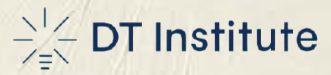


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Handing Over Private Homes and Public Buildings in Taiz: Requirements for Redress and Restoring Community Trust



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SAM ORGANIZATION FOR RIGHTS AND LIBERTIES

SAM is an independent, non-profit Yemeni human rights organization that began its activities in January 2016 and obtained a work license in December 2017. The organization seeks to monitor and document human rights violations in Yemen and work to stop these violations through advocacy efforts in partnership with local and international organizations. It aims to raise human rights awareness through community-based rights development and strives to hold human rights violators accountable in Yemen in cooperation with international mechanisms and human rights organizations.



ABDUCTEES OF MOTHERS ASSOCIATION

The Association of Mothers of Abductees is a women-led human rights organization founded in April 2016. It was formed by human rights defenders, mothers, and wives of detainees. The Association works to monitor and document cases of arbitrary detention and enforced disappearance and report them to the relevant authorities. It aims to build a human rights memory that preserves victims' rights to accountability and redress in the post-war period. The Association also works to amplify the voices of victims in national and international forums and maintains ongoing communication with decision-makers and local mediators to secure the release of detainees. Additionally, it provides psychosocial support to survivors and their families.



DT Institute

A non-profit organization committed to the principle of "development differently." The Institute implements complex global development programs in conflict-affected, fragile, and closed environments and funds leading think tanks that stimulate innovation and improve people's lives through evidence-based programs. The Institute works in partnership with communities and leaders to build more resilient, just, equitable, inclusive, and democratic societies, and to ensure their sustainability.

Support for Peace in Yemen through Accountability, Reconciliation, and Knowledge Exchange (**SPARK**)

This paper was written and published as part of the Support for Peace in Yemen through Accountability, Reconciliation, and Knowledge Exchange (**SPARK**) program – a scientific and practical framework that seeks to translate the concepts of transitional justice from theory into community practice. The program focuses on enhancing awareness and strengthening local capacities to activate mechanisms of restorative justice, accountability, and reparations, as essential pathways toward a sustainable peace grounded in truth, fairness, and inclusive participation. It is founded on the principle that justice is not merely a legal process, but also a social and cultural endeavor that contributes to healing the national fabric, rebuilding trust, and restoring collective memory on the basis of acknowledgment and reconciliation. The program works in close coordination with the Justice for Yemen Partnership (J4YP) – a coalition of ten Yemeni civil society organizations advocating for justice, accountability, and peacebuilding for victims of human rights violations across Yemen. Within this framework, SPARK partners and members of the coalition engage local communities and political actors in initiatives on reconciliation and restorative justice, aiming to enhance their capacity to participate effectively in transitional justice processes.

Executive Summary:

This paper addresses the issue of the illegal seizure of citizens' homes and public buildings in the city of Taiz during the armed conflict, and the faltering process of returning them to their legitimate owners, as one of the central issues affecting property rights and the sanctity of housing, reflecting directly on social stability, local peacebuilding, and transitional justice tracks in the post-conflict phase. The paper stems from a contextual reading of the transformations in the city of Taiz since 2015, where the overlap of military camps with residential neighborhoods and the reliance of conflict parties on using homes for military purposes led to widespread destruction in the housing sector and mass displacement of the population. Data indicates that approximately 78% of housing units were totally or partially damaged, while waves of displacement and forced eviction from Houthis-controlled areas caused the city to be overcrowded with displaced persons who were forced to reside in abandoned houses near the frontlines. Meanwhile, hundreds of private homes and public buildings remain under military control until the years 2024-2025, despite official directives and judicial rulings issued for their evacuation. SAM Organization has documented approximately 400 private homes in this regard.

The paper highlights that these practices exceeded the contact areas and extended to neighborhoods in the city center, amidst an overlap between military influence and law enforcement, weak accountability, and persistent impunity. This has left intersecting legal, humanitarian, economic, and social impacts that contributed to undermining trust between citizens and authorities and hindered recovery efforts.

