



Justice4Yemen Pact  
ميثاق العدالة لليمن

# INFORMATIONAL BRIEF

## Documented cases shine light on underreported sexual violence against children in Yemen's war

JUNE 2024

### Introduction

Sexual violence committed against children is underreported globally.<sup>1</sup> Armed conflict increases the risk of exposure to sexual violence, and it also poses additional barriers to reporting it, such the collapse of services for survivors and reporting mechanisms.<sup>2</sup> It is therefore unsurprising that sexual violence in general, and against children in particular, is underreported in Yemen's ongoing war, a finding which has consistently been highlighted by UN mechanisms, human rights groups, and media.<sup>3</sup>

#### 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 Justice4Yemen Pact coalition thanks its partner organization Watch for Human Rights (Watch4HR) for its work documenting sexual violence against children in Yemen, which is featured in this report.

<sup>1</sup> "Hidden in Plain Sight: A statistical analysis of violence against children," UNICEF, New York, 2014, <https://data.unicef.org/resources/hidden-in-plain-sight-a-statistical-analysis-of-violence-against-children/>

<sup>2</sup> "Weapon of War: Sexual Violence against Children in Conflict," Save the Children blog, February 18, 2021, <https://www.savethechildren.net/blog/weapon-war-sexual-violence-against-children-conflict>

<sup>3</sup> See, for example: "Conflict-related sexual violence: Report of the United Nations" (S/2024/292), Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, April 2024, paragraph 75, <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2024/05/SG-2023-annual-reports-smallFINAL.pdf> ; "Tragedy until further notice: The state of human rights in Yemen in 2022," Mwatana, October 2023, <https://tinyurl.com/yh3ev3f8> ; "Familial breakdown increases 'sexual violence' against children," al-Mushahid, February 5, 2023, <https://almushahid.net/110972/> ; "Stigma as a cover to continue the crime...most cases of sexual assault against children in Yemen are covered up," al-Masdar Online, August 22, 2022, <https://almasdaronline.com/articles/258324>

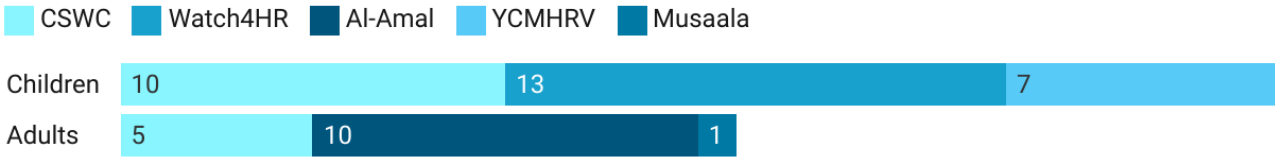
The limited reporting available indicates that all warring parties have committed grave sexual violations against civilians, including children.<sup>4</sup> These violations often occur in detention sites which helps to shroud them in secrecy.<sup>5</sup> As a recent example, the UN Security Council’s Panel of Experts on Yemen reported in November 2023 that it had “received credible reports that boys held in [the Houthi-run] Al-Shahid Al-Ahmar police station in Sana’a are systematically subjected to rape.”<sup>6</sup>

A February 2021 report from Save the Children estimated that 83% of Yemeni children are at risk of conflict-related sexual violence, as they live near conflict zones with reports of sexual violence perpetrated by conflict actors against children.<sup>7</sup> This suggests the prevalence of conflict-related sexual violence against children despite the lack of comprehensive data.

Justice4Yemen Pact partner organization Watch for Human Rights (Watch4HR) addressed this underreported violation type in a recent report “I’m Afraid of Scandal,” the title of which was taken from the testimony of a child survivor of sexual violence, explaining why they were hesitant to report their rape. Watch4HR documented 13 instances of sexual violence against 18 child victims between April 2022 and December 2023, based primarily on interviews with victims, their immediate family members, and witnesses.<sup>8</sup> 15 of the 18 victims were boys, and 3 were girls—the organization wrote that the relative lack of girls reflected the greater difficulty of reaching female versus male victims. Watch4HR’s report was part of a wider effort by Justice4Yemen Pact members to document cases of conflict-related sexual violence during Yemen’s ongoing war, which are summarized in the following graph:

### Sexual violence cases documented by Justice4Yemen Pact coalition members, April 2022 – December 2023

These cases occurred in seven Yemeni governorates and all conflict parties were implicated in their commission. They are broken down here by victim type and documenting organization.



