

Annual summary of the human rights situation in Yemen during 2021



Annual summary of the human rights situation in Yemen during 2021

SAM: The continued violations of the parties to the conflict and the absence of an effective role of the international community contributed to the unprecedented escalation of Yemeni suffering and the deterioration of the situation in the country

Geneva - SAM Organization for Human Rights said that the continuation and escalation of violations by the various warring parties in all Yemeni cities and governorates on a daily basis is due to the absence of the role of the international community and the UN agencies that stand idly by and watch these violations, which these parties considered an implicit cover to continue their practices and violations. The organization stressed that the first step to stop these violations is to take a serious decision by the international community to intervene and pressure all parties involved in the Yemen war to stop their violations and bring those involved in the crimes to criminal justice for the violations they committed.

In its annual statement on the state of human rights for the year 2021, SAM said that it had monitored and documented thousands of human rights violations in Yemen from the period January 2021 to December 2021, stressing that these practices unacceptably violate many conventions and legal rules, noting that these practices showed the natural and cruel reflection of the continuation of the war without any prospect of stopping in the absence of the principle of accountability, which increased the ambiguity and complexity of the conflict in Yemen in light of the non-renewal of the Group of Eminent Experts, and left the Yemenis at the mercy of the warring parties in Yemen.

The organization highlighted its monitoring of multiple types of violations, such as killing, arbitrary detention, enforced disappearance and torture, preventing freedom of movement, recruiting children, using individual mines, and preventing aid access, in addition to the economic violations, the shelling of facilities and civilian objects, and endangering the lives of students and patients by bombing schools, hospitals, health centers and other objects for which international law guarantees full protection and impunity.

SAM pointed out that these violations were committed on a large scale without any commitment to human rights standards and international humanitarian law, noting that the Houthi militia, which seized power by force of arms in September 2014, topped the lists of the most human rights violators in Yemen, followed by the UAE-backed "Transitional Council" in Aden and Lahj. The legitimate government forces are also accused of committing multiple violations in Marib, Taiz, and Hadramawt, in addition to the National Resistance Forces on the West Coast which are supported by the UAE and the Arab coalition led by the Kingdom of Saudi Arabia.

SAM's annual statement included the most important events, violations and reports through which the international organization tried to shed light on the practices taking place by the various parties to the conflict, which were as follows:

The most important events that happened in 2021

- The Houthi militia's attack on the oil-rich governorate of "Marib" has escalated since February 2021 with the aim of taking it down. The military operations of this attack on the outskirts of the southern and southwestern city of Marib included widespread violations that affected civilians, represented by indiscriminate ballistic missile attacks by the Houthi militia, which targeted the densely populated city and some districts, in addition to looting and blowing up homes in the Abdiya district and the arbitrary arrests of dozens of civilians.
- The failure to renew the Group of Eminent Experts on Yemen by the Human Rights Council which deprived Yemen of one of the most prominent external tools of accountability and left civilians at the mercy of the warring parties without any immediate prospect for serious and strict human rights accountability.
- Aden International Airport was bombed on December 30, 2020, a civilian facility, during the return of the legitimate government to the city of Aden. That attack led to the death of 20 civilians, including the Undersecretary of the Ministry of Public Works, "Yasmin Al-Awadhi". The attack also left more than 100 injured, including departing passengers, airport employees and journalists, according to the report of the United Nations team of experts that was formed at the time.
- The deterioration of the price of the Yemeni currency and the unprecedented rise in food prices, which contributed to an increase in human suffering. As a result, Yemenis spontaneously protested in the streets against the poor conditions in Yemen.

The most important human rights violations monitored by the organization during 2021

- Violations of the right to life

SAM confirms that its team documented the deaths of more than 1,000 civilians in Yemen in 2021, including 200 children and 40 women, indicating that 15 people died due to torture, and added that it recorded the deaths of 117 civilians due to mines, 49 victims of assassinations and 170 indiscriminate attacks. Also, 35 civilians were killed by snipers.

The organization confirmed that the killings took various forms and broad and systematic patterns sometimes by some parties to the conflict, especially the Houthi militia, which relied on landmines and indiscriminate shelling of densely populated cities to drop the largest possible number of victims, in addition to the sniping operations that the Houthi militia continued to practice systematically, especially in the city of Taiz in central Yemen, where the organization monitored 35 cases included in its report Titled "Sniper Horror", which was released in November 2021.

