

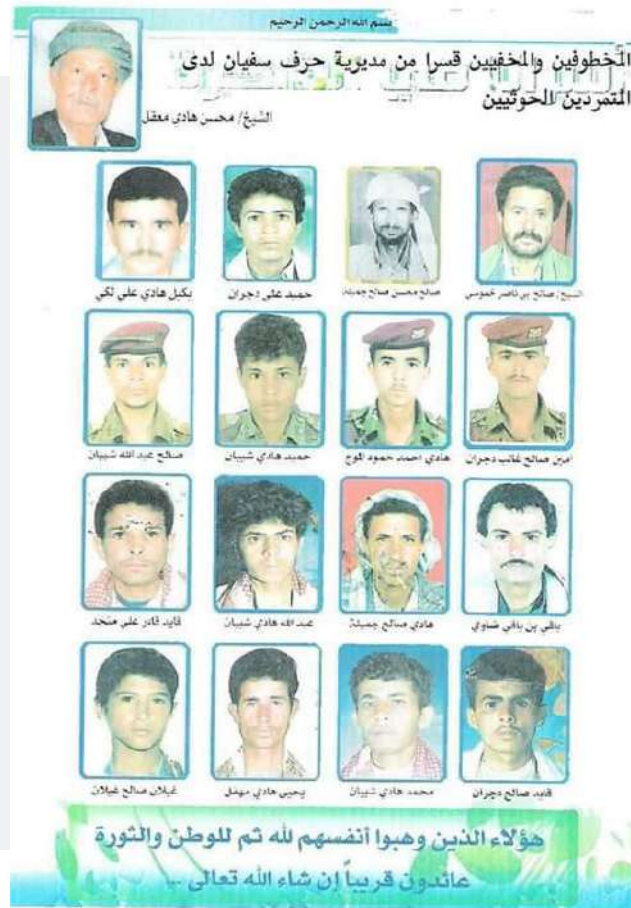


**SAM**  
Rights & Liberties

# **AL-AMMAR CAVE**

A human rights investigation reveals the responsibility of the Houthi group for the kidnapping and execution of 17 civilians from Harf Sufyan, Amran Governorate

July 2023



SAM calls for an urgent investigation after the discovery of a mass grave, «Al-AmmarCave», which contained 17 bodies of people kidnapped by the Houthi group more than 13 years ago

Geneva - SAM Organization for Rights and Liberties said that the families of the victims of the Harf Sufyan area in Amran, north of Yemen, found a mass grave containing the remains of 17 bodies of people believed to have been kidnapped by the Houthi group more than 13 years ago. The organization called on the international community, including the United Nations, to form an international experienced, competent and independent commission of inquiry to investigate the crime of what has become known as the “Al-AmmarCave Cemetery” in Amran Governorate and support any efforts to uncover the full truth about this crime, as well as supporting the right of the victims’ families to obtain accurate information, leading to justice.

In a statement issued today, Friday, the organization indicated that, according to local human rights sources and activists on social media, 17 bodies of people who were kidnapped by the Houthi group more than 13 years ago were found in the Harf Sufyan district in Amran. The Yemeni human rights activist, Amat al-Rahman al-Matari, confirmed on her Twitter account that the people had found the remains of 17 people tied with their

hands in a cave whose gate was built with stones and mud in the Harf Sufyan area 13 years after the crime.

«SAM» stressed that what the Houthi group had done was a full-fledged war crime and constituted a dangerous precedent that reflected the brutality of its perpetrators. It also pointed out that the Houthi group bore full responsibility, according to the data contained in this statement, foremost of which was the testimony of the people and the residents of this area. Throughout the conflict, the Houthi group has violated the rights of Yemenis and attacked them in all forms. These violations include kidnapping, enforced disappearance, blocking roads, shelling civilians and intimidating the safe, depriving entire families of knowing the fate of their sons, making them believe that they are alive, and blackmailing them in order to obtain money and other benefits.