The paper reveals that the local authority's handling of the file remained partial and situational through temporary committees that achieved limited results in the absence of a sustainable institutional framework and effective coordination. Conversely, civil society interventions were limited to undocumented social mediations without integrating the file within transitional justice and redress approaches.

The paper concludes that the issue of seized houses is not an individual real estate dispute, but rather one of the files of the armed conflict, necessitating its treatment within an integrated public policy. Based on this, it recommends the establishment of a permanent official unit in the Governorate's General Office concerned with documenting violations, coordinating evacuation and delivery efforts, ensuring the implementation of judicial rulings, and linking the file to transitional justice and reconstruction tracks, contributing to the restoration of rights and the enhancement of social peace and the rule of law in the city of Taiz.



Background and Context:

The city of Taiz consists of three districts (Al-Qahira, Al-Mudhaffar, and Salh), and it is the third-largest urban area in the country, occupying 38 square kilometers. The new city of Taiz emerged in the early 1970s in an unplanned manner that lacked urban planning. For decades, Taiz suffered from government neglect, and the random expansion of the city and the absence of urban plans had negative impacts on the residents, reflected in the difficulty of accessing basic services such as water, electricity, and public spaces. Instead, Taiz was surrounded by military camps from various directions to form a military ring strangling the governorate. As a result of continuous government neglect and accumulated disappointments, a general resentful mood emerged in Taiz toward the political system and successive governments. This was manifested in the peaceful youth revolution of February 11, which was launched from the city of Taiz, and in the overwhelming presence formed by the people of Taiz in various peaceful revolution squares in the capital and various governorates, which culminated in the overthrow of the regime of former Yemeni President Ali Abdullah Saleh and the rise of his vice president, Abdrabbuh Mansur Hadi, to the presidency.

Since the arrival of fighting in Taiz in early April 2015, the city and its surrounding outskirts have been subject to violent combat between the Houthi-Saleh group and formations of the army and Popular Resistance, which were formed from various armed groups defending and affiliated with legitimacy. These were untrained formations whose members were later integrated into the army, many of whom still lack training and discipline. Densely populated residential areas in the city bore the brunt of this, and many neighborhoods, especially those on the outskirts of the city, became frontlines for urban warfare involving street-to-street battles¹.

The presence of army camps and Central Security forces in the center and outskirts of the city, and the start of Houthi-Saleh militants storming houses and high-rise buildings and deploying snipers on rooftops², including hotels and overlooking buildings from which they targeted civilians³, was a major reason for the armed clashes in Taiz to take the character of urban warfare, causing widespread destruction to civilian facilities and citizens' homes. The "Houd Al-Ashraf" neighborhood is one of the tragic witnesses to street warfare, as it was subjected to widespread destruction due to the use of neighborhood houses and several buildings as military sites by the Houthi-Saleh alliance forces, which positioned several cannons, tanks, and armored vehicles in the neighborhood. Because of this, extensive armed clashes occurred between them and what is known as the Popular Resistance, causing widespread destruction in many buildings and the burning of several commercial centers, private offices, public institutions, and residential homes⁴.

¹ Report of the Expert Team on Yemen, A_HRC_42_CRP_1, 2021, p.99.

https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/GEE-Yemen/A_HRC_42_CRP_1_AR.PDF

² Report of the Expert Team on Yemen, A_HRC_42_CRP_1, 2021, same source, paragraph 305, p.98.

³ Dina Al-Mamoun, 'We Lived Days in Hell: The Conflict in Yemen from the Perspective of Civilians,' Report, CIVIC (Civilians in Conflict), CIVIC, p.17. https://civiliansinconflict.org/wp-content/uploads/2018/07/CIVIC_Report_Yemen-2016_Arabic-1.pdf

⁴ Human Rights Situation Report in Yemen for the period September 1, 2014 – December 31, 2018, Yemeni Coalition to Monitor Human Rights Violations, First Edition, Aden, 2019, p.192. <https://ycmhrv.co/Home/MonthlyReport/1tPga32O/HRStuation-in-Y>