As for the political killings, the "assassinations" were mainly concentrated in the city of Aden, which is under the control of the UAE-backed Transitional Council. The escalation in Marib, Al-Bayda, Taiz and Al-Hodeidah governorates contributed to an increase in killing incidents by the

Houthi militia and the Transitional Council, which used various means, such as indiscriminate shelling with missiles and rockets, mines and extrajudicial executions. SAM referred to the execution of ten men from "Thama" governorate by the Houthi militia, which the organization considered a dangerous development in political executions as the verdict was carried out after sham trials that lacked the most basic standards and conditions for a fair trial on charges of killing a Houthi leader, noting that this incident was accompanied by many of grave violations such as enforced disappearance, torture, denial of access to lawyers, and other dangerous practices.

Injuries and physical safety

SAM Organization has documented the injury of about 1,200 civilians in Yemen in 2021, including 210 children and 20 women since January 2021. Indiscriminate attacks by the Houthi militia, individual landmines, sniping and direct killing constituted one of the most important direct causes of violations of physical integrity that Yemenis suffered during the year 2021. The violations varied as follows: 250 injured due to landmines, 350 due to indiscriminate shelling, 30 due to sniping and 130 due to bullets. As for the responsibility of the parties to the conflict for these violations, they were as follows: 772 violations by the armed Houthi militia, 13 violations by the legitimate government and 30 violations by the forces supported by the UAE, 30 violations as a result of the insecurity and 13 violations by unknown parties.

The bombing of the city of Marib and the camp of the displaced was one of the most alarming incidents that constituted the most important causes of civilian casualties, in addition to the bombing of the city of Taiz, which affected streets, homes and public places. Despite international condemnation of some of these incidents, this did not succeed in stopping these attacks. Not to mention, the deteriorating economic conditions and the health sector's lack of many capabilities, which had the greatest impact in multiplying many injuries that needed urgent intervention.

Arbitrary detention and enforced disappearance

SAM organization has documented many violations by the parties to the conflict with regard to crimes of arbitrary detention and enforced disappearance. The SAM team monitored the arrest of more than 650 detainees by the Houthi militia, while the Transitional Council forces arrested 250 individuals. As for the legitimate government, it has arrested 70 people and unknown parties have arrested 20 others. The political and intellectual difference is one of the most important reasons for arbitrary arrest and enforced disappearance, in addition to the pretexts of the security situation and the arrests of people who express their opinions through social media as "SAM" documented the generalization of this pattern of violations in the areas of Houthi control and some areas of legitimacy, including Marib and Taiz, as well as the western coast under the control of the so-called the National Resistance Forces.

The human rights organization stresses that arbitrary arrests are often interspersed with the enforced disappearance of most detainees as testimonies collected by the organization showed that these people were subjected to severe and continuous torture, without any respect for their human

dignity where Aden, Dhamar, and Amran topped the governorates which were affected by arbitrary arrest, enforced disappearance and torture.

In 2021, the organization documented 190 forcibly disappeared persons, including 28 children and two women. The Houthi group bears responsibility for 141 forcibly disappeared while the Transitional Council bears responsibility for 55 forcibly disappeared, and the legitimate government bears responsibility for 15 forcibly disappeared.

SAM Organization has issued a report entitled “The Long Absence” in August 2021, which contained 132-pages and 8 chapters. The report dealt with the practices of the parties to the conflict in Yemen of the crime of enforced disappearance on a large scale during the last period from 2014 to 2021 and the policy of arbitrary detention in light of the absence of legal accountability which led to the emergence of this crime. The report also talked about the legal and historical background to the phenomenon of enforced disappearance and its connection to the political conflict in the former north and south of Yemen and the consequences of this crime. The report relied on exclusive testimonies that proved the involvement of all parties to the conflict in the practice of enforced disappearance and arbitrary detention, which are criminalized by international law.¹

Torture

The human rights organization documented the death of 110 people due to torture, including 7 children and one woman, during 2021, stressing that the Houthi militia bears responsibility for 70 cases of torture while the Transitional Council bears 25 cases, 15 of whom died as a result of torture in detention centers. Government and pro-government forces are responsible for two cases of torture whereas the Ansar Allah group (Houthis) bears responsibility for 13 death cases and one death in detention centers on the West Coast.

