ansar Allah group (Houthis) in the Al-Qaher area -Al-Juba district in Marib governorate. Musaala team listened to the victim's mother as she described the incident and said: "About 15 days prior to the day of the incident, the child's grandfather requested that everyone in the area prepare the essential equipment to fend off the Houthis' advance. Hammam wanted to go fight with the other men, but his mother forbade him. The father said to her: "Do not worry; we will not let him approach the battlefield, and he will remain in the rear safely." So, he left the house, and her heart was broken. Every day she woke up hoping to see him return safely, but instead she received the news of his death on the battlefield. The victim's family is one of the currently displaced families in Marib city.



Child Recruitment

Analysis Results

Through what has been monitored by Musaala in all incidents related to the recruitment of children, in addition to reports and analyses issued by various national and international human rights bodies and organizations, all parties to the conflict have recruited and involved children in the armed conflict, where the deterioration of economic and living conditions remains the primary motive for exploiting the need of the families to a source of income by the parties to the conflict, which constitutes a violation of the rules of international humanitarian law and the rules of international human rights law and may constitute a war crime according to them.

We quote from the Eminent Experts on Yemen report, which states that "the Group of Experts has reasonable grounds to believe that members of the Yemeni armed forces and affiliated armed groups, including the resistance groups, the UAE-backed Security Belt, the Amalika Forces, the Shabwa Elite Forces, and the Ansar Allah group (Houthis), have recruited children under the age of fifteen and, in some cases, they have participated in hostilities."

These acts are serious violations of international humanitarian law and it may lead to individual criminal responsibility for war crimes. The above-mentioned parties have also failed to comply with national and international law with respect to the forced recruitment and use of children under the age of 18 to participate in hostilities and with respect to the voluntary recruitment of children over the age of 15, and it appears that the parties have not complied with the safeguards set forth in the Optional Protocol to the Convention on the Rights of the Child.

There was one clear common denominator in all of the verified cases of child recruitment: family poverty is a powerful driver that made children vulnerable to recruitment by armed parties. The only criterion used to select new recruits was the need for a specific number of fighters, with no minimum age requirement.

Poverty and hunger prompted children to join the parties to the conflict, with or without the consent of their families. In addition, the motive of revenge against the enemy for the killing of the child's relatives is another motive for recruiting more children.

Even when displaced families choose to flee the battles and flee internally to a safe area, they incur financial costs, losses of property and livelihood, separation from families and communities, and the psychological impact on victims and their families.





Arbitrary Arrests, Enforced Disappearances and Torture



Arbitrary Arrests, Enforced Disappearances and Torture

Legal Standards

The concept of the inadmissibility of arbitrary detention is part of international humanitarian law and human rights law. Although there are differences between these two branches **of international law, rule (99) of the rules of customary international law explicitly indicates that arbitrary deprivation of liberty is prohibited and is not an absolute right exercised by states in conflicts. International and non-international armed forces under the pretext of war, armed conflict, or maintaining security. In its General Comment on Article 4 of the International Covenant on Civil and Political Rights (regarding states of emergency),** the Human Rights Committee stated that states parties may "in no case invoke a state of emergency" as a justification for acts that violate humanitarian law or peremptory norms in international law, for example, through arbitrary deprivation of liberty.

The Yemeni constitution also guarantees the right of the individual to freedom and personal security and defines the criteria for detention and treatment of detainees in Articles (48 and 57) and has a chapter on that in the Code of Criminal Procedures in Articles (15, 13, 12, 11, 2/9, 7, 6, 227, 226, 225, 204, 193, 184). It should be noted that the Crimes and Penalties Law has guaranteed multiple forms of protection for the rights of citizens. This law has laid down explicit and clear provisions prohibiting assaulting people and penalizing public authority employees who abuse their powers to attack people's rights and freedoms.

It is recognized that where arbitrary and unlawful deprivation of liberty occurs, the possibility of torture and ill-treatment of detainees will increase, and that deprivation of liberty is very likely to occur during times of emergency, so the implementation of this principle requires the protection of everyone's right to liberty and security.

Enforced disappearances are also prohibited by international human rights law and international humanitarian law because they are considered a violation of the prohibition of arbitrary deprivation of liberty and the prohibition of torture and other cruel, inhuman, or degrading treatment, which are strictly prohibited under international human rights law and international humanitarian law and may result in individual criminal responsibility for war crimes.