- Created with Datawrapper

<sup>4</sup> See, for example: The annual reports of the Secretary-General on Children and armed conflict; the annual reports of human rights organization Mwatana on the state of human rights violations in Yemen; “I’m Afraid of Scandal: A rights report documenting sexual violence against children during the Yemeni conflict from April 2022 to December 2023,” Watch for Human Rights, April 2024: [http://watch4hr.org/files/Report\\_I%E2%80%99m\\_Afraid\\_of\\_Scandal\\_Ar.pdf](http://watch4hr.org/files/Report_I%E2%80%99m_Afraid_of_Scandal_Ar.pdf)

<sup>5</sup> See, for example: “Situation of human rights in Yemen, including violations and abuses since September 2014: Detailed findings of the Group of Eminent International and Regional Experts on Yemen” (A/HRC/45/CRP.7), Human Rights Council, September 29, 2020, paragraphs 167 – 175; “Detainees held without charges decry Emiratis’ sexual abuses,” Associated Press, June 20, 2018, <https://tinyurl.com/2xurwsff>

<sup>6</sup> “Letter dated 2 November 2023 from the Panel of Experts on Yemen addressed to the President of the Security Council” (S/2023/833), UN Security Council, November 2, 2023, paragraphs 128 and 135

<sup>7</sup> “Weapon of War: Sexual Violence against Children in Conflict,” Save the Children, February 17, 2021, <https://www.savethechildren.org/us/about-us/media-and-news/2021-press-releases/one-in-six-children-in-conflict-zones-at-risk-of-sexual-violence>

<sup>8</sup> “I’m Afraid of Scandal,” Watch4HR

All main warring parties were implicated in the 13 sexual assaults documented in Watch4HR's report. In some cases, the perpetrator belonged to a conflict party, for example as a military commander or government official, while in others the perpetrator sought and received help from a conflict party to cover up their crimes. Watch4HR concluded that a pervasive climate of wartime impunity had encouraged the proliferation of sexual assault against children in Yemen.

Watch4HR wrote that social stigma was a primary barrier that hampers the reporting of sexual violence crimes in Yemen, a finding which dovetails with previous reporting.<sup>9</sup> The organization cited a source in the Office of Social Affairs and Labor and Taiz as saying that in some instances, child victims are revictimized by their families after opening up about their abuse—including being expelled from home and ending up on the street or in state-run institutions.

One of the report's most damning findings was that victims who come forward to authorities face the threat of being treated as deviants and criminals by law enforcement. The reasons for this vary by case: stigma can play a role, as well as the influence brought to bear by conflict actors to protect perpetrators. Out of 18 child victims documented in Watch4HR's report, 8 were detained on criminal charges relating to their sexual assaults—3 were subsequently released, while another 5 remain in detention as of the report's publication in April 2024.

The current report profiles three cases of sexual assault against children documented by Watch4HR in 2022 and 2023 based on interviews with the victims' families, and a review of medical and legal documents. Victims' names have been changed, and certain details kept vague, to conceal their identities. The victims' guardians, who reported these cases to Watch4HR, gave their informed consent to publish them.

All three cases underscore the difficulty of obtaining justice for child victims of sexual violence when the perpetrator is connected to conflict parties.

## Lack of official statistics

During a literature review, Watch4HR only found one government agency in Yemen that publishes statistics related to sexual assault. The Executive Unit for IDP Camp management puts out an estimate, as part of its annual reports, on the number of IDP camps in which residents are subject to the threat of sexual harassment — 2% of camps as per the Executive Unit's 2023 report.

Watch4HR gathered additional, unofficial statistics on sexual violence from governmental and NGO sources:

- A source in the Office of Social Affairs and Labor in Taiz said 30 rapes had been reported to the office in 2023,
- A source with the criminal pursuit police in Aden said that sexual violence accounted for 28% of total cases reported to the unit in 2023, and non-penetrative assault an additional 12% of cases,
- A source in the Aden juvenile court said that between 2019 and 2023, there were more than 70 cases of sexual violence perpetrated by children,
- The Aden Network for Child Protection recorded 7 cases of sexual assault against children in 2023, 13 cases in 2022, and 25 cases in 2020 (no data was available for 2021).

