



MOTHERS ON THE GATES OF JUSTICE

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SIXTH ANNUAL REPORT

ABDUCTEES' MOTHERS ASSOCIATION 2022

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Introduction

Through the work of the Association of Abductees' Mothers which centers on the abduction, detention and forcible disappearance since last six years, we have followed up the details of this issue and the matrix of the violations and releases along with the role of peace efforts, particularly, Stockholm Agreement and its negotiations so that we can give an accurate representation about this issue in front of all as we observed it step by step and made remarkable impact with all the adherents of the victims' rights.



طرموا ولدي الحياة
وكم أتلهف لرؤيته

#حرية ولدي أولا
#حرية ولدي أولا



We can safely say that the periods of disappearance and detention have relatively decreased. Yet, the violating parties have never stopped kidnapping, abducting and exercising torture under the pretext of war and the state of emergency. Besides, the violating parties have not been punished and the victims have not been compensated. On the contrary, the number of kidnapping and abducting parties has increased and such violations become a phenomenon that is practiced by the parties that control our homeland, Yemen. The situation worsens as military groups and formations practice violations unilaterally beyond their power limits. In so doing, all parties are held

accountable for paralleled responsibility in the release processes considering two things: raising the awareness and punishing the perpetrators of these violations.

This leads to our continuous demand for establishing the principle of accountability and achieving justice as an essential principle to sustaining peace and building social peace. The attacks the victims experienced in the right to life and freedom, the insult to dignity, and the torture they suffered, made them incapable in leading a normal life which requires achieving justice and re-habilitation and reparation of the victims.





Why Does the Abductees' Mothers Association Issue This Report?

- To contribute in preserving the rights of the victims and striving to combat impunity.
- To enhance the rule of law, call for accountability and achieve justice towards making a sustainable peace.
- To contribute in manifesting a clear image of the violations that the abductees are subjected to in relation with kidnapping, detention, enforced disappearance, torture in the Republic of Yemen and the accompanying violations during the year 2021, committed by all conflict parties Yemen.
- To convey a message to the international community to act seriously; rescue civilian victims of kidnapping, arrest and enforced disappearance in all its humanitarian and political efforts.
- To offer a comprehensive description based on the victims' testimonies in order to contribute to the reading and clarification of the current situation into the international human rights institutions leading the peace process. It also targets the local initiatives to pressure all conflicting parties in Yemen to immediately release the abductees, detainees and the forcibly disappeared civilians; and insure their inherent right to life and freedom.
- To mobilize societal and official local and international efforts to support the mothers of the kidnapped, abductees and forcibly disappeared in their peaceful and legal quest to release their sons and advocate for their just demands.
- To remind the authorities and concerned bodies in the Republic of Yemen, especially the legitimate government, of its constitutional, legal and moral responsibilities towards its citizens in preserving their dignity and protecting their rights, as well as its commitment to the Yemeni and international legislations represented in human rights law and international law, to which Yemen has become a party.
- To contribute to raising the awareness of human rights and improving the human rights conditions in Yemen in general.