Arbitrary Arrests, Enforced Disappearances and Torture

Legal Standards

Under international humanitarian law, everyone has the right to liberty and security, "arbitrary detention" is prohibited, and no one may be deprived of his liberty except for reasons and in accordance with the procedures established by law.

The deprivation of liberty is arbitrary, an example of which is the following:

- Arrest or detention without legal basis.
- Detention can also become arbitrary as a result of a violation of the detainee's right to a fair trial.
- In addition, the arrest or detention permitted by national law may be arbitrary under international standards because the law is too vaguely worded or broad or inconsistent with other human rights such as the right to freedom of expression, assembly, or belief or the right to freedom from discrimination.
- Likewise, enforced disappearance and secret detention are arbitrary.

Except in very specific and limited circumstances, all people must be protected from violations of their right to freedom under international human rights law. International human rights law also acknowledges that detainees require extra protection because of their vulnerability, which means they may suffer abuse while incarcerated and under the control of the state. As a result, the right to freedom serves as both a procedural assurance and a measure of the legitimacy of detention. Therefore, the legal standards and sources overlap. In addition to the standards and provisions contained in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, they also include the standards for prohibiting and preventing torture and other cruel, inhuman, or degrading treatment contained in the provisions of the Convention against Torture, as well as the provisions contained in the Convention for the Protection of Persons from Enforced Disappearance.



Arbitrary Arrests, Enforced Disappearances and Torture

Monitoring Process Findings

Arbitrary arrests, torture and ill-treatment, and enforced disappearance are common practices of the parties to the conflict, exposing victims to risks of murder, torture, and disappearance, depriving them of a long list of their rights, and constituting a great psychological, economic, and social burden on them and their relatives.

Musaala for Human Rights monitored **14 cases of arbitrary detention**, in which **16 people were arrested**. **14 men and two women** were detained, and only **13 of them** were released after their detention periods ranged from hours to months and sometimes years, while two persons remained under arbitrary detention, and one case has been forcibly disappeared so far.

The parties to the conflict practiced arbitrary arrests, as the number of arbitrary arrests carried out by forces affiliated with the internationally recognized Yemeni government **reached 9 cases** involving **12 people, including two women, and 5 cases carried** out by the Ansar Allah group (Houthis) involving 5 male victims.

Arbitrary detention was accompanied by enforced disappearance in six cases where the victims were confirmed to be in prison and the authorities admitted it after family follow-up. In at least four cases, the organization has evidence of victims being tortured. There has been one case of enforced disappearance, with witnesses confirming that the victim is being held by the Ansar Allah group (Houthis) in Dhamar up to now, and the Houthis have never acknowledged his existence.



Arbitrary Arrests, Enforced Disappearances and Torture

Patterns of Violations

Arbitrary Arrest of Citizens in Al-Jufaina IDP Camp Marib city – Marib Governorate

Dhafer Al-Aqra, a media activist, and his brother were arrested in front of their house in Al-Jufaina IDP camp in Marib city at 2:00 a.m. on Saturday, September 2022 ,24, by security forces in Marib city, where they were threatened, terrorized, and subjected to insults and slander during the arrest process, before they were released hours later.

Dhafer says: "At about two o'clock in the morning on Saturday, September 2022 ,24, I got out of my house to fix the air conditioner mounted on the window because the weather was hot. Before I reached the air conditioner, I saw the lights of a police car. Only seconds passed until police members arrived. The policemen got out of the car, and I asked them respectfully and calmly, "Did I do anything wrong?". They told me to give them my mobile phone and ride in the police car, so I said, "Well, tell me what the reason is." They said, "Get in, or we will make you get in. I told them, "Okay, I will close the door of the house and tell my family, and then I will come back to you". During the push and pull with them, my younger brother heard the voices and came out to us. He wanted to calm the situation down and ask them about the reason for all of this. They instructed him to get in the car. So, my brother and I rode with them all the way, and we were insulted many times until we arrived at the Al-Jufaina IDP camp police station, and they entered us into a detention room, where we sat for more than four hours, after which they left us, handed over our phones, and told us not to "do that again ". "We left without knowing the reason or why we were arrested arbitrarily."

Arbitrary Arrest and Torture of a Citizen

On Thursday, April 2021 ,20, a security force stormed Mohammed's (nickname) house in the Al-Jufaina IDP camp in Marib city and arbitrarily detained him under the pretense that he is a member of the Houthi group. This was done without permission from the Public Prosecution or any legal justification. He was taken by the security forces to the Criminal Investigation Prison and then to the Political Security Prison, where he was tortured before being freed ten months later.