<sup>9</sup> "Conflict-related sexual violence: Report of the United Nations" (S/2024/292), paragraph 75 ; "Tragedy until further notice: The state of human rights in Yemen in 2022," Mwatana; "Familial breakdown increases 'sexual violence' against children," al-Mushahid ; "Stigma as a cover to continue to crime...most cases of sexual assault against children in Yemen are covered up," al-Masdar Online

## Incident summaries

Five-year-old Ahmed was walking down the stairs in his apartment building in Taiz in summer 2022, when he was kidnapped by a teenager who forced him into a nearby apartment and raped him. Following the rape Ahmed returned home in tears and told his family what had happened. They took him to the hospital, and then to the police station to file a complaint.

However, the perpetrator turned out to be the son of a local military leader with government forces in Taiz. Another, high-ranking government military leader intervened and offered Ahmed's father, who is a soldier, a sum of money to stop pursuing the rape case. Ahmed's father accepted the commander's offer, and as a result the perpetrator spent only a month in jail before he was freed. The commander also brought his influence to bear to ensure that the rape was kept out of the news.

Following this ordeal Ahmed's father divorced his mother and took Ahmed from her custody, claiming that she had failed to protect her son from rape. Ahmed's mother has been unable to recover custody of her son despite obtaining a court order.

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14-year-old Mohammad lived in Mahwit city with his family, having been displaced from another governorate during the war. In early 2022, Mohammad was lured to a building by a local Houthi official, known as a supervisor, with the promise of receiving humanitarian aid. The supervisor proceeded to rape Mohammad at gunpoint while he fought back. Mohammad then returned home and told his family what happened. His relatives took him to the hospital for treatment and received a medical report stating he had been raped, and then they went to the police to report the crime.

Shortly thereafter, a police officer contacted them and pressured them to drop the legal case and settle it out of court, via informal reconciliation. The family learned that the officer was friends with the supervisor who had raped Mohammad. The supervisor also contacted the family and threatened them, as did Houthi soldiers in the area. Because the family was displaced from another governorate and did not have a social support network in Mahwit, and given their precarious economic situation, they were forced to settle for a paltry sum of money in exchange for not seeking legal justice.

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12-year-old Rawih was accustomed to running errands for a local military commander with government forces in Mareb for pocket change. One day, the commander took Rawih on a trip to a farm, where he kept him overnight and raped him. Later, after Rawih informed his mother what had happened, she went to the police, but dropped her complaint after she was threatened by the commander who had raped her son.

Two years later, in August 2023, Rawih was raped again at 14 years old, this time by two men—one of them was a soldier in the same unit as the commander who had previously raped him. Rawih's mother went to the police, who proceeded to arrest her son alongside the two men. Watch4HR was unable to verify the charges Rawih was arrested on, but they are likely related to homosexual activity, which is illegal in Yemen.<sup>10</sup> Rawih remains in custody today alongside his rapists, while the commander who initially raped him has yet to be investigated, let alone charged with a crime.

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<sup>10</sup> Republican Decision of Law 12 of 1994 Concerning Crimes and Punishments, article 264, available at: [https://yemen-nic.info/db/laws\\_ye/detail.php?ID=11424](https://yemen-nic.info/db/laws_ye/detail.php?ID=11424)

## Legal Analysis

Children are protected from sexual violence under both Yemeni and international law. Under Yemeni criminal law, rape carries a maximum prison sentence of seven years.<sup>11</sup> If more than one person participates in the rape, or if the victim suffers grave damage or pregnancy resulting from the rape, the prison sentence increases to a minimum of two, and a maximum of ten years.<sup>12</sup> If the victim is younger than 14, the prison sentence increases to a minimum of 3, and a maximum of 15 years.<sup>13</sup>

Certain types of sexual violence, when committed alongside kidnapping, are punishable by execution under Yemeni law. The 1994 Law of Crimes and Punishments states that “if kidnapping is accompanied by, or followed by murder, or extramarital sex, or homosexual acts, the punishment is execution.”<sup>14</sup>