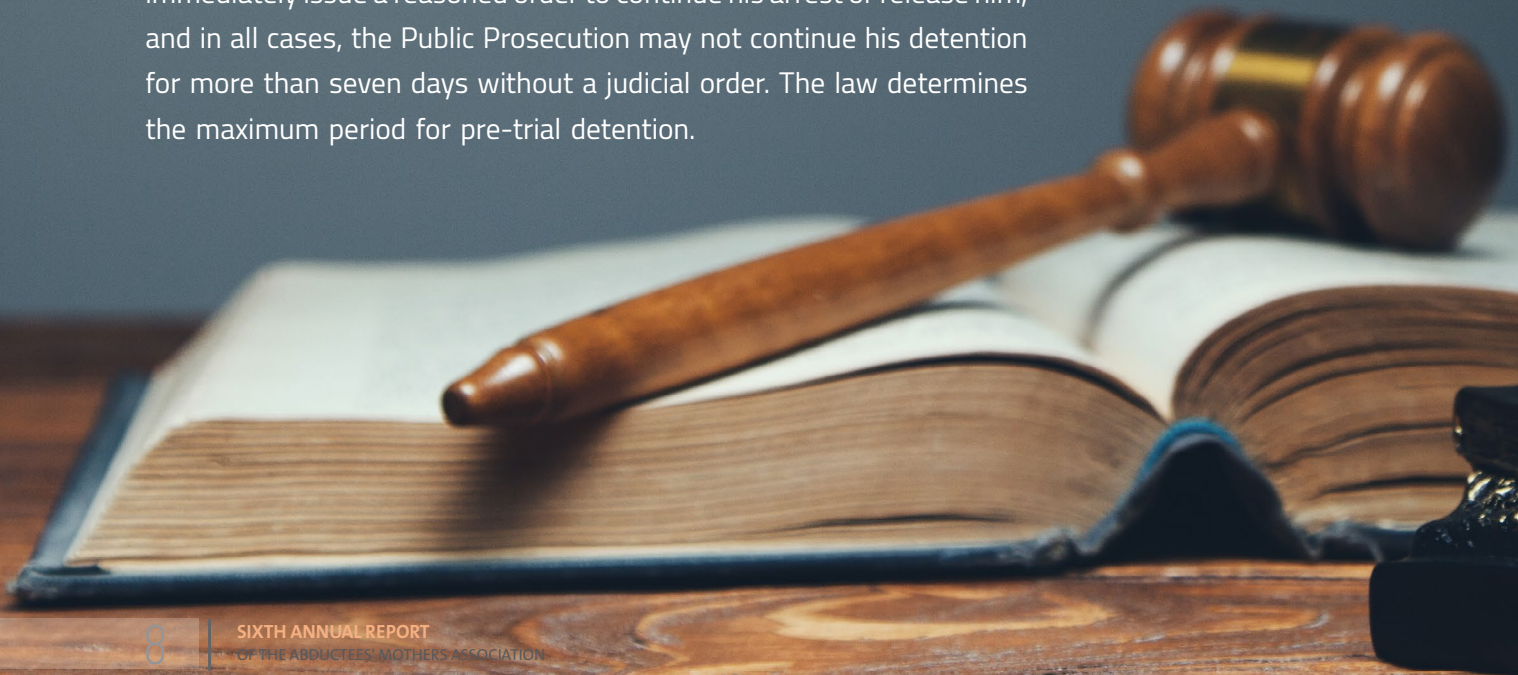


Legal Framework

The constitution of the Republic of Yemen in its article (48), Paragraph (A) states that "The state guarantees its citizens their personal freedom and preserves their dignity and security. The law determines the cases in which a citizen's freedom is restricted, and no one's freedom may be restricted except by a verdict from a competent court."

Article (48) paragraph (B) confirmed on protecting the freedom and dignity of every person whose freedom is restricted in any way. "Every person whose freedom is restricted in any way must be protected and his dignity must be protected. Coercion to confess during investigations is absolutely prohibited, and the person whose freedom is restricted has the right to refrain from making any statements except in the presence of his lawyer. It is prohibited to imprison or detain any person in places other than those governed by the prisons law. Torture and inhuman treatment are prohibited upon arrest or during the period of detention or imprisonment.

Article (48) paragraph (C) also emphasized on the necessity of notifying the person whose freedom is restricted with the reasons for his arrest. "Whoever is temporarily arrested because of a suspicion of committing a crime must be brought before the judiciary within utmost twenty-four hours from the date of his arrest. The judge or the Public Prosecution office notifies him of the reasons for the arrest, interrogates him, and enables him to express his defence and his objections. They must immediately issue a reasoned order to continue his arrest or release him, and in all cases, the Public Prosecution may not continue his detention for more than seven days without a judicial order. The law determines the maximum period for pre-trial detention.





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The law determines the punishment for anyone who violates the provisions of any of the paragraphs of this article and also determines the appropriate compensation for the damages that may be caused to the person who committed the violation.

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“Arrests are not permitted except in relation to acts that are legally punishable and must be based on Law”

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“It is forbidden to torture the accused, treat him in an inhuman manner, or harm him physically or morally because he is forced to confess

Article (48), paragraph (D) asserts on the necessity to notify the detainee’s relatives about his/her status as soon as he/she is detained. “When arresting a person for any reason, he/she should have immediately been notified whoever he/she chooses the arrested has, and this must also be done when every judicial order is issued to continue the detention. The detained person’s his relatives or whomever it may concern must be informed.

Article (48) paragraph (E) came to confirm that violating the provisions of this article will result in legal punishment. Torture, both physical and psychological, is a crime that does not expire with the passage of time. “The law determines the punishment for anyone who violates the provisions of any of the paragraphs of this article and also determines the appropriate compensation for the damages that may be caused to the person who committed the violation. Physical or psychological torture upon arrest, detention or imprisonment is considered a crime that will not expire with the passage of time, and is punishable by anyone who practices it, orders it, or participate in it”.

The Yemeni laws in force came to assure what has been included in the provisions of the constitution, especially the Criminal Procedures Law No. (13) of the year 1994, which affirmed the prohibition of arbitrary arrests in its Article no (7) stating that: “Arrests are not permitted except in relation to acts that are legally punishable and must be based on Law”

Article (6) of the same law also affirmed the prohibition of torture or inhuman treatment by saying: “It is forbidden to torture the accused, treat him in an inhuman manner, or harm him physically or morally because he is forced to confess. Every statement proving that it was issued by one of the accused or witnesses under the pressure of toil or torture of any of the aforementioned means is invalid and is not considered”

In its fourth article, the same Yemeni law stipulates that: “The accused is an innocent until proven guilty. The suspicion is interpreted in favour of the accused. He shall not be punished except after a fair trial that is conducted in accordance with the



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It is not permissible to violate the freedom of the private life of citizens in circumstances other than authorized in this law.