The security forces stormed our home on Thursday, April 2021 ,20, in the afternoon, took my husband, and when I yelled at them and questioned the reason, they yelled at me and took him to the Criminal Investigation Division, according to his wife. He stayed there for two months before being moved to the Political Security prison. Whenever I inquire about the circumstances surrounding his arrest, they always respond that he was detained on suspicion of belonging to a Houthi cell. They tortured him three times, and I visited him while he was under torture, during which I tried to beg many authorities in the court and the prosecution until the chief prosecutor issued an order to release him after being arrested and disappearing for more than 10 months.



Arbitrary Arrests, Enforced Disappearances and Torture

Patterns of Violations

Arbitrary Detention Accompanied with Enforced Disappearance and Torture

On Friday, May 2019 ,10, the Special Security Forces of the Ansar Allah group (Houthis) arrested the -16year-old child Ayoub (nickname) and hid him for a year before he was found shot and unconscious in a hospital in the capital, Sana'a.

According to the victim's relative, "On Friday, May 2019 ,10, special security forces from the Ansar Allah group (Houthis) raided our home and kidnapped my -16year-old relative and took him to an unknown destination. He had finished the last day of the end-of-semester exams on the day of the incident." We searched for him for a year before finding him in the German Hospital on Taiz Street in Sanaa. He was shot and unconscious, and he was taken after that to the central prison, where he remained until he was released a month ago. He was in a miserable condition and kept losing consciousness. We are still treating him at our own expense until now. He was released after an influential person intervened. "Ayoub is now free, but we feel that he has changed into another person who has collapsed physically and psychologically."

Detention Associated with Inhumane Treatment

Zaid Nasser Mohsen Al-Nahbali, a heart patient who requires a blood test every three months, was detained and arrested on Thursday, September 2022 ,15. He is a resident of the Najaa region, which is part of the Al-Juba district in Marib governorate. Zaid was apprehended alongside another man, Muhammad Saleh Qassem Al-Abrash, at one of the Ansar Allah group's (Houthis') security checkpoints in the Al-Juba district.

Mohammad says: "After Zaid conducted his examinations and took the necessary treatment for his condition in Marib city, he decided to return to his home and his family in Al-Juba district, where his family had not been displaced and was one of the very few families who remained in the district after the Houthi invasion of the district, and during our return, I was one of the passengers with him in the same taxi. Once we arrived at one of the checkpoints belonging to the Houthi forces, they stopped us and searched the car and our belongings, and after two hours of waiting, he said you are wanted by security forces. We were taken to their security department in the district without any reason. We were held for five days in the bitter cold without being questioned, and only after the mediation of a notable sheikh from the area we were released. However, before our release, they made us pledge not to leave the district again, which is a violation given that the victim has diseases that call for regular examinations in hospitals. These medical services are not offered by the hospital in the district.



Arbitrary Arrests, Enforced Disappearances and Torture

Analysis Results

By analyzing all the cases of arbitrary detention monitored by the organization, in addition to analyzing the reports issued by various national and international human rights bodies and organizations, all parties to the conflict, especially the internationally recognized government and the Ansar Allah group (Houthis), have failed to fulfill their obligations under national law, international human rights law, and international humanitarian law. All parties were engaged in arbitrary detention and violated a number of human rights of the victims, including the right to security and freedom, the right to physical integrity, the right not to be subjected to torture, the right to move freely, and the right to a fair trial, which also includes the right to prompt access to a lawyer, the right to seek legal aid, the right to be released in the event of unlawful detention, the right to be visited by their family members and to correspond with them subject to reasonable conditions and restrictions as provided by law and in legislative regulations, and other rights.

In the context of a non-international conflict, those involved in committing, ordering, or being responsible for the above-mentioned acts may be held responsible for the following war crimes: torture, cruel or inhuman treatment, outrages upon personal dignity, or deprivation of a person's right to a fair trial.

Despite the difficult conditions under which the IDPs live, as well as their distribution to separate areas in and around cities and in random gathering places, local authorities and security authorities tighten security measures when dealing with the displaced at checkpoints and in and around displacement camps. This adds to the suffering and makes IDPs more vulnerable to arbitrary behavior and harsh treatment by security forces, who do so under the pretense of verifying the IDP's identity, affiliation, and tendencies toward one of the conflict's parties and whether their presence in the region poses a threat or not. All of these actions have had a significant impact on IDPs' freedom of movement between their places of residence and within and around cities and villages, making them more vulnerable to restrictions on their freedom, arbitrary arrests, and enforced disappearance by security forces.