Recruitment and use of children in conflict

SAM Organization monitored the continuation of the parties to the conflict in recruiting and using of at least 1,600 children during 2021, noting that the Houthi militia bears 91% of the recruitment processes while the legitimate government bears 3% of the recruitment processes. As for the Transitional Council, the percentage of children's participation reached 4% and 2% in the areas of the West Coast. The organization noted that most of the child soldiers were used to reinforce the Marib and Hodeidah fronts, indicating that it had met many children who were captured by the legitimate government in the areas of Marib.

In February 2021, "SAM" issued a report entitled "Militarized Childhood" where the report monitored statistics and figures for children recruited to the Houthi militia in estimated at 10,333 distributed over Yemeni governorates. The organization's monitoring team obtained a list that

¹ To view the full report: <https://samrl.org/l.php?l=e,10,A,c,1,76,79,4291,html>

includes the names of children who were killed during their recruitment on the various battlefronts in Yemen as their number reached 666 in July and August.

The report documented the testimonies of many child soldiers and the punishments they are subjected to if they don't execute orders by threat of imprisonment, deprivation of food, physical and sexual abuse, and threat with weapons. It also documented 11 training camps belonging to the Houthi militia, in which children receive training in using light and medium weapons, bombs and mortars. The report discussed the legal background to the phenomenon of child recruitment and considered it a legal problem that contravenes the 1949 Geneva Conventions and the two Additional Protocols issued in 1977, which emphatically affirm the complete prohibition of the participation of children in armed conflicts.²

Abuses against migrants

The year 2021 was a particularly harsh year for African migrants since SAM documented many violations, most notably the fire which hundreds of migrants at the Immigration Authority detention center in Sana'a were exposed to on March 7, 2021. This fire led to the death of dozens of migrants, and the wounded were prevented from admitting to hospital after the fire incident while many migrants were expelled from the capital, Sana'a and were deported to the interim capital, Aden. The deported migrants were transported in collective trucks, which lack the most basic standards of safety and humanity, and were left between the former northern and southern regions. Their right of expression and assembly in front of the High Commissioner's office in the capital, Sana'a, was also violated by the Houthi militia.

"SAM" stated that the latest incident that was recorded in violation of the rights of migrants was the capsizing of a marine boat in the depths of the Red Sea off the coast of Djibouti while returning to their homes to escape what they were exposed to in Yemen. The organization also recorded incidents of sexual exploitation of some immigrant girls and the recruitment of some to fight for them on a number of fronts.

The organization indicated that it had issued a joint report with the Euro-Mediterranean Monitor on January 14, 2020, entitled "Ras al-Arah, Ethiopian migrants path to hell." It documented the testimonies of many immigrants who described the violations they are subjected to such as beatings, torture and deprivation of food for long periods until death by smuggling gangs, in addition to women being severely raped and tortured several times and harshly.³

² To view the full report:

<https://samrl.org/l.php?l=e,10,A,c,1,76,79,4136,php>

³ To view the full report:

<https://samrl.org/l.php?l=e,10,A,c,1,76,79,4075,php/Ras-al-Arah>

Violation to the right to peaceful assembly

2021 witnessed the greatest economic challenge for Yemenis as the collapse of the Yemeni currency to record levels and an unprecedented rise in prices, and the poor basic services such as electricity in coastal cities on summer days led to people gathering and going out in demonstrations to express their opinions as "SAM" recorded four incidents of assault on the right to peaceful assembly and demonstrations that came out to condemn the deteriorating economic situation and the deterioration of services in the city of Aden, Mukalla, Hadramout, Taiz and Lahj where many protesters were arrested during the peaceful assembly by the Transitional Council forces in Aden, the Hadrami elite in Mukalla, and armed forces in the city of Taiz. The activists who are victims of the peaceful assembly are still under arbitrary arrest and enforced disappearance, and they are kept by the Transitional Council forces. These activists are Ramdam Abu Siraj, AbdulFattah Jamajim, Fouad Diqan and Abu Osama Al-Saeedi.