By August-September 2015, Houthi-Saleh fighters had positioned themselves along the main entrances of the city and imposed a de facto siege. Since then, the city of Taiz has been under a partial siege by the armed Houthi group, in a form of collective punishment and a violation of international humanitarian law⁵. The ongoing war in Taiz Governorate since April 2015 has also led to a massive wave of displacement from the neighborhoods of Taiz city, and by October 2015, two-thirds of Taiz's residents had left the city. Only 175,000 to 200,000 remained, estimated at one-third of its pre-war population⁶. In 2019, the city's population was estimated at 372,845, but the conflict and the movement of internally displaced persons (IDPs) made it difficult to ascertain real numbers⁷. Recent displacement statistics indicate that Taiz city contains 14,437 displaced families⁸.



⁵ Report of the Expert Team on Yemen, A_HRC_42_CRP_1, 2021, previous source, paragraph 345, p.114.

⁶ Statement from the United Nations Humanitarian Coordinator in Yemen on the situation in the city of Taiz, 24 October 2015, https://reliefweb.int/sites/reliefweb.int/files/resources/humanitarian_coordinator_for_yemen_statement_on_situation_in_taizz_-_en_-_24._october_2015.pdf

⁷ "Urban Profiling File: Taiz City," United Nations Human Settlements Program in Yemen (UN-Habitat), 2020. https://unhabitat.org/sites/default/files/2020/11/taiz_city_profile.pdf

⁸ The Siege of Taiz: A Humanitarian Tragedy, American Center for Justice, July 2024, p.27.

The Heavy Cost of War on Housing in Taiz: The damages to residences in Taiz:

The housing sector was severely damaged in the city of Taiz during several rounds of clashes that took place from 2015 to 2018. Public buildings were the first facilities to be stormed and seized, causing severe damage manifested in the suspension of their services, destruction, and the looting of their equipment in a manner that made most of them unable to resume their activities, such as the Al-Jumhouria Press Institution for Press, Printing, and Publishing. Some are unqualified for resuming work, such as the Public Electricity Corporation. Meanwhile, control over other buildings and facilities continued by military entities affiliated with the legitimate government, causing additional damage (such as the Technical Institute and Saba School). Resuming work in other buildings required extensive renovations, such as the Finance Office and the Governorate Police building. The location of public or private facilities near contact lines represents a justification for military entities to continue control and seizure and not hand them over (such as the Social Welfare Fund building, Osifra power station, electricity warehouses in Sha'b Salit, and the Juvenile Care Center).

There are 80,842 inhabited houses in the city of Taiz, and the battles for control of the city, as well as airstrikes, have resulted in the destruction of a large part of them⁹. The housing sector was severely damaged in the city of Taiz during several rounds of clashes from 2015 to 2018. Estimates indicate that 78% (47,455 housing units) have been damaged; about 11,300 units (18%) were destroyed, and approximately 36,161 units were partially damaged (59%). Al-Mudhaffar district was the most affected, with about 80% of the buildings damaged¹⁰. In comparison, satellite damage assessments indicate that only about 1,203 sites were damaged in the city. However, the actual number is likely higher than satellite assessments and lower than government estimates¹¹.

⁹ "Urban Profiling File: Taiz City," United Nations Human Settlements Program in Yemen (UN-Habitat), 2020, previous source, p.42.

¹⁰ Ministry of Planning and International Cooperation, Continuous Needs Assessment Report, Republic of Yemen, Taiz Governorate, Phase Three, 2018.

¹¹ "Urban Profiling File: Taiz City," previous source, p.44.