Extrajudicial Execution or Arbitrary Killing



Extrajudicial Execution or Arbitrary Killing

Legal Standards

The right to life is one of the most important rights that cannot be restricted, even in times of public emergency. The state must take effective measures to protect people from arbitrary measures by security agencies and law enforcement officials that may result in the loss of human life. There are also strict controls on the use of firearms to disperse crowds or track down individuals, as well as legal guarantees that must be strictly followed when prosecuting people accused of crimes punishable by death. In addition to the necessary measures to protect detainees and prisoners, the state assumes its responsibilities to protect society from criminal activities and acts of violence that threaten the right to life.

Arbitrary killing is defined as: The killing of a person by an agent of the state or any other person acting under the government's authority or with its complicity, condoning, or acquiescence in their actions, but without any or no proper judicial process. Executions resulting from a death sentence issued by a court are also cases of arbitrary execution if the fair trial guarantees provided for in Articles 14 and 15 of the International Covenant on Civil and Political Rights and Articles 49, 48, 7 and 154 of the Yemeni Constitution are not respected.

The official international definition of these operations remains the one formulated by Philip Alston, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. Where he says: "An extrajudicial execution is an assassination that takes place with the deliberate and premeditated use of lethal force by an actor in international law, that is, by states or their agents acting in accordance with the law or by an organized armed group in the context of an armed conflict, directed against a person chosen individually who is not under the physical custody of the aggressor."

Arbitrary executions include killings for political reasons, deaths as a result of torture or other cruel, inhuman, or degrading treatment, and killings as a result of abduction or enforced disappearance if the aforementioned conditions are met.

International human rights law protects the human right to life, as stated in Article 3 of the Universal Declaration of Human Rights, which states that everyone has the right to life, liberty, and security of person, and Article 6 of the International Covenant on Civil and Political Rights states that "the right to life is an inherent right of every human being. The law must protect this right. No one shall be arbitrarily deprived of his life."



Extrajudicial Execution or Arbitrary Killing

Legal Standards

International humanitarian law also protects the right of the individual not to be arbitrarily deprived of life, and Article 3 of the four Geneva Conventions prohibits "at all times and in all places, attacks on life and physical integrity, in particular murder in all its forms against persons who are not actively participating in a non-international armed conflict."

Furthermore, the Republic of Yemen's legislation, particularly Republican Decree No. (12) of 1994 regarding the Code of Crimes and Penalties, has clearly and unambiguously prohibited all forms of assault on the human right to life, including genocide, and severe penalties have been imposed for any violations in this regard. According to Article (234) of the Code of Crimes and Penalties, anyone who intentionally kills an innocent person will face the death penalty unless the blood heirs waive their right.

Obligations and Duties of The Parties to Prevent Killing/Arbitrary Execution or Extrajudicial Execution

- It is important to recognize that the right to life entails two obligations: a basic obligation relating to ensuring life itself, and a procedural obligation applicable in the event of death, both of which are regarded as equally important.
- Ensure that law enforcement officials do not use force except in accordance with legal conditions and controls.
- Protecting the right to life from violations by private actors where these groups act "on the orders of, or with the knowledge or acquiescence of, the government," then the state is responsible under international law for any violations committed by these groups.
- Obligation to exercise due diligence to "deter, prevent, and punish perpetrators, as well as address any attitudes or conditions within society that encourage or facilitate the commission of such crimes."



Extrajudicial Execution or Arbitrary Killing

Patterns of Violations

- **The duty to prevent, which includes the following preventive measures:**

- Prohibition and criminalization of arbitrary execution and punishment of its perpetrators
- Not invoking exceptional cases to justify arbitrary killing
- Oversight of arrests, and detentions
- Not invoking orders to justify arbitrary killing
- Protection of individuals and groups at risk of arbitrary killing (death penalty)
- Ensure that relatives and lawyers are informed of the detainee's location.
- Commitment to inspect places of detention.

- **Investigation Duty**

The authorities must conduct a thorough, prompt, and impartial investigation into any suspected extrajudicial, arbitrary, or summary execution, including cases where complaints from relatives or other credible reports suggest an unnatural death occurred under the circumstances noted above; this includes protecting complainants, witnesses, and investigators, providing information, and publishing a report on the investigation's findings.