Lawyer Huda Al-Sarari, head of the Foundation of Defense for Rights and Freedoms, said, «A mass grave was discovered in Amran Governorate, where the remains of 17 victims who had disappeared since 2010 were found in a cave in the Harf Sufyan area. This crime shows the extent to which the heinous crimes of disappearance and extrajudicial killings practiced by the Houthi group may reach in its areas of control. Perhaps there are dozens of mass graves of other victims that have yet to be discovered. This human crime leads us to the necessity of conducting a comprehensive investigation by the international community and the need to establish a committee concerned with investigating human rights crimes in Yemen due to the multiplicity of methodologies and forms practiced by most parties to the conflict. Other wise, the perpetrators will escape imechani due to the weakness of the national mechanisms, their lack of independence, and weak legal frameworks. Yemen also lacks specialists in forensic anthropology to uncover the circumstances of crimes that take this criminal nature and document them in professional methodological ways to allow the victims› families to hold the perpetrators accountable and redress their harm in the future.

## Background of the Crime

The beginning of the crime dates back to May 7, 2010, during the Houthi group's fighting against the legitimate government and the tribes loyal to it in what is known as the "sixth war" in the Harf Sufyan area of Amran governorate, 20 km away from the capital, Sana'a. After the signing of the reconciliation between the Yemeni state and the Houthi militia, the Houthi militia took advantage of this reconciliation, and attacked the villages and areas of the fighting tribes with the state while the victims were preoccupied with their trade. It began when the Houthi leader called Hussein Khater Sorouh, nicknamed «Abu Haidar» - who was the military commander of the Houthi militia in Harf Sufyan - sent a group of his militias to kidnap three civilians (Saleh Saleh Dajran, Abed Muhammad Jamila, Yahya Shuae Jamila), from the main road, while they were returning from the house of Bin Aziz. The militias asked these young men to turn themselves in, but the young men replied by saying that they wouldn't turn themselves in, as there was a reconciliation.

When these militias informed their leader «Abu Haidar» of the youth's refusal to surrender, he went out with his forces. When Abu Haidar arrived, he insulted the three young men verbally and tried to arrest them by force of arms, which led to a firefight. The three young men and Abu Haidar and 6 of his escorts were killed during the clashes while the other members of militias escaped.

Then the militia gathered a large armed force led by Abu Ali al-Hakim and Youssef al-Madani, and attacked the Darb Zaid area, killing a number of the people of the region, men and women. They also blew up nine houses, burned farms, and took nineteen young prisoners from the area, including Salem Saleh Jamila (disabled) and Amer Jamila (mentally ill), who were released in 2011. While they forcibly disappeared the other 17 young men, and these 17 disappeared individuals were found as dead bodies in the cave of Al-Ammar this year 2023.

## Looting and Destruction

The crime of kidnapping and enforced disappearance was accompanied by a retaliation by the Houthi group against the victims and their families, represented in the looting of their property and the shelling of their homes. A relative of the victims said to SAM, “We had a trade that consisted of a grocery store for foodstuffs, a store of wheat and flour, a store of pesticides, a mill, an oil and diesel fuel station, and houses and farms. We were working in our area when the Houthi militia attacked the Darb area and blew up nine of our houses. The women were in the houses at that time, so the Houthis broke into the houses and dragged the women by their feet. After that, they blew up homes, looted cars, and burned farms. If there is a committee, it will reveal the extent of the loss and plunder the Houthis committed against us, in addition to depriving us of earnings over a period of thirteen years.