Seizure of Citizens' Homes:

The strategy of storming houses and occupying rooftops by fighters and sniper teams affiliated with the Houthi-Saleh group in 2015 was the prelude that made private homes and facilities in Taiz targets for shelling, raiding, and control¹². They seized tall buildings, including prominent hotels and overlooking buildings, from which they targeted civilians¹³. In contact areas, the raiding of high and overlooking houses intensified and took the form of a race to storm and occupy them, causing the displacement of residents and exposing houses to looting, shelling, and destruction. The homes of symbols and opponents served as special targets, while others were marketed with accusations of their owners belonging to the Houthi group, as is the case with the house of Houria Al-Junaid, who is accused of this despite the denial of military leaders of these charges¹⁴. According to Judge Ishraq Al-Maqtari, a member of the NCI/VHR: "The phenomenon of seizing citizens' homes is one of the violations that uses war as a pretext for its emergence, especially in Taiz, where it is often practiced against those with differing opinions, beliefs, or affiliations, or against the vulnerable who do not rely on power, influence, region, or gunmen. Most of those who seize houses in the city of Taiz are gunmen affiliated with military brigades or security sectors, or those empowered by them, and many of them have not been held accountable, punished, or questioned"¹⁵.

The problem continued to worsen with armed individuals or groups remaining inside the homes of displaced families for years, turning the homes into headquarters or warehouses and then retaining them. This resulted in the illegal use of the buildings by renting them out, selling movable property, or changing locks and managing the buildings without the owners' permission. Meanwhile, sums of money or legal concessions are demanded from the homeowners in exchange for evacuation or claims of protection. The areas most present in reports received by SAM include (Jahmalia, Al-Rawda and its surroundings, Al-Mojliya, Al-Mudhaffar, Kallaba, Madinat Al-Noor, Wadi Jadid, Al-Arbreen, Al-Askari, Al-Harithi, Al-Sharaf, Hasanat, Bir Basha, the Old Airport, Osifra, Al-Thawra, Al-Hussein neighborhood, and Al-Zahra)¹⁶.

Currently, gunmen continue to seize dozens of homes belonging to citizens, merchants, expatriates, displaced persons, and employees, distributed across various areas on the outskirts and center of the city and on the contact lines. These individuals refuse to evacuate those homes and return them to their owners, despite the directives and orders issued by the leadership of the local authority, the Taiz Axis, and the Security Directorate, while some of them rely on weapons, influence, and their affiliation with the army and security¹⁷.

¹² Report of the Expert Team on Yemen, A_HRC_42_CRP_1, 2021, previous source, paragraph 305, p.98.

¹³ Dina Al-Mamoun, 'We Lived Days in Hell: The Conflict in Yemen from the Perspective of Civilians,' Report, CIVIC (Civilians in Conflict), CIVIC, p.17.

¹⁴ A military commander in the 22nd Mechanized Brigade, the participatory workshop, SAM Organization, Taiz, November 2025.

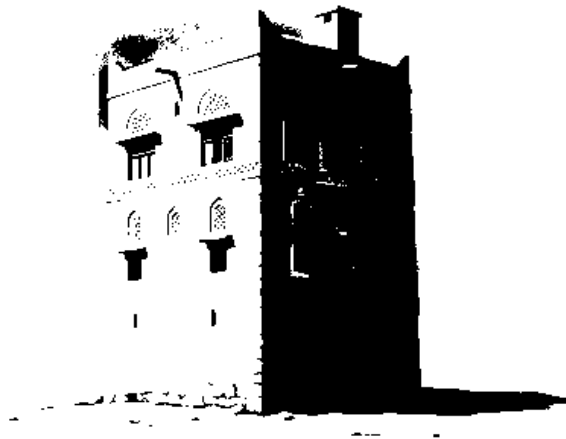
¹⁵ Delivery of Citizens' Homes: A Forgotten File in the Presence of Local Authorities in Taiz, Balqees Channel, 12/7/2022 <https://belqees.net/reports/>

¹⁶ Consultative Workshop Report on Houses Not Evacuated in Taiz City (2015–2025), SAM Organization, SPARK Project, funded by the DT Institute in Taiz Governorate, November 24–25, 2025.

¹⁷ Delivery of Citizens' Homes: A Forgotten File in the Presence of Local Authorities in Taiz, Balqees Channel, previous source.