- **Duty to take legal action, including to prosecute perpetrators and guarantee the right to compensation.**



Extrajudicial Execution or Arbitrary Killing

Monitoring Process Findings

Musaala for Human Rights gathered information on a number of cases of arbitrary killing that occurred during the reporting period, interviewed victims' and witnesses' families, and had evidence to believe that these crimes were committed by security forces from both sides of the conflict (the internationally recognized Yemeni government and the Ansar Allah group). (Houthis) violated the aforementioned legal standards in three cases of extrajudicial killing, resulting in five victims. The Ansar Allah group (Houthis) is responsible for two cases of arbitrary killing in Sana'a and Dhamar, with victims' families forced to flee and their homes and property confiscated in both cases. Yemeni government forces were only responsible in one case, which resulted in the deaths of three civilians after firing to disperse civilians in Marib governorate.

Patterns of Violations

A man was killed and his sister was shot as a result of a land dispute in Sanaa.

The victim's sister says: "We were living a good life in Sana'a, and we owned our own house and many lands and properties, and on Thursday, May 2019 ,7, at 4:30, Houthi forces seized our land in Taiz Street, and my brother Salem and I went to them and asked them to leave, but they refused, and they hit my brother with the weapon stock on his neck, and when he resisted them and tried to get up, they shot him 30 bullets until he died. I had a weapon; I shot one of them with his leg and killed one of them too, so they shot me. I was hit with two bullets, one in the stomach and one in the leg. Later on, one of my brother's friends took me and treated me, and after my body recovered, he asked me to leave Sana'a because the Ansar Allah group (Houthis) were looking for me and I would be arrested, so I ran away to Marib, and now I have been displaced here since then."



Extrajudicial Execution or Arbitrary Killing

Patterns of Violations

Shooting by military forces kills three civilians in Marib governorate

Three civilians, including two displaced persons, were killed in the Ghuwairban area of Marib district near the international line linking Marib and Al-Abr as a result of gunfire by forces affiliated with the First Military Region to disperse a waiting line of civilians while they were waiting to fill up with fuel at the Ghwerban station, following a verbal argument with a civilian, at 2:00 a.m. 00:00 on the afternoon of Wednesday, September 2022 ,28. According to the testimony of witnesses, shots were fired directly at the line of cars near the scene of the accident by a crew of the military police forces present at Ghwerban station.

Names of the dead:

- ①. Nafal Ali Mohsen Al-Abasi (40) years old
- ②. Khamis Ali Muhsin Al-Abasi (25) years old, displaced from Al-Jawf Governorate
- ③. Hamad Aoun Al-Salbeh Al-Sayari, from Hadramout Governorate (60 years old).



Extrajudicial Execution or Arbitrary Killing

Analysis Results

By analyzing all the cases of arbitrary killing monitored by the organization, in addition to analyzing the reports issued by various national and international human rights bodies and organizations, all parties to the conflict, especially the internationally recognized government and the Ansar Allah group (Houthis), have failed to fulfill their obligations under national law, international human rights law, and international humanitarian law referred to above. They have committed arbitrary killing and failed to ensure the protection of people from exposure to any arbitrary measures at the hands of security agencies and law enforcement officials that lead to the loss of the human right to life.

According to the reports of international experts on Yemen who investigated cases of arbitrary killings, these killings amount to arbitrary deprivation of life under international human rights law, and some of these killings may be classified as premeditated killing or murder in the midst of a non-international conflict. Murder is a serious violation of international humanitarian law and a war crime that may give rise to individual criminal liability.

Displacement is often a survival option when there is no other option but to escape imminent danger. People may be forced to flee in extremely difficult and urgent circumstances, leaving everything behind.

Despite their difficult circumstances, host communities are forced to share their resources with the incoming displaced, putting additional strain on agricultural land, water, and pastures. Basic services such as health care and education are unable to meet the enormous demand. Tensions between residents and displaced people can sometimes escalate into violent clashes.

All of this confirms that internal displacement can be a journey from hell to another. Although the displaced have been deprived of their money and property, and sometimes even their identification papers, as a result of the conflict and their fleeing to a safe place, they still suffer greatly in order to meet their basic needs in a sustainable manner, and there are various factors that influence how people react to displacement conditions, such as gender, age, or disability. Furthermore, the humanitarian consequences of displacement are severe, particularly for people affected by protracted conflicts. Moreover, families from rural areas frequently struggle to adjust to life in cities with inadequate social safety nets. These families may not be able to return home because of the continuing violence or even because of the destruction of their homes.





