



Justice4Yemen Pact
ميثاق العدالة لليمن

INFORMATIONAL BRIEF

Medical Neglect a Silent Killer in Yemen's Prisons

JANUARY 2024



Introduction

Since the start of the Yemeni civil war all major conflict actors have arbitrarily detained, disappeared, and tortured civilians, often based on suspected affiliation with an opposing conflict party.¹ The Abductees Mothers' Association (AMA), an NGO run and staffed by relatives of the detained and disappeared, is one of the main Yemeni organizations documenting these overlapping violation types and advocating for prisoner release. In AMA's annual 2023 report, the organization documented 442 cases of arbitrary detention, 56 cases of enforced disappearance, and 33 cases of torture and

About the Yemen Human Rights Forensics Lab Plus (YHRFL+)

The goal of the Yemen Human Rights Forensics Lab Plus (YHRFL+) program is to increase recognition and protection of human rights in Yemen by empowering Yemeni civil society to champion justice and accountability through human rights documentation, reporting, and advocacy efforts. The YHRFL+ program is working to systematically document, preserve, corroborate, analyze, and report on evidence, obtained from a variety of sources, of human rights violations committed by all parties involved in the Yemeni conflict. Results of this analysis are summarized and presented in a series of investigative reports focusing on specific identified incidents of human rights violations. YHRFL+ also support efforts by Yemeni CSO partners to carry out strategic advocacy, community outreach, and victim and survivor engagement interventions locally and internationally.

About Justice4Yemen Pact Coalition

The Justice4Yemen Pact is a coalition of human rights organizations and civil society actors that are united for the promotion and protection of human rights in Yemen. The coalition's mission is to advocate for the rights of all Yemeni people, particularly those who are most vulnerable and marginalized. The coalition is committed to addressing the systemic human rights violations that have been plaguing Yemen through years of conflict and violence. The Justice4Yemen Pact works to empower Yemeni people to claim their rights, raise awareness of violations, and advocate for justice and accountability at local, national, and international levels. The Justice4Yemen Pact is guided by the principles of respect for human dignity, equality, justice, and non-discrimination. The coalition believes that by working together, its members can end impunity, provide meaningful support and redress for victims, and contribute to a more peaceful, just, and prosperous future for Yemen.

Acknowledgement

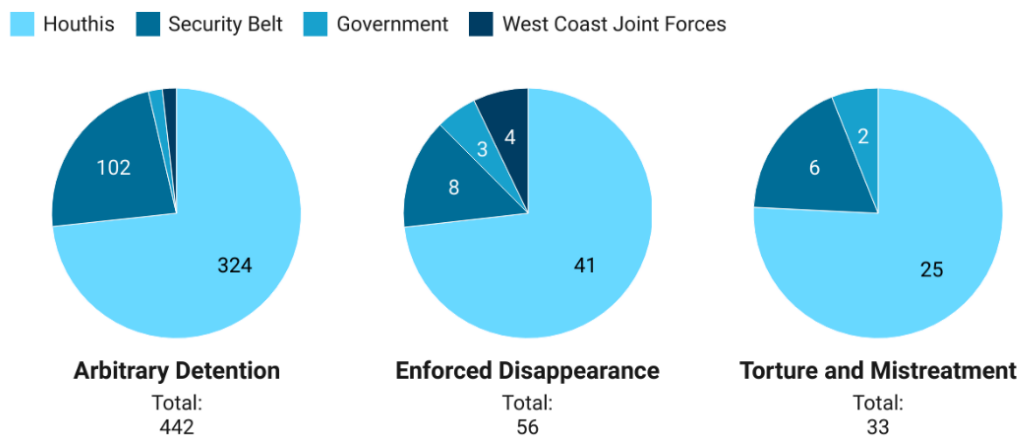
The YHRFL+ program thanks the Abductees Mothers Association (AMA) for their work documenting personal liberty violations and advocating on behalf of detainees, the disappeared, and victims of torture. AMA's documentation is featured in this report.

¹ "Situation of human rights in Yemen, including violations and abuses since September 2014; Report of the Group of Eminent International and Regional Experts on Yemen – A/HRC/48/20," Group of Eminent International and Regional Experts on Yemen, September 13, 2021. See paragraphs 37-46 ; "Situation of human rights in Yemen, including violations and abuses since September 2014; Report of the Group of Eminent International and Regional Experts on Yemen – A/HRC/45/6," Group of Eminent International and Regional Experts on Yemen, September 28, 2020. See paragraph 62.

mistreatment across 11 governorates throughout 2022.² The Houthis were responsible for the majority of the documented cases, as the following graphs show:³

Personal Liberty Violations in 2022 Documented by AMA

Encompassing Sana'a, Taiz, al-Hudaydah, Dhammar, Ibb, Hajjah, Umran, Aden, Shabwa, Lahij, and Mareb governorates