During 2024 and 2025, many public buildings and private homes that were not handed over to their owners were documented. SAM Organization, through the SPARK project, conducted research and monitoring of the houses that were not handed over to their owners, and their number, according to the database, reached approximately 400 residential houses and apartments, in addition to public buildings. Some of the latter were recently handed over, especially in the Osifra area, as part of the efforts of the Presidential Committee, which recently handed over several buildings¹⁸.

The phenomenon of storming and seizing homes did not stop at the confrontation areas; it extended to the control by gunmen of houses in the city center located in safe neighborhoods that the war did not reach in the north and center of Taiz, far from the contact lines. Military individuals are involved in this and refuse to hand them over to their owners, despite judicial rulings issued for their delivery. Such is the case with the "Al-Tuwaiti Building," consisting of 36 apartments in the Bir Basha area next to Taiz University, where a judicial ruling was issued, amidst accusations against an officer in the 35th Brigade. Similarly, the house of the heirs of Abdo Taher Al-Saghir in Houd Al-Ashraf was seized, and individuals associated with some brigades were housed there under directives from military leaders, with repeated obstruction of evacuation orders and continuous complaints and demands from the owners who object and demand official contracts or the restoration of the house¹⁹. New cases and resistance to evacuation continue in various locations, and a final official published database for inventory is not yet available. SAM Organization has formed the Wifaq and Reconciliation Committee to conduct community reconciliations and monitor disputes for cases that need community reconciliation and redress²⁰.



¹⁸ Consultative Workshop Report on Houses Not Evacuated in Taiz City (2015–2025), previous source.

¹⁹ Consultative Workshop Report on Houses Not Evacuated in Taiz City (2015–2025), previous source.

²⁰ The Consensus and Community Reconciliation Committee is a local committee established in January 2025, as part of the SPARK Project, implemented by SAM Organization and the Abductees' Mothers Association, funded by the DT Institute.

Homeowners' Concerns:

Homeowners' fears of continued illegal control over their homes are prominent. Many citizens complain of illegal seizure of their houses, which is a crime of usurping others' property according to the law in force. Therefore, some of them demand lease contracts that preserve their rights and prove their ownership, fearing new construction or permanent control. However, many cases face refusal from the current occupiers of the homes, even when contracts are offered as a legal solution. Some military leaders believe that concluding legal contracts is the ideal solution to guarantee rights and avoid disputes, especially given the complexities of the security and social situation in the city²¹. This is consistent with the proposal of the President of the Presidential Leadership Council in this regard. Additionally, there are still fears of residents returning to their homes in areas near the contact lines, as the areas have not been fully cleared of mines, improvised explosive devices (IEDs), and war remnants. In the city of Taiz, reports documented the death of 118 people and the injury of 300²².

Government Policies.. Multiple Committees:

Unlike private homes, the process of seizing government buildings did not spark a similar reaction. Part of the silence was due to sympathy from residents supporting the resistance, given that the latter was without camps, and the presence of gunmen in government headquarters meant partially moving away from seizing citizens' homes. However, the authority's interest was directed first toward recovering government facilities, not citizens' homes, as is clear from the committees formed by the local authority.

The issue of returning private homes and public buildings took different levels of official interaction, scattered over time, and multiple official committees were formed to resolve this file. They were able to deliver a number of citizens' homes

²¹ The second hearing for the victims of non-delivered homes, Sam Organization, Taiz, October 25, 2025.

²² The Siege of Taiz: A Humanitarian Tragedy, American Center for Justice, July 2024, p.14.

and public buildings, managing to evacuate approximately 240 private apartments for owners, including 95 public property buildings, during the previous phase²³.

However, the work of these committees was characterized by being situational and lacked continuity. The efforts of the official committees were limited to handing over the homes without coordination with the office of the NCIAVHR in the governorate to monitor and document the various violations within the commission's files and archive. Furthermore, those committees did not bring along the National Commission's monitors, nor did they begin documenting reports with the commission.

Although the formation of official committees to address the file of private homes and public buildings revealed an advanced level of authority responsiveness and contributed to identifying the complexities surrounding the problem, the multiplicity of these committees and the temporal interruption in their work did not allow for the formation of an integrated strategic vision to deal with the file from different human rights, social, financial, security, and legal dimensions. It left it pending and subject to the availability of funding for the assigned committees, while it is escalated to the surface and addressed in the media in conjunction with any general security and human rights issues at the governorate level.