Voices of the victims

Voices of the victims

"My husband is imprisoned, and we suffer from injustice and helplessness. When my husband's mother and I returned from Hodeidah to Marib after I finished my university exams, when we arrived at the "Alshirkah" checkpoint at the city's entrance, they prevented me from entering until a male guardian arrived, and then my husband, who works as a customs broker in the Al-Abr area, arrived. Police officers took his ID, then arrested him and took him to the Political Security building; we do not know why he was arrested."

The wife of a victim of arbitrary detention

"Overnight, the Houthi advanced towards the Al-Juba district, waking the people of Al-Som from their sleep to the sound of clashes and ground and air bombardment, and the battles reached the village, where there were only women, children, and the elderly, forcing us to flee to the Marib district." The majority of the village houses, as well as the property, were completely destroyed."

A victim of targeting civilians and forced displacement

"In late October 2022, the family of Naji, a displaced child from Serwah, took him to enlist in the hope of receiving a monthly salary, despite the fact that he was not of legal recruitment age." Before the displacement, the child Naji and his family had a good life, but due to the war and the deteriorating economic situation, he and his family were forced to flee. They were forced to relocate from Serwah to Marib and settle in Wahshan camp.

A witness recounts the circumstances of a victim of child recruitment and forced displacement



Child Recruitment

On Sunday, May 2018, the child Ali was visiting a relative of his family in Harib district, coming from Al-Jawba, and while he was there, they went out to play, and while playing, they came across a projectile from the remnants of war, and he started playing with it, and it exploded, which led to the amputation of his right hand and scattered shrapnel in his body, and he was taken to the 26th of September Hospital in Al-Juba district, where he received his first surgical aid, after which he was transferred to the Marib General Hospital Authority in Marib city for treatment, and he stayed there for weeks, after which he traveled to Egypt to complete the treatment journey. The incident affected him psychologically and he faced many problems in his high school because he was unable to write due to the amputation of his right hand, so that his level of education deteriorated and he failed in some subjects.

One of the victim's relatives tells the story of the victim's injury as a result of an explosion, a projectile from the remnants of war

We were forced to move from the Al-Juba district to Marib due to the ongoing war there. Mohammad Salih and I were living in tents in the same yard when I was startled by a fight between Mohammad and two armed men wearing civilian clothing at late night. When I went outside to investigate the issue, they wanted to take Mohammad to the police department, so I asked them, "If you are police, what is the reason? Is there a warrant? In front of his children, they refused to cooperate and took him by force. Law and order were disregarded, and his family was terrorized. Then they took him to an unknown destination. After searching for him from one police station to another." When we asked the police authorities, they told us that they did not know the name of this person, and after the intervention of notables and mediators, they disclosed his place of arrest without explaining the reasons for the arrest."

A neighbor of a victim of arrest and enforced disappearance

The Ansar Allah group's (Houthis) artillery, stationed above our village in the Harib district, fired mortar shells at Mr. Zabin Allah Mohammad aAl Aqili's house on the evening of Saturday, April 2022, 23. After that, I went to check out the damage and discovered his house to be almost entirely destroyed. The roof of one of the rooms was completely destroyed. This was not the first house to be targeted; others had been before this one, and targets had been placed at random locations throughout the village with the intention of terrorizing the villagers into leaving. Mr. Zaben Allah had taken his family with many of the villagers before the recent targeting, due to the intensification of the battles. Villagers and families are still hoping to return home when the targeting stops."