**“R, K” said to SAM, “They looted my father’s car, his gun, his money, his dagger, and my uncle’s cars, his gun, his dagger, his money, weapons, and the daggers of my uncle’s escorts, and they brought a large truck and loaded it with what they could loot and then went to Saada.”**

## Continuous claims, Ignoring and Assassinations

Attempts by the people of the area and relatives of the victims to find out the fate of the victims did not stop. After the Houthi group took control of the capital, Sana’a, in September 2014, the families of the victims frequented the leaders of the Houthi group in the capital, Sana’a or Saada, hoping to reveal the fate of their forcibly disappeared sons. Since that date, the families of the victims have visited the leaders of the Houthi group to reveal the fate of their sons, and they have carried out many sit-ins. They found nothing but procrastination. After intense pressure from the tribes in solidarity with the families of the victims, the Houthi group was forced to admit the truth of killing the 17 victims and reveal their burial place.

A relative of the victims says, “Bin Aziz demanded the state to carry out its duty and protect the citizens, but the state did not respond because it was bound by the Qatari reconciliation and the Qatari committee. As a result, the war broke out between the militias and Ibn Aziz, a seventh war that he and a very few men from Sufyan fought alone because of the attack on the Darb Zaid area. The war lasted for two months, and the Houthi mobilized all his forces against Bin Aziz without the state’s intervention or support to Bin Aziz until Sufyan area fell and Bin Aziz was wounded, while more than 250 martyrs among the resistance fighters against the Houthi