Civil Society: Scattered Efforts Lacking Coordination:

The social efforts of actors and civil society organizations in the governorate in dealing with the issue took a cautious character. They preferred the perspective of local mediations with their social reconciliatory dimension, without the file receiving its share of interest from human rights dimensions related to the context of the conflict and the accompanying human rights violations.

²³ A military commander, The Consultative Workshop on the Delivery of Homes, SAM Organization, Taiz, November 2025.

It lacked human rights approaches related to transitional justice and national reconciliation, considering it one of the most prominent files left by the armed conflict, thus requiring comprehensive documentation and human rights advocacy to be considered among the files of transitional justice and individual and collective redress initiatives.

Efforts focused on the mere return of homes to their owners without documenting the violations they were subjected to, and without considering the scale of damage suffered by families due to years of suffering from displacement and eviction from their homes, in a way that preserves the rights of victims and secures their rights at the level of compensation initiatives within the framework of transitional justice. In this context, the Wifaq and Reconciliation Committee evacuated approximately 30 residences and handed them over to their owners²⁴. Despite civil society initiatives to return homes, they did not extend to the direct causes of the problem, represented by the intensity of displacement, and contributing to providing solutions to the housing crisis, especially those related to the massive wave of displacement and families evicted from Houthi-controlled areas. Nor do they approach this file from a human rights angle concerned with documenting cases as human rights violations, nor do they even address the issue of compensation for damages that affected homeowners and their families, whether material or symbolic. This explains the most prominent gaps in the efforts of local mediation and reconciliation initiatives in Taiz and reveals the character they adopt, which favors the social reconciliatory character over the legal character. This does not in any way diminish the social character of the initiatives to return homes; it has been proven that community reconciliation mechanisms can be more efficient and faster than traditional official mechanisms in resolving complex real estate disputes. However, the matter requires taking the legal side into account.

²⁴ Interview with Mr. Muath Al-Faqih, SPARK Project Coordinator, First Consultative Workshop, Taiz, SAM Organization, November 2025.

The absence of coordination between actors and initiatives working in the same context is an additional challenge to these efforts. The Rakaiz Network implements initiatives related to returning public buildings, and the Reconciliation and Social Peace Committee works on the same issue. Local mediation by the Sheba Youth Foundation exerted efforts in returning the buildings of the Local Corporation for Water and Sanitation. Taiz Consultations also exerted efforts in this context, but these initiatives lacked coordination among themselves, nor were these efforts documented or used to derive and build upon the most important lessons learned. It is necessary to document various efforts and establish a special archive for them to be utilized, and on the other hand, establish a manual and archive specifically for the file of homes and their return.

The Homes File from the Perspective of Compensation and Redress:

Dealing with the file of looted homes requires a broader and more comprehensive perspective that is not content with just demanding the return of homes, but extends to documenting violations and the stories of victims with years of displacement and deprivation of the right to housing, in a way that contributes to building a human rights archive and a collective memory that immortalizes and preserves the rights of victims and forms a basis for individual and collective compensation and redress. Furthermore, a human rights file the size of destroyed and looted homes, and the deprivation of their owners from utilizing them for long periods, is one of the important and neglected transitional justice files by human rights bodies and committees and official and unofficial initiatives concerned with transitional justice in Taiz and Yemen in general.

There are stories of women, children, and elderly homeowners that tell an invisible human rights narrative. If they continue to be ignored, neglect and oblivion will fold them, and it will result in the loss of collective rights belonging to an important category and the governorate of Taiz in general²⁵. One of the victims says: "For ten years, I have been living in a rented house located next to my home, which is occupied by a person belonging to the 170th Air Defense Brigade after he seized it by force of arms. Despite our repeated attempts to recover our home through police stations in the Al-Hasib area, the command of the Taiz Military Axis, the

²⁵ An interview conducted by the researcher with Mr. Maher Al-Absi, Director of the Office of Siege Affairs in Taiz Governorate, December 22, 2025.

neighborhood elders, and officers in the Air Defense camp, we received only vague responses such as: 'Be patient until God's command and near relief come'...!!"²⁶.