A witness tells the story of the indiscriminate bombing of civilian homes





Conclusion and Recommendations





Conclusion



Conclusion

- ① By analyzing everything Musaala for Human Rights monitored, as well as the reports issued by various national and international human rights bodies and organizations, it is clear that all parties to the conflict, particularly the Ansar Allah group (Houthis) and the internationally recognized Yemeni government, have failed to fulfill their obligations under national law, international human rights law, and international humanitarian law.
- ② The Coalition did not fulfill its obligations to protect civilians from the effects of hostilities and to adhere to the principles of distinction, proportionality, and precaution in attacks. Parties to the conflict, particularly the Houthis, continue to launch indiscriminate attacks against civilians, which are prohibited by international humanitarian law, and parties to the conflict fail to take all feasible precautions to minimize civilian casualties.
- ③ The organization also agrees with the conclusion of the experts' report that the parties to the conflict continue to use indirect fire weapon systems with wide-area effect, such as rockets and mortars, especially in populated areas. Given the inaccuracy of these weapons, their use in such environments increases the potential for massive civilian casualties, damage to buildings beyond any anticipated military advantage and increases the risk of misguided attacks. Such incidents amount to indiscriminate attacks prohibited under international humanitarian law, whether they are attacks that are not directed at a specific military objective and/or attacks that cannot be directed at a specific military objective. Indiscriminate attacks constitute a war crime under customary international law, and such incidents also reflect a failure to take all feasible precautions to minimize civilian casualties under international human rights law.
- ④ According to what the organization has observed in all incidents involving the laying of mines, as well as an analysis of reports issued by various national and international human rights bodies and organizations, the Ansar Allah group (Houthis) is responsible for these violations, as they are the sole actors in practicing this type of violation, which is considered a violation of the Mine Ban Treaty and may amount to war crimes. The use of mines by Houthis exacerbated the humanitarian crisis and led to civilian starvation, as civilians, travelers, herders, farmers, children, women, displaced persons, and even animals face serious life-threatening dangers, as well as the emergence of psychological and social deformities among mine victims.



Conclusion

- ⑤- Regarding the forced recruitment and use of children under the age of 18 to participate in hostilities, the parties to the conflict have failed to comply with national and international law because all of the parties to the conflict have recruited and used children in the armed conflict as the economic and living conditions continue to deteriorate. The most prominent motive for the exploitation by the parties to the conflict is the families need for a source of income especially the IDPs, which constitutes a violation of the rules of international humanitarian law and the rules of international human rights law, and may constitute a war crime under it.
- ⑥- All parties to the conflict, particularly the internationally recognized Yemeni government and the Ansar Allah group (Houthis), have fallen short of their responsibilities under national law, international human rights law, and international humanitarian law with regard to arbitrary detention, torture, and other cruel treatment, and enforced disappearances. They engaged in arbitrary detention, violating the victims' human rights to security, freedom, and physical integrity, as well as their freedom of movement and their right to a fair trial, which includes their right to prompt access to an attorney, their right to legal aid, their right to be released in the event of unlawful detention, and their right to be visited by their family members and to contact them.
- ⑦- All parties to the conflict, but particularly the Ansar Allah group (Houthis) and the internationally recognized government, have violated national law, international human rights law, and international humanitarian law when it comes to arbitrary killing. Where it engaged in arbitrary killing and failed to protect citizens from exposure to arbitrary measures undertaken by security services and law enforcement personnel that resulted in fatalities.
- ⑧- The parties to Yemen's conflict did not respect human rights, did not protect the people under their control, and did not take measures to put rights into action on the ground. The parties to the conflict failed to prevent and suppress violations, to respond to them, and to conduct serious and independent investigations into them. In addition, the failure to prosecute any of the officials indicates the existence of a pattern of violating the law outside of the law, which encourages impunity and thus the repetition and expansion of violations in the future.
- ⑨- These patterns of violations resulted in tragic psychological, economic, and social conditions for the victims and their families, implying that the parties may have used these violations to induce fear among members of society. The sense of insecurity and fear caused by the violations affects the entire community, not just the victims' families.





Recommendations

Recommendations

- ① Musaala for Human Rights reminds all parties to the conflict of their legal, humanitarian, and moral obligations, condemning all violations as crimes under international and national law, including protecting civilians and civilian objects during conflict, adhering to the principles of distinction, proportionality, and precaution in attacks, stopping indiscriminate attacks prohibited by law and international humanitarian action, and taking all possible measures to protect civilians from the effects of hostilities.
- ② Musaala advises all parties to the conflict to stop using indirect-fire weapons systems with wide area effects, such as mortars and rockets, especially in populated areas because they increase the possibility of significant civilian casualties and property damage beyond any expected military benefit.
- ③ Musaala Organization urges all parties to the conflict, particularly the Ansar Allah group (Houthis), which is the only party responsible for planting mines among the other parties involved in the conflict, to cease such violations and refrain from using anti-personnel mines, as well as to destroy landmine stockpiles and those planted from them, and to do everything possible to locate the areas under their control where landmines are known or suspected.
- ④ Take adequate measures against all children in armed forces and groups for not participating directly in hostilities, including ensuring the prohibition and prevention of the recruitment and participation of children in hostilities, ensuring the release of children, rehabilitating them physically, psychologically, and socially, and protecting children from their use and exploitation in military operations in a way that affects their morals, development, and education, and ensuring that those responsible for child recruitment are punished.
- ⑤ Reducing the practice of all acts of arbitrary detention, torture, ill-treatment, and enforced disappearance and punishing their perpetrators; investigating allegations of arbitrary detention, torture, and enforced disappearance; and bringing those responsible to justice.
- ⑥ Respect minimum legal standards relating to deprivation of liberty, including the right to challenge imprisonment before the courts; establish a register of inmates in prisons; allow their relatives and lawyers access to it; and ensure the right of every victim to know the truth about the conditions of detention, in particular enforced disappearance, and to know the fate of the disappeared person.