Violating women's personal freedoms

During 2021, the extremist and systematic policy of the Houthi militia against women continued and included restrictions on cafes, fashion houses and beauty salons where the Houthis established a battalion to monitor women's clothing called the "Al-Batoul Brigade". In January 2021, they also stormed a restaurant in Sana'a, expelled women workers, and searched it without showing any written legal warrant. The gunmen took some workers and one of the restaurant's officials to the police station and forced him to write a pledge "not to employ women in any of the restaurant's branches." SAM points out that this incident threatened the sources of income for 30 women, and some of them returned to their jobs at different times later. On January 24, 2021, the Ministry of Public Health and Population of Ansar Allah group (Houthis) issued a decision banning the use of "family planning methods" consistent with what it called "faith identity."

On September 12, 2021, a document issued by the Houthi militia prohibited any woman from riding in a car without a mahram, and the mahram must provide proof of kinship. Girls were also prevented from carrying smartphones, wearing cosmetics while they go to events such as weddings and parties, and preventing the employment of women in relief organizations, considering that the purpose of choosing girls to work with relief organizations is to "extort them sexually", emphasizing that whoever violates this order will pay a costly financial penalty.

Trials and executions

Illegal trials against political opponents continued using many charges, most notably cooperation with the Saudi authorities, and many death sentences were issued. September 18 witnessed the first execution of ten of persons from Tihama, including a minor, after a farcical trial which lacked the minimum conditions for a fair trial by the Houthi militia on charges of assassinating the leader of the group, "Saleh Al-Sammad" in the city of Hodeidah. That trial was accompanied by many grave

violations, such as enforced disappearance, torture, confession under duress, denial of the presence of lawyers, and the execution of the death sentence in Tahrir Square in a provocative manner without regard to the feelings of the victims and their families as the execution was accompanied by shocking celebrations of cheering. The execution was accompanied by widespread condemnations at the internal level by organizations and activists, or by the international community, including countries and ambassadors to Yemen. It also was accompanied by widespread condemnations at the internal level by organizations and activists or by the international community, including countries and ambassadors to Yemen.

Violations against the press

During 2021, the parties to the conflict continued to practice arbitrary detention, enforced disappearance, inhuman treatment and torture against journalists. As "SAM" documented more than 20 violations against journalists. The most prominent of these was the bombing that killed the 27-year-old Al-Sharq TV reporter, Rasha Abdullah, and her fetus, and injured her husband, journalist Muhammad Al-Ottmi, after targeting their private car on November 9, 2021 in Aden Governorate, noting that the forces of the Southern Transitional Council bear the responsibility for the arrest of one journalist, and Ansar Allah group (Houthis) bears responsibility for the arrest of two journalists. Ansar Allah group (Houthis) continues to arbitrarily detain 4 journalists who face the death penalty after their unfair trial in the Specialized Criminal Court in Sana'a in April 2020. Journalist Waheed Al-Sufi has been forcibly disappeared since 2015.

Violations against minorities

Violations continue against minorities in Yemen, primarily the Baha'i community, which suffers due to the Houthi militia circulating a list of more than 100 Baha'i supporters and friends to exchange companies to include them on the black list, freeze their accounts and prevent them from disposing of them, in addition to the re-trial of those who were forcibly displaced outside Yemen in the year 2020.

Violations against the minorities

Violations continue against minorities in Yemen, primarily the Baha'i community, which suffers due to the Houthi militia circulating a list of more than 100 Baha'i supporters and friends to exchange companies in order to include them on the black list, freeze their accounts and prevent them from disposing of them, in addition to the re-trial of those who were forcibly exiled outside Yemen in 2020. As for members of the Jewish community, "Liby Marhabi", 33 years old, is still illegally detained since March 10, 2015. He was arrested while he was selling qat in the tourist city market in Sawan in the capital, Sana'a, and forcibly disappeared for a whole year without his family knowing anything about him. Then his family was informed that "Liby" is in the National Security and they allowed them to visit him and then took him out to them while he was surrounded by two people. He could not walk as a result of the effects of brutal torture, as his brother reported to SAM's team. His brother told SAM's team, "We only sat with him for about three minutes. My

brother was severely tortured. He was paraplegic and was unable to close one of his eyes. They did not medically treat him like the rest of the prisoners. He received great injustice. I don't think that any prisoner was exposed to such torture even though there were four people with him in the same case. Although the court acquitted him and those who were arrested, the four were released, but my brother was not."