Another story tells another side of the tragedy left by violations against civilians: one family returned to its home in areas near the contact lines, and the children went out to play and found a mortar shell. A child began pounding it with a stone, which opened the fuse and it exploded, and he died. Estimating economic and living conditions sometimes leads them to greater danger. Therefore, it is essential to clear mines and remove debris to ensure the area is safe for the return of the residents²⁷.

Continued dealing with this file as merely a dispute between individuals or between them and security and military entities without considering its various dimensions related to war and siege is a kind of reconciliation with the crime and widespread human rights violations, allowing for the reinforcement of the culture of impunity and the erasure of both material and symbolic rights. The matter is not just about recovering homes, but extends to documenting the violations they were subjected to and those that affected their owners for years²⁸. In other words, a professional human rights movement that is aware of the importance of magnifying the voices of victims so they become heard by national and international human rights bodies, and elevates their role as actors and stakeholders in the local and national peace process, as they are the primary stakeholders in building, enhancing, and preserving peace. A movement that is based on documenting violations and preserving memory, without necessarily extending to early condemnations at the expense of the right to monitoring, documentation, and building an integrated human rights archive that results in material and symbolic compensation and redress programs, both individual and collective.

²⁶ Hearing for victims and their representatives, SAM Organization, Taiz, October 18, 2025.

²⁷ The Consultative Workshop on the non-delivered homes, SAM Organization, Taiz, 25 November 2025.

²⁸ An interview conducted by the researcher over the phone with lawyer Salah Ahmed Ghalib, Taiz, December 25, 2025.

Legislations:

The Yemeni Constitution protects public and private property and punishes anyone who violates its sanctity²⁹, and guarantees the right to property and the sanctity of housing, prohibits entering them, and forbids the confiscation of public funds except by judicial ruling³⁰. The Yemeni Penal Code also serves as a reference framework, criminalizing assault on private property, extortion, and illegal seizure, alongside International Humanitarian Law, which prohibits looting and assault on civilian property during conflicts, and UN principles for the post-conflict phase that guarantee the right to return and recover property or receive compensation for it.

However, the law allowed the use of public facilities as an exception in two cases: First, it allowed the (Higher Civil Defense Council) temporary utilization of public facilities in exceptional circumstances³¹, and also stopping and evacuating any public facility if there are direct dangers threatening the occurrence of disasters³². The second case allowed the (National Defense Council)³³, to use some public facilities or part of them when declaring a state of general mobilization or a state of war, as they are part of the general material reserve³⁴. Nevertheless, the law obligated the Civil Defense Council to evacuate and return public property after the necessitating reason ends with compensation for damage and destruction, granting the affected party in all cases the right to resort to the judiciary³⁵. It also obligated the Ministry of Defense, upon the end of the mentioned cases, to return the property³⁶. Despite this, these entities are not activated. The National Defense Council met a specific number of times³⁷, and there are demands to activate the Civil Defense Council³⁸. The lack of activation of these bodies at the national and local levels led to the continuation of the problem of seizing public facilities in the city of Taiz and not handing them over. The law also requires a complaint from the victim or their legal representative to start investigation procedures. It clarified that any procedure carried out without an official complaint is considered a serious violation classified as a professional error³⁹.

²⁹ Article (19) of the Constitution of the Republic of Yemen, amended in 2001.

³⁰ The Constitution of the Republic of Yemen, amended in 2001, Article (20).

³¹ Article (8) of Law No. (24) of 1997 concerning Civil Defense.

³² Article (13) of Law No. (24) of 1997 concerning Civil Defense.

³³ Article (38) A council called the (National Defense Council) shall be established, presided over by the President of the Republic. It is tasked with considering matters related to the means of securing the Republic and ensuring its safety. The law defines the method of its formation and specify its other powers and responsibilities.