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The prison administration must take care of the public health in the prison

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The prison administration must take care of the public health in the prison, take care of the treatment of prisoners and the provision of health and preventive care for them, and appoint specialized doctors in coordination with the Ministry of Public Health

provisions of this law. The freedom of his defence is preserved” based on Article (47) of the Yemeni constitution which states “All suspects are innocent till proven guilty by a final court executive verdict.

Article (11) insured that: “Personal freedom is guaranteed and a citizen may not be accused of committing a crime. His freedom shall not be restricted except by order of the competent authorities in accordance with what is stated in this law. That is "It is not permissible to violate the freedom of the private life of citizens in circumstances other than authorized in this law. Article (16) of the Criminal Procedure Code does not exclude crimes affecting the freedom of citizens. It stipulates that: "As an exception to Article (37) which affirms that “the criminal case does not expire with the passage of time in crimes affecting the freedom and dignity of citizens, or involving an assault on the freedom of private life.”

In the Yemeni legislation, the rights of those whose freedom has been restricted are respected despite all the actions that the detainees receive inside official and unofficial prisons. The Prisons Organization Law No (48) of the year 1991 states that “The prison administration must take care of the public health in the prison, take care of the treatment of prisoners and the provision of health and preventive care for them, and appoint specialized doctors in coordination with the Ministry of Public Health. According to Article (24) of the same law, the doctors’ instructions and observations in the health, preventive, curative and nutritional aspects of prisoners are binding on the administration of the prison. In case it is not possible for the prison administration to implement it due to lack of capacity, it must be referred immediately to the Minister to decide about it. In addition to the rights granted to them in this law, Article 30 of the law of imprisonment grants prisoners the following facilities:

1. Meet their families, relatives and friends.
2. Receive and respond to correspondence.
3. Receiving and re-transferring the concrete transfers.



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the Republic of Yemen is bound by the rules of Customary International Humanitarian Law – namely General International Law - without the need for formal accession to those rules established by the International Committee of the Red Cross

Likewise, a person who has been detained in custody in accordance with Article (31) has the right to meet with his family and lawyer under a written permission from the authority that issued the detention order. However, what happens with regard to the behaviour of prisoners, detainees and their families upon their visit by their jailers and kidnappers contradicts the spirit and provisions of the constitution, various laws and international agreements ratified by the Republic of Yemen.

The Republic of Yemen is considered a member of the international community and is a party to (53) international conventions and media protocols, including those related to international humanitarian law related to human rights. The most important of which is the Convention against Torture and other cruel, inhuman and degrading treatment or punishments, the International Covenant on Physical and Political Rights and the International Covenant on Economic Rights. The Yemeni government has signed a number of international agreements, including the Principle Rome Statute for establishing the International Criminal Court and the Convention for the Protection of All Persons from Enforced Disappearance.

Moreover, the Republic of Yemen is bound by the rules of Customary International Humanitarian Law – namely General International Law - without the need for formal accession to those rules established by the International Committee of the Red Cross. Since Yemen has ratified these international conventions, treaties and instruments, it is obligated to respect human rights related to the personal dignity of the human being obligatorily. Respecting the principles of human rights included in the Universal Declaration of Human Rights in general as well as the imperative of Customary International Law along with the provisions of the Yemeni constitution and laws in force related to personal freedom, rights, freedoms and human dignity must be respected.



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The states parties to this covenant considers recognizing the inherent dignity of all members of the human family and of equal and inalienable rights constitutes

International Covenant on Civil and Political Rights stipulated in its foreword: “The states parties to this covenant considers recognizing the inherent dignity of all members of the human family and of equal and inalienable rights constitutes, in accordance with the principles proclaimed in the United Nations Charter, the basis of freedom, justice and peace in the world. Acknowledging that these rights stem from the inherent dignity of the human being and realizing that the only way to achieve it ideally in accordance with the Universal Declaration of Human Rights for human beings is to be free, enjoying civil and political freedom and feel free from fear and want. This is the only way to create circumstances to enable every human being to enjoy his or her rights; both civil and political rights, as well as economic, social and cultural rights; bearing in mind the obligation of states under the Charter of the United Nations to promote universal respect for, and observance of human rights and freedoms.

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The Covenant, prohibits torture and the inhuman treatment and stipulates that “None shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Additionally, the Republic of Yemen has ratified the International Covenant on Civil and Political Rights as an international treaty. Yemen committed itself to it and has become a party to it. Article (2) states “Each state party to this covenant undertakes to respect the rights recognized in it and to guarantee these rights for all individuals in its territory and those entering in its jurisdiction without any discrimination due to race, colour, gender, language, religion, political or other opinion, national or social origin, wealth, descent, or other reasons. Article (6) of the Covenant affirmed that: “The right to life is an inherent right of every human being, the law shall protect this right, and none may be deprived of his life.”