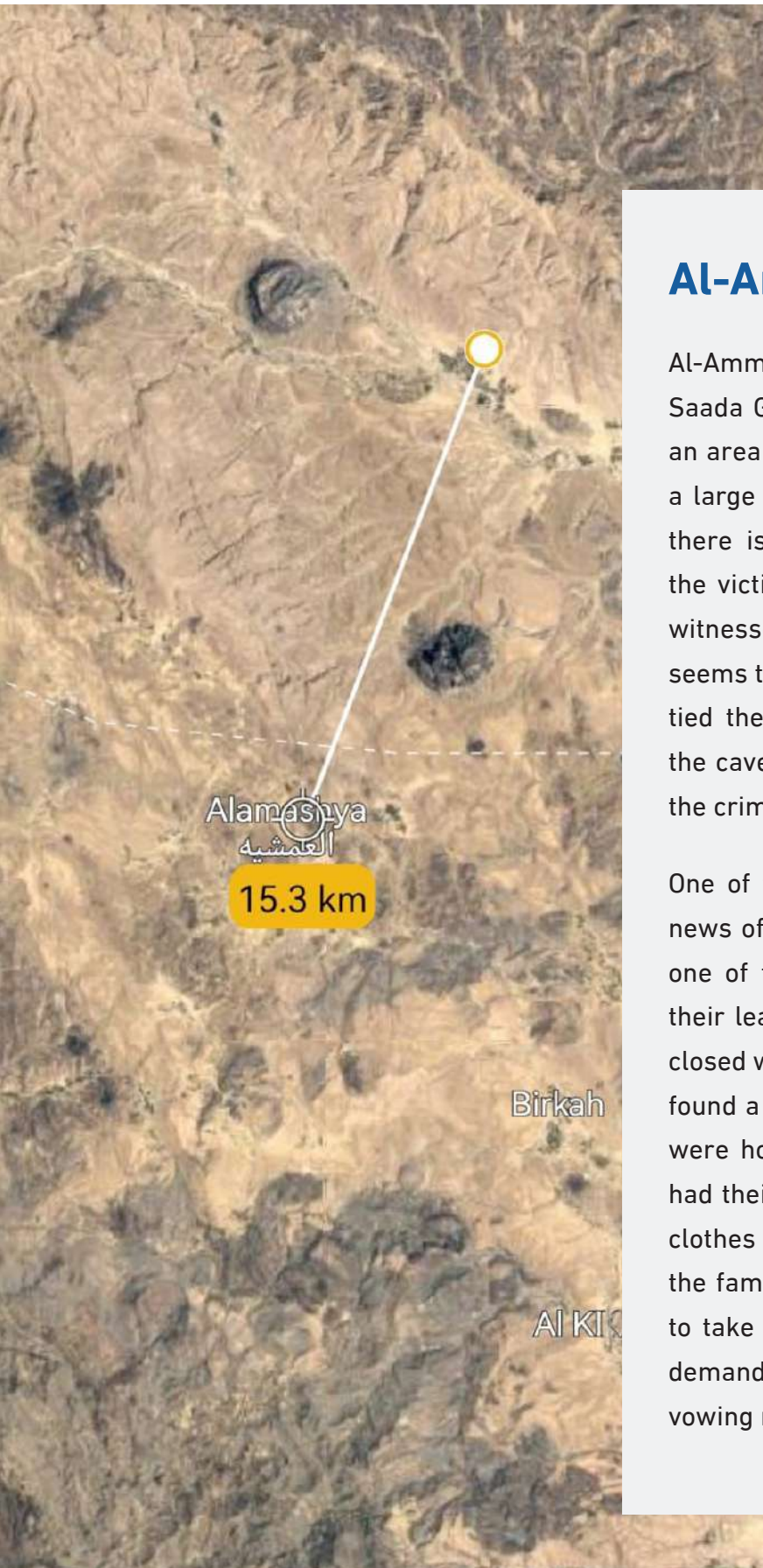


militia were killed. The Houthi occupied the area and blew up the homes of Bin Aziz and the resistance fighters with him. Bin Aziz and the families of the prisoners continued to demand the release of their prisoners through Qatari mediation and through national dialogue. However, the Houthi militias avoided admitting that they were among their prisoners, or that they had anything to do with them. At the National Dialogue Conference, the Association of the Sons of Saada Governorate and Harf Sufyan pressured the Houthi team to hand over the prisoners, and they handed over only one of the seventeen prisoners held by them. This released prisoner was Hamid Hadi Shaiban.

## Repression and Assassinations

To hide the crime, the Houthi group resorted to methods of intimidation and assassinations of anyone who demanded the disclosure of the fate of the victims. According to the testimony of the victims' relatives, "the Houthi group continued to intimidate and suppress the families who demanded the disclosure of the whereabouts of the forcibly disappeared. After they invaded Sana'a in September 2014, they killed Sheikh Muhsin Shabaki inside his house in Sana'a as a result of his demand for the release of his father and uncle, as well as the assassination of Sheikh Muhammad Jamila on TV Street while he was in his car. They threatened and suppressed anyone who spoke about the prisoners. In 2017, the Ma'qal family pressured them through two Houthi leaders, so they handed over the body of Sheikh Mohsen Ma'qal to them. Then the families of the victims and relatives of the abductees from the Darb Zaid area, went to Saada and staged a sit-in over the grave of Badr al-Din al-Houthi. The Houthi militia repressed them and forced them to take the sit-in tents and threatened them.

In 2023, after the prisoner exchanges, which included large military and political leaders and fighters from all parties opposed to the Houthi militia, the people of Darb Zaid called on the Sufyan tribe to come with them, and to demand the release of their sons and those kidnapped since 2010 from the prisons of the Houthi militia. Sufyan answered the call and went to Saada and protested for five days until Muhammad Ali al-Houthi approached them and asked them to end the sit-in. he promised that he would deliver their demand to his master, Al-Houthi. Two weeks later, the Houthis called them to Sana'a, and Youssef Al-Madani met them and told them that their sons had been liquidated. He also confirmed that their families would be compensated and asked them to open a new chapter. He said to them, "We have hurt each other. We dealt firmly with those who stood against us. had we not been firm with all those who rose up against us, we would not have achieved this."



## Al-Ammar Cave

Al-Ammar Cave is located in the Madhab area of Saada Governorate, 20 km from Harf Sufyan, in an area remote from the population. The cave is a large opening that resembles a prison where there is a large room. It seems that they hid the victims in it before killing them. One of the witnesses that SAM corresponded with says, «It seems that the Houthi group, before killing them, tied them up collectively, and then demolished the cave over them in order to hide the signs of the crime.