³⁴ Article (21), Paragraph 5, Law No. (23) of 1990, regarding the General Reserve.

³⁵ Article (9) of Law No. (24) of 1997 concerning Civil Defense.

³⁶ Article (40), Law No. (23) of 1990, regarding the General Reserve.

³⁷ The National Defense Council holds an emergency meeting chaired by the Chairman of the Presidential Leadership Council, Saba News Agency, October 22, 2022. <https://www.sabanew.net/story/ar/91306>

³⁸ Taiz: Official demands to activate the role of the Supreme Council for Civil Defense, Yemen Shabab Channel, March 1, 2024, <https://www.youtube.com/watch?app=desktop&v=T-HTZzeOrAk>

³⁹ Article No. (27) of Law No. (13) of 1994, regarding criminal procedures.

Proposed Solutions:

The issue was dealt with as a security and military problem, isolated from its human rights and humanitarian context, as the NCI/VHR remains absent as an official mechanism from a process of this size and level. Therefore, any future efforts or initiatives in the file of private homes and public buildings require involving the National Commission as the first window for solution, so the process begins with monitoring homes, whether delivered or not, and documenting them by the National Commission team and forming a complete file for this pattern of violations. This is because rights are not limited to the restoration of homes and buildings but begin with documenting violations, preserving rights, and building an integrated human rights archive. From a procedural perspective, efforts should be coordinated within a joint committee comprising several entities (Public Works, National Commission, Judiciary, Police), with civil society participation (Bar Association, concerned organizations, victims' associations), and under the supervision of the Governor or Deputy Governor and the Higher Security Committee. This committee would receive reports, document violations, categorize them, assess damages, estimate costs and compensations, and archive them. A force from the Military Police would be allocated to hand over buildings related to war violations.

The proposed solution centers on creating an official unit/department in the Governorate's General Office under the chairmanship and supervision of the Governor with the participation of the following entities: (Presidential Committee for Handing Over Private Homes and Public Buildings, Executive Unit for IDPs, Office of Planning and International Cooperation, Office of Siege Affairs, National Commission to Investigate Alleged Violations to Human Rights, Court of Appeal, Military Court, Taiz Axis Command, Military Police, Governorate Police Directorate, Public Works Office, representatives of victims and their families, Bar Association, Journalists' Syndicate, representatives of civil society organizations, social figures, local mediators, representatives of women, youth, people with disabilities, marginalized groups, etc.) to work as an official mechanism for receiving, documenting, and analyzing complaints and reports and taking appropriate measures to ensure the restoration of rights to their owners and their compensation.

Recommendations:

- Coordinate efforts between civil, community, and official initiatives concerned with returning private homes and public buildings, and create a clear mechanism for distributing and integrating roles.
- Update the database of private homes and public buildings not handed over as an official reference file, and support the development and updating of community reconciliation mechanisms.
- Form an association for victims of homes not handed over and homes damaged by the armed conflict, and work to involve them within local and national peacebuilding teams, committees, and initiatives, and organize sessions for them with the office of the UN Special Envoy to Yemen and its transitional justice unit.
- Establish a documentation registry for violations that affected private homes and public buildings and the damage suffered by homeowners, as well as the damage resulting from violations that affected public buildings.
- Record the stories of victims and their families and build a written and visual memory to document violations and preserve memory.
- Clear the areas of mines and explosive materials from war remnants in areas near the contact lines before any process of returning residents.
- Work on preparing an integrated file of violations that affected private homes and public buildings as a prelude to presenting it within reconstruction files.
- Adopt advocacy campaigns for victims and their families to enable them to ensure obtaining appropriate material and moral compensations.
- The necessity of accelerating the building of a database of victims and compensating them urgently, whether through local authorities, the government, or in coordination with donors.
- Collective redress through re-planning the city of Taiz, removing military camps, and building an archival memory of the stories and suffering of victims.



Handing Over Private Homes and Public Buildings in Taiz: Requirements for Redress and Restoring Community Trust