Article (7) of the Covenant, however, prohibits torture and the inhuman treatment and stipulates that “None shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It is not permissible to conduct any medical or scientific experiments on anyone without his free consent”, to be particular. Article (9), however, affirmed that “Everyone has the right to freedom and security over his person. No one may be arrested or detained, and no one may be deprived of his freedom



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The arrested or detained on a criminal charge shall be brought promptly to a judge or an official authorized by law to carry out judicial functions

except for reasons stipulated by the law and in accordance with the procedures established therein. Any person who is arrested must be informed of the reasons for this arrest when it occurs. He must be informed promptly of any charge brought against him. The arrested or detained on a criminal charge shall be brought promptly to a judge or an official authorized by law to carry out judicial functions. He (the detainee) shall be entitled to be trailed within a reasonable period of time or to be released."

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All people are equal before the judiciary. It is the right of every individual to decide on any criminal charge against him or in rights and obligations in any civil case that his case is subject to a fair and public consideration by a competent

Article (10) stipulates that, "All persons deprived of their freedoms shall be treated humanely in a way that respects the fundamental dignity of the human being. Article (14) affirms that, "All people are equal before the judiciary. It is the right of every individual to decide on any criminal charge against him or in rights and obligations in any civil case that his case is subject to a fair and public consideration by a competent, independent and impartial court established by the rule of law. It is the right of every person accused of committing a crime to be presumed innocent until legally proven guilty for the crime. Every accused of a crime has the right to enjoy, during the consideration of his case, an absolute equity, with the following minimum guarantees:

- To be immediately informed, in details, and in an understandable language, of the nature and causes of the accusation against him.
- To be given sufficient time and facilities to prepare his defence and contact a lawyer of his own choice.
- To be trailed without undue delay.
- To be trailed immediately and to defend himself in person or through a lawyer of his own choice, to be notified of his right in the presence of someone to defend him if he has no one to defend him, and to be provided by the court whenever the interest of justice requires that with a lawyer to defend him without charging him for that if he does not have the means to afford payment.



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according to Article (17), it is not permissible to expose any person arbitrarily or unlawfully to interference with his privacy, family affairs, home, or correspondence, nor to any unlawful campaigns affecting his honour or reputation

Also, according to Article (17), it is not permissible to expose any person arbitrarily or unlawfully to interference with his privacy, family affairs, home, or correspondence, nor to any unlawful campaigns affecting his honour or reputation. It is the right of every person to be protected by law from such interference or prejudice.

As for the Convention against torture and other cruel, inhuman or degrading treatment or punishment which Yemen has ratified, it is stated in Article no (1) that “For the purposes of this convention, torture means any act that results in a severe physical or mental pain or torture that intentionally inflicts a person with the intention of obtaining information or a confession from this person or from a third person, punishing him for an act he or a third person is suspected of committing, or intimidating or compelling him or any person. Article (2) of the International Convention obligates each state party to take effective legislative, administrative, judicial or any other measures to prevent the acts of torture in any territory under its jurisdiction. Excuses and justifications are intolerable under the pretext of exceptional circumstances whatsoever, whether these circumstances are a state of war, a threat of war, internal political instability, or any other state of public emergency may not be invoked as a justification for torture. Orders issued by higher-ranking officials or a public authority may not be invoked as a justification for torture of any person.

Article (4) affirms that the state parties to this convention ensure that all acts of torture are crimes under their criminal laws, and the same applies to any person undertaking any attempt to practice torture and to undertake any other act that constitutes complicity and participation in torture. Each state party makes these crimes an imperative punishment with appropriate penalties that take into account their grave nature. Article (12) of the Convention stipulates that each state party guarantees that its competent authority conducts a prompt and impartial investigation whenever there are reasonable grounds to believe that an act of torture has been committed in any of the territories under its jurisdiction.



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In case of the victim's demise as a result of an act of torture, his relatives or the people he supported have the right to be compensated

In addition, Article (13) focused on ensuring that each state party guarantees that any individual claiming to have been subjected to torture in any territory under its jurisdiction has the right to file a complaint with its competent authorities and for these authorities to examine his case promptly and impartially. The necessary steps should be taken to ensure that the complainant and the witnesses are protected from all kinds of ill-treatment or intimidation as a result of his complaint or any presented evidence.

Article (14) also includes the obligation of the convention that every state party to its legal system guarantees fairness to those who are subjected to an act of torture. They enjoy an enforceable right to a fair and adequate compensation, including the means to rehabilitate them as fully as possible. In case of the victim's demise as a result of an act of torture, his relatives or the people he supported have the right to be compensated.



Standards and Conditions of Fair Trial

A fair trial is a fundamental human right. The international community has developed a wide variety of standards to ensure a fair and just trial, which aims to protect the rights of individuals from the moment of arrest, during their detention, before being brought into trial, during the trial, and till the last stages of appeal and cassation.

The International Charter, the articles of the Yemeni constitution and the provisions of national laws related to human rights have included the principles and foundations related to respecting the individual and the principles of justice, which paved the way for initiatives that systemize achieving a fair and just trial. It also came with articles and criteria as addressed in the following principles:

1) The Right to Presumption of Innocence

(Innocence is a fundamental principle of the human being). Article (11) paragraph (1) of the Universal Declaration of Human Rights asserts that (Every person accused of a crime is considered innocent until proven to have committed it by law in a public trial where all necessary guarantees are provided to defend himself. This right is stipulated in Article (36) of the set of Principles and in Article (14) of the International Covenant on Civil and Political Rights. The principle of presumption of innocence must be in force from the moment the person is arrested until the conviction is confirmed at the final stage of the trial. Thus, the burden of proving the accusation is the responsibility of the Public Prosecution. In the Commentary of the Human Rights Committee, the meaning of the presumption of innocence states that the burden of proving the charge rests upon the prosecution and that the suspicion is explained in favor of the accused.