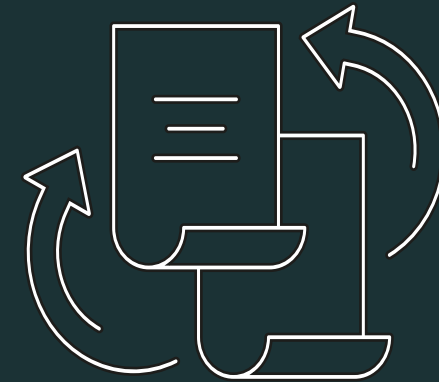
Recommendations

- 7- Ensure that victims of violations, as well as those who are directly affected by them, have the right to reparation and compensation.
- 8- All parties to the conflict must conduct a thorough, prompt, and impartial investigation of every suspected case of human rights abuse, including extrajudicial, arbitrary, or summary executions, including in cases where complaints from relatives or other credible reports suggest an unnatural death. Under the circumstances referred to above, ensure the protection of complainants, witnesses, and investigators, provide information, and publish a report on the results of the investigation.
- 9- Musaala Organization reminds all parties to the conflict of their responsibilities under international human rights standards. In particular, they should respect human rights, protect those under their control, take steps to put rights into practice on the ground, take steps to prevent violations, and improve their response mechanisms, including conducting thorough, independent investigations. Additionally, to prosecuting those in charge.
- 10- Taking serious steps to assist the internally displaced and victims of various types of violations, affecting the tragic psychological, economic, and social conditions of the victims and their families, including their physical, health, and psychological rehabilitation, compensation, and reintegration into society; strengthening protection measures for the displaced communities most at risk; and providing humanitarian assistance and protection to IDPs while meeting the needs of host communities.
- 11- The authorities have a responsibility to help and protect those who are internally displaced, support their efforts to find lasting solutions, and take action to prevent crises and conflicts that could result in either voluntary or forced displacement. In accordance with international standards, the emphasis must also be on preventive measures that address the factors that cause displacement and protect people from having to flee their homes. These measures must not obstruct civilians from seeking safety or attempt to hinder the movement of individuals.
- 12- To avoid and stop situations that could result in the displacement of people, all governments and international actors must uphold human rights and humanitarian law. In order to prevent indiscriminate displacement when a crisis occurs, the community and the government must take a comprehensive approach based on human rights to address the underlying causes of crises and use targeted measures.
- 13- People who have been displaced need to have access to justice and means of redress. There should be no obstacles standing in the way of displaced people accessing the legal system, and where it is feasible, legal assistance should be offered.
- 14- Ensure that laws, authorities, and policies do not discriminate against IDPs and communities affected by conflict and violence, and that inclusive and peace processes, reconciliation, and social cohesion that protect the rights of IDPs and host communities are encouraged.





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Musaala Organization for Human Rights

Musaala for Human Rights is a Yemeni non-governmental non-profit organization working in the field of defending and protecting human rights, by monitoring and documenting human rights violations, supporting and redressing their victims, and holding accountable the authorities responsible for these violations in order to stop these violations and ensure that they do not recur. The organization was established on 10 December , 2018 and holds a license No. (275) to practice civil activity issued by the office of the Ministry of Social Affairs and Labor in Marib Governorate on 10 April , 2018 and its headquarters in Marib Governorate.

  @musaalaorg


A Report Documenting Patterns of Violations Committed Against the IDPs in Marib Governorate From 2019 to 2022.



منظمة مساءلة لحقوق الإنسان
Musaala Organization For Human Rights

 www.musaala.org

 Info@musaala.org

 Republic of Yemen, Marib