Source: Abductees Mothers Association - Created with Datawrapper

Various UN, media, and NGO reports have documented the types of torture inflicted upon detainees during the war, including beatings, electrocution, simulated drowning, and sexual assault.⁴ They have also documented more mundane forms of mistreatment—filthy living conditions, inadequate food, and medical neglect—that are widespread, and in some cases just as dangerous.⁵ In its 2023 annual report, AMA identified eight prisoners who had died due to medical neglect at the notorious, Houthi-run al-Saleh prison in Taiz.⁶ AMA also documented the unchecked spread of tuberculosis at the government-run Political Security prison in Marib, and the death of a detainee with liver cirrhosis in a prison controlled by the southern Security Belt in Aden, after he was denied treatment.⁷

“Based on the above we are confident that medical neglect leading to death is a pattern adopted by the violating parties – the Houthis, internationally-recognized government, and Security Belt – at the detention facilities they use to detain and disappear opponents,” AMA concluded.⁸

² “Mothers at the Doors of Justice – 7th Annual Report from the Abductees Mothers Association,” AMA, July 22, 2023, <https://ama-ye.org/ar/%d8%a3%d9%85%d9%87%d8%a7%d8%aa-%d8%b9%d9%84%d9%89-%d8%a3%d8%a8%d9%88%d8%a7%d8%a8-%d8%a7%d9%84%d8%b9%d8%af%d8%a7%d9%84%d8%a9-4/>

³ Ibid

⁴ See for example: “Situation of human rights in Yemen, including violations and abuses since September 2014; Report of the Group of Eminent International and Regional Experts on Yemen – A/HRC/45/6,” Group of Eminent International and Regional Experts on Yemen, September 28, 2020, paragraphs 63-72; “In the Darkness,” Mwatana, June 30, 2020, <https://www.mwatana.org/reports-en/in-the-darkness-f>; “Yemen: Released and Exiled: Torture, unfair trials and Forcible exile of Yemenis under Huthi rule,” Amnesty International, May 27, 2021, <https://www.amnesty.org/en/documents/mde31/3907/2021/en/>

⁵ See for example: “In the Darkness,” Mwatana, June 30, 2020, <https://www.mwatana.org/reports-en/in-the-darkness-f>; “The Stench of Death,” Abductees Mothers’ Association, February 2021, <https://ama-ye.org/wp-content/uploads/2022/12/raahalmot.pdf>

⁶ “Mothers at the Doors of Justice – 7th Annual Report from the Abductees Mothers Association,” AMA, July 22, 2023, <https://ama-ye.org/ar/%d8%a3%d9%85%d9%87%d8%a7%d8%aa-%d8%b9%d9%84%d9%89-%d8%a3%d8%a8%d9%88%d8%a7%d8%a8-%d8%a7%d9%84%d8%b9%d8%af%d8%a7%d9%84%d8%a9-4/>

⁷ Ibid

⁸ Ibid

This report profiles the death of Sadeq al-Qusseimi due to medical neglect at Marib's Political Security prison. AMA documented this case by interviewing an immediate family member, as well as two witnesses who were detainees at the Political Security facility at the same time as al-Qusseimi. The case provides a window into the suffering endured by civilians who fall ill after being swept up into the network of lockups operated by Yemen's warring parties.

The detention and death of Sadeq al-Qusseimi

Government-affiliated forces arrested Sadeq al-Qusseimi on January 10, 2020, at the al-Falaj checkpoint in Marib as he was traveling from Sana'a to Mahra to buy a car. Al-Qusseimi was not informed of the reason behind his arrest, but it might have been related to the fact that he lived in, and was traveling from an area under Houthi control. In a 2020 report, Yemeni NGO Mwatana documented numerous travelers being interrogated and detained at al-Falaj checkpoint, noting that "many appeared to be detained at this checkpoint based on their family surnames, accused of belonging to the Ansar Allah (Houthi) group".⁹ Following his arrest al-Qusseimi was transferred to the Political Security prison in Marib.



Al-Qusseimi before (left) and during (right) detention.

Source: Sahafatek.net

Al-Qusseimi fell ill at some point during his imprisonment. The exact date is unclear, but one of the witnesses who spoke to AMA placed the start of al-Qusseimi's illness at roughly nine months after he was imprisoned. He developed a fever, a cough, and nausea. His fellow prisoners recognized that he had tuberculosis: There had previously been an outbreak of similar symptoms among the prisoners, one of whom had died, and a visiting nurse had told the prisoners these symptoms were consistent with tuberculosis.

There was poor ventilation in the prison, and the facility's administration did not quarantine al-Qusseimi. Two other prisoners fell ill alongside him. Eventually al-Qusseimi became bedridden and began to cough up blood. The prisoners informed the administration about al-Qusseimi's state, but the administration did not provide al-Qusseimi with treatment nor transport him to the hospital until his health had deteriorated further. Al-Qusseimi died in an intensive care unit on October 4, 2021, due to excess fluid in his lungs.