It can never be assumed that the accused is guilty until the accusation is proven beyond any reasonable degree of doubt. This principle is confirmed by the Yemeni constitution in Article (46) thereof. (Every accused is innocent until proven guilty by a final court verdict) as is confirmed by Article (4) of the Criminal Procedures Code.

2) The Right to Equality before the Law

This right is one of the guarantees of a fair trial. Article (14) of the International Covenant on Civil and Political Rights states that people are equal before the judiciary. Every person is given the opportunity, despite of creed, color or race, and on an equal basis with others, to resort to justice. Guarantees of a fair trial are equal for all. This principle is stipulated in Article (5) of the Criminal Procedure Code and Article (26) of the Civil Procedure Code.



3) The Right to Appear before a Competent, Independent and Impartial Court Established in Accordance with the Law

Article (14) of the International Covenant on Civil and Political Rights states that "litigation procedures in any criminal case must be entrusted to a competent, independent and impartial court established by law." This principle is confirmed by the provisions of the Article (147) of the Yemeni Constitution and Article (1) of the Judicial Authority Law.

4) The Right of Prohibiting the Physical and Psychological Torture

In all circumstances, the international law prohibits subjecting any person to torture, as confirmed by Article (5) of the Universal Declaration of Human Rights "No one shall be subjected to torture or to a cruel, inhuman or degrading treatment or punishment." Similar articles are also established in the international treaties, including the Convention against Torture and Article (7) of the International Covenant on Civil and Political Rights. The Yemeni lawmakers confirmed this principle in Paragraph (B) of the Article (47) of the Constitution and in Article (6) of the Criminal Procedure Code.

5) Unacceptability of acknowledgment Extracted under Physical and Psychological Torture

Article (15) of the Convention against Torture states that "Each state party shall ensure that any statement that is extracted as a result of torture shall not be invoked as an evidence in any proceedings, unless it is against a person accused of torture as an evidence where such statement is made". Article (12) of the same convention, however, adds: "if it is proved that a statement was extracted under torture or other conditions of cruel, inhuman, degrading treatment or punishment may not be taken against the concerned person or against any other person in any case." Article 14 of the International Covenant on Civil and Political Rights affirmed the necessity of refusing to force the accused to admit. This principle is confirmed by the Yemeni law in the Article (322) of the Criminal Procedure Code.

6) The Right to a Speedy Fair Trial

Article (9) of the International Covenant on Civil and Political Rights states that "Every person arrested or detained on criminal charges must be promptly referred to one of the officials legally authorized to exercise judicial functions. He shall have the right, within a reasonable period, to be referred to the court or released). Article (14) of the same covenant confirms doing so and states that "He shall be tried without undue delay". This principle is also confirmed by the Yemeni lawmaker in its Paragraph no (C) of the Article no (47) of the Yemeni Constitution.



7) Publicity of the Trial

Article (14), paragraph (1) of the International Covenant on Civil and Political Rights guarantees the publicity of the trial as an essential element of a fair and just trial. The trial shall be oral and public, informing about the trial, its time and place, and the attendance of the public and media outlets, except if that constitutes a danger or harm to the personal or state interests. This principle is also stipulated in Article (263) Paragraph (1) of the Criminal Procedure Code.

8) The right to contact with the family to a lawyer and medical care during detention and trial

Every person has the right to appoint a lawyer to represent him and safeguard his interests as the lawyer is aware of the pros and cons of the law and its capabilities in a way that achieves and serves the interests of his client. This principle is confirmed by the Yemeni constitution in its Articles no (48) and (9) of the Criminal Procedure Code.

9) The Right to Adequate Time and Facilities for the Defense

Every accused has the right to have adequate time and facilities to prepare his defense by himself and to contact a lawyer of his own choosing. Principle no (7) of the fundamental principles relating to the role of lawyers stipulates that detainees have the right to seek the assistance of a lawyer immediately and in any case, within a period not exceeding (18) hours from the time of their arrest or detention. Every detainee has the right to consult his lawyer without being heard by anyone. This right extends throughout the trial proceedings. In addition to all of that, there are other criteria that no criminal trial can be described as a fair and a just unless it meets two conditions:

First: The trial procedures, starting from the moment of arrest, preliminary investigation and the initial trial, the appellate trial till the end of the verdict of cassation should be in accordance and in line with the fair trial charters and standards set by the aforementioned international community and the procedures drawn up by the provisions of the Yemeni constitution, the Criminal Procedure Code, and the national laws related to the same.



