

**To: Special Rapporteur on the Situation of Human Rights**

**Working Group on Fair Trials**

**Submitted by:**

SAM Organization for Rights and Liberties, a member of the Justice4Yemen Pact Coalition, and the Justice4Yemen Pact Coalition, along with Yemeni Civil Society Organizations Signatories to the Document

**Subject:** Taking Concrete Actions to Ensure Fair Trial Guarantees for Hundreds of Detainees Held by the Houthi Group

**Greetings and regards,**

Firstly, SAM and the members of the Justice4Yemen Pact Coalition extend their appreciation for your efforts to establish and enforce the rule of law, and to enable individuals to enjoy their rights as provided for by international law.

In this joint letter, SAM, under your mandate as stipulated by international legal standards, respectfully urges you to take swift action and exert pressure on the **Ansar Allah Houthi Group** to **halt violations of the right to fair trial for the hundreds of detainees held by them for several years.**

Since the beginning of the conflict in Yemen in 2011, countless severe violations have affected the fundamental rights of hundreds of thousands of Yemenis at the hands of Houthi forces. One persistent development has been the denial of individuals' rights to a fair trial, to legal representation, and to a defense, by the Ansar Allah Houthi group, without any legal justification, and in a blatant violation of individuals' basic rights as protected under international law and conventions.

In this regard, SAM notes that, since the onset of the conflict, Ansar Allah has detained and abducted hundreds of individuals from their homes and workplaces, forcibly disappeared them, and subjected them to psychological and physical torture. The fate of hundreds remains unknown. Their families and human rights organizations have been denied contact, constituting severe and unjustifiable violations of these individuals' rights, particularly the right to a fair trial guaranteed to all.

According to available statistics from human rights organizations, [approximately 550 death sentences](#) have been issued by criminal courts under the control of the Ansar Allah Houthi

group, with documented reports by SAM indicating that most were issued against political opponents. The latest of these was a ruling to execute 45 Yemeni civilians on June 1, 2024. In September 2022, the group also executed nine civilians in the so-called “Al-Sammad Case,” compared to 30 death sentences issued by courts under the internationally recognized legitimate government.

In SAM’s [Years of Hell report](#), published on October 2, 2024, numerous testimonies were documented from individuals who had previously been arbitrarily detained and later released as part of a prisoner exchange between the parties to the conflict. These testimonies described severe and unacceptable practices, including physical and psychological torture, denial of visitation rights, lack of access to legal representation, and the staging of the right to defense in show trials to provide a veneer of legality to the acts of abduction and detention occurring outside the law.

In early October 2024, the Ansar Allah Houthi group referred a number of arbitrarily detained individuals, including employees of foreign embassies and UN agencies who were detained between 2021 and 2024, to the Specialized Criminal Prosecution—a body dedicated to counter-terrorism investigations—on charges of espionage and collaboration with foreign countries such as the “United States and Israel.” This referral took place without the detainees’ lawyers present or granting them the opportunity to exercise their legal right to defend themselves, rekindling concerns over sham proceedings that violate fair trial principles and could lead to politically motivated death sentences amidst the Yemen conflict.

The organizations signing this letter stress that the continued detention and disappearance of thousands by the Houthi group has a deeply troubling impact on their families, who are unable to communicate with their loved ones. This situation leaves lasting psychological distress, especially during major occasions like Ramadan and Eid, where children and families feel sorrow and anxiety about the fate of their relatives.

We express our rejection and condemnation of the Houthi group’s practices against detainees, especially in light of the absence of any concrete actions or clear stance against these violations. The human rights organization holds the international community fully responsible for ignoring the suffering of thousands, without exerting sufficient pressure to compel armed groups to release Yemeni detainees.

We affirm that the release of all detainees and forcibly disappeared persons is the first step toward achieving peace in Yemen, as it marks a turning point in the process of ending the years-long conflict.

We draw your attention to the fact that the death sentences issued by courts under Houthi control have been conducted through summary procedures, lacking even the minimum standards of a fair trial that should be upheld in armed conflicts and under normal circumstances. Furthermore, the internationally recognized Yemeni government and the

Southern Transitional Council have also failed to adhere to fair trial standards, both before and during trials.

SAM notes that the various parties' confidence in impunity, the total absence of international criminal investigation mechanisms, and the weakness of local accountability systems have significantly contributed to the development of retaliatory measures against opponents, including the use of the judiciary as a tool for arbitrary deprivation of the right to life and freedom.

International humanitarian law and relevant international conventions oblige armed groups to respect the legal rules ensuring the protection and safety of civilians, particularly human rights standards, which [prohibit arbitrary detention](#), enforced disappearance, and torture. These standards also emphasize the right to [a fair trial](#) and the requirement for arrests to be based on judicial orders.

**The right to a fair trial** is a fundamental right guaranteed by international agreements, notably the four Geneva Conventions and Additional Protocols I and II. Depriving a protected person of a fair trial according to due process constitutes a grave violation under the Third and Fourth Geneva Conventions, as well as Additional Protocol I. Additionally, Common Article 3 of the Geneva Conventions prohibits sentencing and executing individuals without prior trial by a legally constituted court that adheres to due process.

The denial of a person's right to a fair trial is classified as a war crime under the statutes of the International Criminal Court, as well as the international criminal tribunals for the former Yugoslavia and Rwanda, and the Special Court for Sierra Leone. The right to a fair trial is also enshrined in numerous military manuals. Furthermore, the denial of a fair trial constitutes a criminal offense under the legislation of many countries, applying equally to both international and non-international armed conflicts.

The ongoing application of politically motivated death sentences in Yemen represents a severe violation of human rights and a grave deviation from principles of justice and humanity. This practice further fuels political conflicts and perpetuates violence in Yemen, underscoring the urgent need to take the following actions:

- Establish an independent international commission to investigate all death sentences handed down on political grounds and review them to ensure justice.
- Advocate for the complete abolition of the death penalty in cases of political and ideological nature, and for an immediate halt to all summary executions that violate principles of justice and human rights.
- Urge parties to the conflict to safeguard judicial independence and uphold justice without political influences or interventions.
- Call for the formation of an independent legal committee to draft new legislation aligned with human rights standards, ensuring individuals are protected from death sentences based on their political beliefs.

We believe that the immediate abolition of politically motivated death sentences is a crucial step toward upholding justice and respecting human rights in Yemen. We thank you for your attention to this important matter and look forward to the actions you will take to support this goal.

With best regards,  
SAM Organization for Rights and Liberties  
[info@samrl.org](mailto:info@samrl.org)

**The Signatories:**

1. Studies and Economic Media Center (SEMC)
2. Abductees' Mothers Association (AMA)
3. Al-Amal Women's and Sociocultural Foundation (AWSF)
4. Center for Strategic Studies to Support Women and Children (CSWC)
5. Free Media Center for Investigative Journalism
6. Marib Dam Foundation for Social Development (MDF)
7. Musaala Organization
8. SAM Organization for Rights and Liberties
9. Watch for Human Rights (Watch4HR)
10. Yemeni Coalition to Monitor Human Rights Violations (YCMHRV)
11. American Center for Justice (ACJ)
12. Missing Persons Families Group (MPFG)