AMA documents additional tuberculosis cases at the Political Security facility

AMA interviewed a former detainee at the Political Security prison who, upon his release, underwent a tuberculosis test at the National Program to Combat Tuberculosis in Sana'a and received a positive result.¹⁰ The man recounted how a third prisoner died of tuberculosis after being denied treatment at the same facility—separate from Sadeq al-Qusseimi and the fatality that preceded him, which are mentioned above.¹¹ AMA interviewed another detainee who said he also fell ill with tuberculosis during his detention at the Political

⁹ "In the Darkness," Mwatana, June 30, 2020, <https://www.mwatana.org/reports-en/in-the-darkness-f>

¹⁰ "Mothers at the Doors of Justice – 7th Annual Report from the Abductees Mothers Association," AMA, July 22, 2023, <https://ama-ye.org/ar/%d8%a3%d9%85%d9%87%d8%a7%d8%aa-%d8%b9%d9%84%d9%89-%d8%a3%d8%a8%d9%88%d8%a7%d8%a8-%d8%a7%d9%84%d8%b9%d8%af%d8%a7%d9%84%d8%a9-4/>

¹¹ Ibid

Security prison.¹² Finally, AMA interviewed the wife of another former detainee who recounted how her husband's mental and physical health had deteriorated in detention, to the extent that after his release, she was forced to take her kids and return to her hometown without him. She said that when her husband visited a doctor after his release, he was diagnosed with tuberculosis.¹³

AMA takes remedial action

AMA held a workshop on July 8, 2023 to discuss the findings of its 2023 annual report with local security officials in Marib as well as judges, lawyers, and human rights activists. During the workshop the local security officials pledged to provide better medical care to prisoners and improve conditions at the Political Security prison. However, no representatives from the Political Security division were present at the meeting, and AMA was unable to verify whether the prison administration has improved healthcare and living conditions at the facility since the July 2023 workshop.

Legal Analysis

Al-Qusseimi's detention and subsequent imprisonment, during which he was held in unsanitary conditions and denied medical care, violate both Yemeni and international human rights law.

Arbitrary detention and enforced disappearance

According to AMA's documentation, al-Qusseimi was not informed of the reason behind his arrest. He was held incommunicado for a period of approximately nine months after he was detained, during which time he was prevented from contacting family. Al-Qusseimi's detention and imprisonment thereby violate Yemeni and international law forbidding arbitrary arrest and enforced disappearance.¹⁴

Unsanitary conditions and the denial of medical care

Yemeni law stipulates that a prison's administration must provide medical treatment to prisoners, including preventative care and the appointment of specialists.¹⁵ The UN Standard Minimum Rules for the Treatment of Prisoners state that the provision of health care is a State responsibility, and that "all prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals."¹⁶ The administration of the Political Security Facility denied al-Qusseimi medical treatment as his health deteriorated in the months leading to his death.

As concerns living conditions, the UN Standard Minimum Rules stipulate that prison accommodations should "meet all requirements of health," including adequate ventilation, and that bathrooms "shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner."¹⁷ Former detainees described to AMA how the Political Security prison had no ventilation and inadequate bathroom facilities, which likely contributed to the spread of disease within the facility.

¹² Ibid

¹³ Ibid

¹⁴ Yemen's constitution, Article 48; International Covenant on Civil and Political Rights (to which Yemen acceded in 1987), Articles 9, 16

¹⁵ Law 48 of 1991 for Prison Management, Article 23. See: "The Law of Prison Organization," Public Prosecutor's Office, http://agoyemen.net/lib_details.php?id=46

¹⁶ Minimum Rules 24.1, 27.1

¹⁷ Minimum Rules 13, 14.1, 15

Recommendations

To the **government authorities in Marib:**

- Improve living conditions at the Political Security facility in Marib and bring them in line with Yemeni and international law. Implement measures to combat the spread of tuberculosis in line with WHO guidelines: ensure adequate ventilation, isolate individuals who appear to be infected, and ensure prompt access to medical treatment when required. Investigate the death of Sadeq al-Qusseimi, hold those responsible for his death accountable, and provide compensation to the victim's family.
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To the **internationally-recognized Yemeni government:**

- Urgently initiate the process of ratifying the Convention for the Protection of All Persons from Enforced Disappearance (CED) to align national legislation with international human rights standards.
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To the **NGOs working on personal liberty violations in Yemen:**

- Where feasible, present findings on unsafe and abusive prison conditions to local authorities and lobby them to address shortcomings, as AMA did by meeting with Marib officials regarding the Political Security prison.
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Contact

Info@justice4yemenpact.org