Second: The judicial authority is legally an independent and impartial. Applying the provisions of international charters and local laws established by law and all those standards in trials conducted by the de facto authority in Sana'a through the so-called Specialized Criminal Court, starting with the arrest procedures and the subsequent enforced disappearance of detainees for long periods until their submission for first investigation before the prosecution, then bringing them into trial and ending with the issuance of ridiculous and unfair rulings, which is a flagrant violation of the international standards related to a fair trial, and the rules of the constitution and the provisions of Yemeni law. It confirms the lack of standards and principles of fair and equitable trial in detainees' cases that are carried out by the de-facto authority in Sana'a under its judiciary.

The procedures for conducting the trial are also divided into three stages, according to the legal division of trial degrees, divided by Yemeni law into three categories: (the primary, then the appellate, followed by the Supreme Court of Cassation and Admittance).

All the conflict parties in Yemen must abide by the provisions of those agreements ratified by Yemen, including the provisions of the constitution and Yemeni law related to human rights and dignity, as well as the obligation implementing all the principles and rules of the International Humanitarian Law. In light of those international treaties

and agreements, International Humanitarian Law, the Universal Declaration of Human Rights in general, the provisions of the Yemeni constitution and its laws in force concerning the rights and freedoms relevant in this regard, the legal description and qualification of the committed violations will be included in this report.



Report Methodology

The monitoring team of the Association of Abductees' Mothers documented cases of violations against citizens in eleven governorates including (Sana'a, Aden, Taiz, Hodeida, Ma'rib, Shabwah, Dhamar, Amran, Hajjah, Mahweet, and Hadrmout) during the year 2021, following the team work in collecting the information about these violations and verifying them by means of field visits and listening to the victims and their families' testimonies.





This report is based on the following methodology:

- The monitoring teams of the Abductees' Mothers Association listened and audio-visually documented the testimony of "31" abductees who were released during the year 2021 from various prisons in the Yemeni governorates. They talked about the violations they were subjected to including psychological and physical torture, ill-treatment and deprivation of visits and contact with the outside world as well as the health care during their period of enforced disappearance.
- The monitoring team of Abductees' Mothers Association met 41 of the victims' families, who recorded their reports and testimonies regarding the violation they and their relatives were subjected to.
- The team of the Abductees' Mothers Association along with the families of the victims visited four prisons in Sana'a, Aden, Ma'rib and Taiz, where visits were allowed.
- The Abductees' Mothers Association published the facts that it documented and the victims have prior agreed to publish in this report. The majority of the victims prefer to be away from the media and publications for a period of time since the abduction and arrest of their relatives in order to give full space to the social and local mediations which seek with the victims' families to release them.
- The Abductees' Mothers Association held three meetings with the representative of the Office of the High Commissioner for Human Rights and human rights officials in the Office of the High Commissioner. It also held four meetings with protection officials in the International Committee of the Red Cross, in which all violations related to kidnapping, detention and other violations against the abductees and detainees in prisons and other places of detention were presented.
- The Abductees' Mothers Association met with the local authorities in Aden, Ma'rib and Taiz and presented to them the victims' complaints and violations related to kidnapping and detention. It has received few positive responses.



- The Abductees' Mothers Association held six meetings with local mediators as part of its local efforts to release the kidnapped.
- The Abductees' Mothers Association held two meetings with the Committee of Experts on Yemen deliberately created by the Security Council resolution, and a meeting with experts of the National Committee to investigate the allegations of human right violations in Yemen.
- The Abductees' Mothers Association held "19" meetings with international officials, including the UN envoy, the US envoy, the Swedish envoy, the European Union ambassador, Human Rights Representative, and the ambassadors of the European mission.
- For the second consecutive year, the Association of Abductees' Mothers continued to document some cases through electronic communication and virtual meetings via the Internet as a result of the Covid 19 pandemic.
- Preparing and reviewing the first draft of this report and verifying all information after a careful revision.
- Issuing this report entitled (Mothers on the Gates of Justice 3), which monitors and documents violations related to kidnappings, arrests and enforced disappearances during the year 2021.
- Distributing and publishing this report to the official bodies, international organizations, United Nations agencies working in Yemen and to civil society organizations.



Executive Summary

The Abductees' Mothers Association monitored the violations of abductees, detainees and forcibly disappeared persons in the Republic of Yemen during the year 2021. Thus, the Association of Abductees' Mothers has carries out the following activities in the year 2021:



- With regard to the assault on the right to life, the Abductees' Mothers Association monitored (3 death cases) including two death cases in the prisons of the Houthi groups, one of whom was killed by a gunshot, while the other died as a result of medical negligence. However, one case died due to medical negligence in the prisons of the Security Belt Forces of the Transitional Council in Aden.
- Monitored kidnapping and abducting (586) civilian cases during the year 2021, including (422) civilian abductees in the prisons of the Houthi group, (1) woman and (13) children. (109) civilians were detained by the Security Belt Forces of the Transitional Council. (48) Civilians were detained in the prisons of the legitimate government including a woman. The Association also monitored the detention of (7) citizens by the National Resistance Forces in the western coast.
- Monitored (2) kidnapping campaigns carried out by the Houthi group in the areas under its control in 2021, "1" campaigns was executed in Ma'rib governorate- Al-Abdiyah district, and the second campaign is in Taiz governorate- Al-Haymah district. Another campaign was implemented by the military groups affiliated to the Transitional Council in Aden governorate, Crater (Kraytar) district.
- Monitored the number of "134" civilians who were forcibly disappeared in the year 2021 by all conflicting parties in Yemen, including "62" civilians were disappeared by the Houthi group, "59" civilians were forcibly disappeared by the Security Belt Forces of the Transitional Council, "8" civilians disappeared by the security services of the legitimate government in the cities of Ma'rib and Taiz, and 5" civilians by the Joint Resistance Forces of the Western Coast.
- Monitored "490" cases of torture of abductees and detainees in the prisons of all conflicting parties in Yemen in the year 2021, including "367" cases of torture by the Houthi group, "98" cases by the Security Belt forces of the Transitional Council, "25" cases by the security forces of the legitimate government were subjected to torture.
- Monitored "689" cases of ill-treatment and medical negligence in the prisons in the year 2021, including "601" cases in the prisons of the Houthi group,



"62" cases in the prisons of the Security Belt Forces of the Transitional Council, and "26" cases in the jails of security forces of the legitimate government.

- Monitored the violations against the abductees during the trials sessions, where "111" abductees were referred to trial.
- Monitored the release cases in the year 2021. A number of "141" abductees and detainees were released on its lists by all the abduction and detention parties.
- Heard "105" testimonies from the families of the victims regarding the violations that they and their abductees were subjected to in the year 2021.
- Carried out "41" protest stands distributed among "4" governorates (Sana'a, Taiz, Hodeida and Aden). The Association has also issued "50" press and human right reports and statements.
- The meetings amounted to (80) meetings with international and human right personalities and (24) official letters and legal memoranda were sent to a number of local and international personalities.
- Issued a weekly electronic newsletter introducing the issue of the abductees. The number of its issues in the year 2021 reached (48), produced (11) films and flashes, and (12) press reports.
- Held (7) events and seminars, and two hearing sessions for the released abductees.
- Conducted (10) courses to psychologically support and rehabilitate the abductees' families in the year 2021.



01

FIRST

The violations the
kidnapped and detainees
were subjected to



A- Assault on the Right to Life

In the year 2021, the Abductees' Mothers Association monitored (2) death cases in the prisons of the Houthis group, one is gunshot and the other is a result of medical negligence. Another death case due to medical negligence was monitored in prisons of the Security Belt Forces of the Transitional Council in Aden.

Article (3) of the Universal Declaration of Human Rights states that: (Everyone has the right to life, liberty, and security of his person). The International Covenant on Civil and Political Rights also stated in Article (6) that (The right to life is an inherent right of every human being and the law must protect this right. No one may be deprived of his own life.)

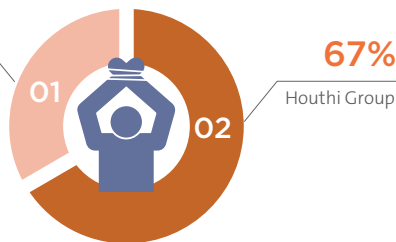


Table (1) indicates the number of kidnapped who died in jails or detention place, with the causes of death

S. no	Death Cause	Number
1	Gunshot Assassination	1
2	Medical Negligence	2
	Total	3

33%

Security Belt Forces of the Transitional Council



66%

Medical Negligence

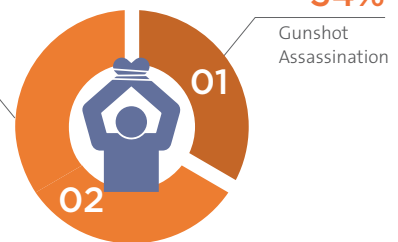


Table (2) indicates the number of kidnapped who died in the jails or detention place, with the violating party

S. No	Violating Party	Number
1	Houthi Group	2
2	Security Belt Forces of the Transitional Council	1
	Total	3

Table (3) indicates the number of kidnapped who died in the jails or detention centers, with the death cause and violating party

S. no	Violating Party	Number	Death Cause
1	Houthi Group	1	Gunshot Assassination
2	Houthi Group	1	Medical Negligence
3	Security Belt Forces of the Transitional Council	1	Medical Negligence
	Total	3	



INCIDENTS:



(M. Y. H)

- **Age: 17**
- **Profession: Unemployed**
- **Date of detention: 152021/10/**

Arresting Party: Fifth Brigade commanded by Saleh al-Sayyed

The victim's friend says: On 102021/15/, there were very loud music sounds from one of the nearby houses. It disturbed the victim's uncle and neighbors until dawn. The incident recurred. So, the victim went to speak to the people where the noise source comes from. A person replied that his friends from the soldiers of the Fifth Brigade stay up with him. If he has any problem, he should call one of them. He further gave him a number. My friend went to one of the men of the well-known area in order to reach an understanding with the owners of the house from which the source of the disturbance comes. He told him that the matter was not in his hands and gave him someone's number to call himself and talk directly with them. He, thereafter, called them and advised them to stop this noise as it disturbs all the neighbors, especially the patients. But he was surprised by soldiers belonging to the Fifth Brigade knocking on the door. At first, they apologized. When they discussed the matter, the discussion intensified. One of the soldiers raised his gun. A quarrel began between the soldiers of the Fifth Brigade and the victim's uncle. Fight escalated into a gunfight. The victim's uncle fled to his sister's house. There, the victim aided his uncle, who was injured due to the armed clash, to the hospital.