One of those familiar with the case says, “The news of the corpses in the cave leaked to us by one of the leaders of the Houthi group before their leaders went on pilgrimage. The cave was closed with stones, and when they opened it, they found a group of corpses and skulls. The people were horrified by what they found. The victims had their hands tied behind their backs with the clothes they were wearing, according to some of the families. The families of the victims refused to take the bodies and left them in their place, demanding the formation of a committee and vowing revenge for their relatives.

## The Victims

After opening the cave, the victims' relatives confirmed that these bodies belong to the forcibly disappeared Sheikh Saleh bin Nasser Khamousi, 50 years old, Saleh Mohsen Saleh Jamila, 56, Hadi Saleh Jamila, 36, Hamid Ali Dajran, 24 years, Amin Saleh Ghaleb Dajran, 21, Qaid Saleh Dajran, 25, Bakil Hadi Ali Laki, 40 years old, Hadi Ahmad Hammoud Al-Moj, 30 years old, Hamid Hadi Shaiban, 19, Abdullah Hadi Shaiban, 21, Muhammad Hadi Shaiban, 27, Baqi bin Baqi Dhawi, 35, Qaid Qadir Ali Munjid and Yahya Hadi Mahfel, 26 years old, Ghaylan Saleh Ghaylan, 26 years old, Yahya Hadi Mahfel, 26 years old, Hamid Ali Dajran, 24 years old, and Mohsen Hadi Ma'qal, 61 years old. By examining the names, we will find that there are victims who belong to one family, such as the family of "Jamila", "Shayban" and the "Makhfel", which makes the pain great. A resident of the area stated that the victims are relatives and belong to one family in the area.

## The Sole Survivor

A relative of one of the victims reported it to SAM, "The tribes to which the victims belong continued to demand that the Houthi group reveal their fate, including the mothers of the victims who went to the office of the Houthi group and cut their hair to no avail. On the other hand, the Houthi group was stalling their families. In 2018, the Houthi group revealed the fate of Sheikh Mohsen Hadi only, and it became clear to everyone that he was killed after his body appeared. So, his tribe moved to put pressure on the Houthi group to find out the fate of the rest of the forcibly disappeared. Then the Houthi group released sheikh's son, «Hamid Hadi Shaiban», (13 years old), who was detained in a different place from where his father was arrested. The child was the sole survivor of the massacre, but he did not escape the consequences of what he faced, as he is now almost mentally ill. The relatives of the victims added, "After that, the tribes of the victims gathered and went to protest in front of the Houthi office. Muhammad Ali received them and asked for a month's respite. After the end of the one-month deadline, the leader, Yusef al-Fishi, summoned them twenty days before the crime was revealed and informed them that the disappeared had died and that those who killed them had been killed and offered compensation, but the people refused and demanded the bodies and weapons of their relatives."



## Other Testimonies

This case is one of the well-known cases among the people of the area, and it has been present in many public events, such as the National Dialogue Conference and the round of negotiations. However, the Houthi group continued to mislead everybody and denied its knowledge of them. A man from the area said, “In the sixth war of 2009, the rebels kidnapped my father, Sheikh Hasan Hadi Ma’qal, imprisoned him, and looted his car, gun, and money without any reason. After the Sixth War, we followed up on his case and sent mediation to the Houthi leaders, including the so-called Abu Talib and the so-called Abu Zaid Al-Madani. They told us that they had been killed, so we demanded their bodies, and they told us that they were in a mass grave.”