Restrictions on freedom of movement

2021 witnessed many violations related to the freedom of movement of civilians between the Yemeni governorates as the suffering of civilians continued at the points spread on the roads between the cities controlled by the parties to the conflict under the pretext of verifying personal identity as many civilians were arrested and forcibly disappeared. These points have also become a means of financial blackmail as SAM documented (13) incidents of restricting the freedom of movement of civilians in different Yemeni regions, (7) of which the Houthi militia bears its responsibility while the Southern Transitional Council bears the responsibility of (4). Government forces committed two incidents. The organization highlighted that one of the most famous cases witnessing the restriction of freedom of movement is the killing of "Abdul-Malik Al-Sanabani", 30 years old, on September 8, 2021, from the Dhamar Governorate in northern Yemen at the Tur Al-Baha point in the Lahj governorate, after he had been arrested by an armed point belonging to the Ninth Sa'iq'a Brigade of the Transitional Council. On September 4, 2021, the forces of the Transitional Council arbitrarily detained four Yemeni students returning from Malaysia through Aden Airport in Badr Camp. On October 15, a point in the Al-Shahr area at the entrance to the city of Mukalla, belonging to the Hadrami Elite Forces, stopped the activist "Abdul-Fattah Jamajim", before his arrest, against the background of his criticism of the Transitional Council on social media.

Blowing up houses and looting private property

"SAM" monitored many violations that affected private property such as homes and movable money, whether by bombing, looting or confiscation. The organization monitored 1906 cases of violations affecting private and public facilities. The Houthi militia bears the responsibility of "1621", while the forces affiliated with the legitimate government bear "258" and "27" unknown parties. The Houthi militia also bears responsibility for blowing up "15" houses during 2021 and the storming of 291 residential facilities and 180 commercial facilities. While 522 residential and commercial facilities and farms were looted. The absence of courts and the release of the fighting forces' control over many people's property under various pretexts, by force of arms, has become a tool for oppression and the expropriation of rights, which led to the deprivation of thousands of Yemenis from using their private properties.

In turn, the human rights organization pointed out that it made many achievements in 2021 at the human rights level, represented in addressing and writing to many international bodies and individuals about the violations that it monitored. Furthermore, it was in direct and permanent

contact with many parties in order to stop some of the violations which it documented, in addition to issuing dozens of human rights reports which dealt with various topics of violations and practices that Yemenis are exposed to, including: The reports that talked about secret prisons and a report on the arrest of women in Yemen, as well as a report that dealt with the practices of the Saudi authorities, especially in the south of the Kingdom of Saudi Arabia.

The organization stated that it has been subjected to many attack and smear campaigns carried out by newspapers of countries in the coalition because SAM documented the violations and practices these countries committed directly or indirectly due to their unjustified interventions in the Yemeni conflict and their contribution to the increase in cases of violations and the deterioration of human rights and economic conditions in the country.

For its part, "SAM" stresses that the practices it has monitored are a flagrant violation of a set of legal rules, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Rome Charter forming the International Criminal Court and the International Convention for the Protection of All Persons from Enforced Disappearance, which criminalize the violation of the right to Life, physical safety and freedom from arrest, emphasizing that the Transitional Council and the UAE are guilty of violating these legal rules.

SAM concluded its statement by calling on all parties to the conflict to stop their violations and hold accountable the individuals involved in these repressive practices, reiterating its call to the UAE and Saudi Arabia to stop their full support for the militants immediately and withdraw from the state of Yemen.

The international organization also called on the international community to intervene and provide full protection for civilians, to compel all parties to the conflict to end their repeated violations against civilians, to form a fact-finding committee into the repercussions of repeated violations by these parties, to work on setting a clear roadmap in order to get out of the current crisis and invite the parties to a comprehensive dialogue that guarantees the fulfillment of the aspirations of the Yemeni people for a democratic rule, in addition to providing the basic rights guaranteed to them by international law.