Sexual violence against children is also prohibited by international human rights law and humanitarian law (law of armed conflict). Under human rights law, the Convention on the Rights of the Child (CRC), which Yemen ratified in 1991, obligates states parties to protect children from all forms of sexual abuse and sexual exploitation,<sup>15</sup> as well as from abduction.<sup>16</sup> The CRC also obligates states parties to take all appropriate measures to promote physical and psychological recovery, and social reintegration of child victims of any forms of neglect, exploitation, or abuse.<sup>17</sup>

The United Nations Secretary General on Conflict-Related Sexual Violence has defined “conflict-related sexual violence” as sexual violence that is “directly or indirectly linked to a conflict.”<sup>18</sup> The link between the sexual violence and conflict may be evident through the profile of a perpetrator, who may be affiliated with an armed group, or through the profile of the victim, who may be targeted due to their characteristics, or through existing conflict-related circumstances, such as a climate of impunity.<sup>19</sup>

As for international humanitarian law, all conflict parties in Yemen are bound by Common Article 3 to the Geneva Conventions and Additional Protocol II as Yemen’s civil war is classified as a non-international armed conflict. Common Article 3 prohibits the infliction of cruel treatment, torture, or outrages upon personal dignity against persons taking no active part in hostilities.<sup>20</sup> Additional Protocol II to the Geneva Conventions explicitly prohibits rape against persons taking no active part in hostilities.<sup>21</sup> Rape in the context of armed conflict is defined as a war crime by the Rome Statute of the International Criminal Court.<sup>22</sup>

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<sup>11</sup> Ibid, article 269

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Ibid, article 249

<sup>15</sup> Convention on the Rights of the Child (CRC), articles 19, 34

<sup>16</sup> CRC, article 35

<sup>17</sup> CRC, article 39

<sup>18</sup> “Conflict-related sexual violence: Report of the United Nations” (S/2024/292), paragraph 3

<sup>19</sup> Ibid

<sup>20</sup> Common Article 3 of the Geneva Conventions

<sup>21</sup> Additional Protocol II to the Geneva Conventions, article 4.2.e

<sup>22</sup> Rome Statute of the International Criminal Court, article 8.2.e.vi

## Recommendations

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To the **internationally recognized government of Yemen:**

- Compile and publish statistics and analysis on sexual violence against children to help guide interventions to combat this phenomenon.
  - Investigate alleged instances of collusion between perpetrators and local authorities to cover up sexual violence against children, as documented by Watch4HR and other human rights organizations including Amnesty International.<sup>23</sup> Pending the results of investigations, hold perpetrators to account and provide appropriate redress to victims.
  - Train police to properly handle complaints of sexual violence against children in a manner consistent with Yemeni criminal law, and Yemen's commitments under the CRC.
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To the **Ansar Allah/Houthi authorities**

- Investigate alleged recent incidents of sexual violence perpetrated against children in detention sites as documented by United Nations mechanisms.<sup>24</sup> Pending the results of investigations, hold perpetrators to account and provide appropriate redress to victims.
  - Train police to properly handle complaints of sexual violence against children in a manner consistent with Yemeni criminal law, and Yemen's commitments under the CRC.
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To the **National Commission for the Investigation of Alleged Violations of Human Rights:**

- Consider including cases of sexual violence against children in Yemen in future periodic reports, given the underreported nature of these human rights violations and their documented connection to conflict actors and conditions.
  - Strengthen anonymous reporting channels to encourage survivors to come forward with complaints without fear of retribution.
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To the **international donors funding humanitarian response in Yemen:**

- Increase funding for programs offering support to child survivors of sexual violence, given the likely prevalence of sexual violence against children, and the grave physical, psychological, and social consequences that result from sexual victimization.
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To the **Yemeni CSOs working on children's rights in Yemen:**

- Conduct awareness-raising campaigns to address the stigma associated with sexual victimization, given the documented link between stigma and the lack of reporting on this issue.
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<sup>23</sup> "Yemen: Authorities in Taiz must address cases of child rape and assault in the shadow of militia rule," Amnesty International, March 8, 2019, <https://www.amnesty.org/ar/latest/press-release/2019/03/yemen-taiz-authorities-must-tackle-child-rape-and-abuse-under-militia-rule/>

<sup>24</sup> "Letter dated 2 November 2023 from the Panel of Experts on Yemen addressed to the President of the Security Council" (S/2023/833), UN Security Council, November 2, 2023, paragraphs 128 and 135

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