(H.B) said to SAM, “Sheikh Muhsin Hadi Ma’qal moved from the Harf Sufyan district with a convoy of several cars after the Sixth War to help a Sghir Aziza and the Houthi group intercepted him on the way. They set more than one ambush for him, so the cars broke down and burned. At the last point, only Sheikh Muhsin Ma’qal and two of his escorts were left. They disappeared after that, and we did not know anything about their fate. We used tribal mediation and the national dialogue to ask about them, but unfortunately, the Houthis did not give us any information about them. In 2017, they handed over the body of Sheikh Muhsin Hadi Ma’qal and one of his escorts whose name is Baqi Dhawi. As for the second escort, they told us he was with the prisoners who were buried in the cave of Al Amara. Indeed, his body was in the cave with the rest.”



Muhammad Ali Al-Houthi



Youssef Al-Fishi



Abu Ali al-Hakim



Youssef Al-Madani

## International Law

Commenting on the discovery of the bodies, «Al-Moutasim Al-Kilani», a specialist in international criminal law and director of the strategic litigation at the Arab Council Foundation, said, “Enforced disappearance, which was practiced by the Houthis against the abductees, is considered a crime against humanity according to the International Convention for the Protection of All Persons from Enforced Disappearance. Extrajudicial killing is also considered a war crime, according to Rule 156 of customary international humanitarian law.”

Al-Kilani also confirmed that “failing to bury them properly and hiding their bodies from their families is also an affront to human dignity, which is classified as a crime against humanity.” He pointed out that all those violations described in the crime committed by the Houthis, which extend from the abduction and detention of these people in 2010 to today – for 13 years – are considered one of the international crimes that are punishable by international law and confirmed by the customary rule which stipulates that no statutory limitation shall apply to war crimes and crimes against humanity, irrespective of the date of their commission. Therefore, no matter how long it takes, the perpetrators of these crimes must be held accountable.

## Criminal Responsibility

Through the data collected by SAM organization in the crime of the mass grave in the “Al Ammar” Cave in Wadi Madahib, which was committed against 17 residents of the Al-Amsha area in Harf Sufyan, it was found out that the leaders, Abdullah Yahya al-Hakim, known as Abu Ali al-Hakim- one of the most prominent field leaders of the Houthi group in 2010- and Youssef al-Madani were the ones who led the campaign against the Amsha area. Thus, they were responsible for the killing and kidnapping of dozens of civilians, including the victims of the «Al Amara» Cave, on (May 29, 2010) and their disappearance throughout this period, as well as burying them in a mass grave. This crime is considered an «intentional crime» committed by the senior Houthi leaders. This crime goes beyond the field commanders to the senior Houthi leaders, led by «Muhammad Ali al-Houthi,» who heads the so-called revolutionary committees, which were formed according to what the Houthis called the constitutional declaration of the 2014 coup. This Houthi so-called constitutional declaration granted the revolutionary committees broad powers to lead Yemen by virtue of the de facto authority. Yusef al-Faydi, nicknamed Abu Malik, was a member of the Houthi Supreme Political Council, a prominent leader in the Houthi militia and served as a leader in the Revolutionary Committee in 2013. He led the process of expelling Salafists from Dammaj in Saada, 2013. Some consider him a special representative of the group's leader, Abdul-Malik al-Houthi.

## Justice is what Everybody Wants

SAM considered that preserving evidence of the crime of mass graves was an essential part of reaching justice. It also emphasized that any disregard for the demands of achieving justice and not holding those involved in the crime accountable was a disregard for the lives of innocent people and the feelings of their families, stressing the need to impose the most severe penalties for such brutal behavior. Compensating the families for the physical and moral damage they suffered due to the enforced disappearance of their relatives and the looting of their property.

SAM added that the families of the victims deserved to know how their relatives had suffered by the Houthi group, calling on the United Nations to form an investigation committee that includes - in addition to the investigators - experts in forensics to provide technical support and identify the bodies.

The organization concluded its statement by appealing to all components of the international community and judicial bodies, especially the International Criminal Court, of the need to open an urgent and impartial investigation into the practices of the Houthi group, especially the newly discovered grave. It also stressed that this crime required international criminal accountability for all individuals and officials involved in it.



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