When the news reached the commander of the Fifth Brigade, Saleh al-Sayyed, they arrested the victim's uncle despite his injury. They further ordered the arrest of everyone helped him. They began interrogating the victim, who was suffering with liver cirrhosis. His medication was not given to him. This deteriorated his health condition. As a result, he died on the arms of his friend in the detention centre. While his family continued to bring medicine and food for him unknowing that he already passed away in the prison. I came to know of his death a week later from the prison officials. I received his corpse from the mortuary. His body was bearing signs of torture, but the victim's relatives were afraid of the commander of the Fifth Brigade. He is known for his merciless brutality which prevented them from reporting or publishing the story. The victim was buried, but without holding the perpetrators accountable and justice has not been achieved so far.



(M. W. A)

- **Age: 38 years old**
- **Governorate: Dhamar**
- **Profession: Laborer**

The victim's brother narrates his brother's story to us:

On March 25, 2020, the Houthi supervisor called "Mohammed Al-Wushali," nicknamed Abu al-Baqer, along with "Hamza Al-Wareeth," "Abu Al-Qasim Al-Mahdi," and "Mohammed Ahmed," my cousin, who is a supporter of the Houthi group, took five cars and a number of gunmen to the victim's house, located in the south of the Dhamar city at three in the morning. They asked him to come out, but he refused. He was saying, "In the morning, we talk about anything you want." However, my cousin reassured him and said, "We have a work to accomplish and return home quickly." My brother came out, so they arrested him and transferred him to an unknown destination. In the morning of the same day, we went to all the security authorities and supervisors of the Houthi group in order to explain the reason for his arrest. We were shocked when they denied to know anything about him and denied his existence. He was forcibly hidden.

We continued searching and following him up everywhere, even in Sana'a. We spent a lot of money in order to get any details about him. My elderly mother was crying daily, her condition worsened. So were his wife and children. They did not sleep or rest. All were waiting for any news about their father. On 072021 26/ Leaders from the Houthi group called my younger brother and told him that my brother (the forcibly disappeared victim) died in the prison of a gunshot while trying to escape. They also told my younger brother that our victim brother's body was left in the mortuary at Dhamar General Hospital and that he was innocent and has no charge leveled against him; and his imprisonment was suspected of killing someone from Al-Wareeth family. They further said "Come take his corpse and bury him on the condition that his case never appear to public opinion - even though his case had appeared to public opinion when he was arrested and hidden and when we were searching for him everywhere. The public opinion had interacted with his case. So, they subjected handing over his body to concealing the case from public opinion.



Abdulmajeed Allous

The kidnapped Abdul -Majeed Abdul-Hameed Mohammed Allous, is a resident of the old city of Sana'a, Al-Qasimi quarter. He is a colonel in the armed forces. Before his arrest, he was the head of the Inventions and Innovations Division at the Center for Strategic Studies in the Armed Forces at the Ministry of Defense. He is the inventor of the security protection system in the year 2010.

On March 17, 2016, Allous was kidnapped by the Houthi group in Sana'a from the street after leaving the mosque after the noon prayer. He remained disappeared for 3 months and his family did not know anything about his fate. After his family was allowed to visit him, they saw burns and scars on his body.

He was constantly deprived of the medical care in the detention centre. On July 13, 2020, his relatives were surprised by a call asking them to visit him at the Republican Hospital in Sana'a. When they approached the hospital, they found him there. The visit was restricted to eye contact only as he couldn't speak to them as a result of the torture. Whole weakness and severe deformity appeared on his body. They came to know that he had been in the hospital twenty days ago under treatment. The doctors, including the doctor of the Security and Intelligence Forces told them that he was suffering from a stroke and internal bleeding in the brain, in addition to his previous suffering from diabetes and blood pressure. He was returned to the Security and Intelligence Detention Center on Monday at noon. His relatives have asked a copy of the medical reports from the people accompanying him, including the doctor of the Security and Intelligence Agency, in the hope that they may intercede for them with the Political Council to release him through an amnesty so that he can spend the rest of his life among them and obtain their care. Unfortunately, they refused to give any document and asked the victim's relatives to obtain an order for this from the Public Prosecution.

The kidnapped was referred for investigation by the prosecution. He denied the statements attributed to him and explained that these statements were extracted from him under torture and severe coercion. He further demanded the Public Prosecution to document the torture on his body. The Public Prosecution refused and they referred him to a trial. The Criminal Court of the First Instance issued a death sentence on him on July 10, 2017, after which the verdict was appealed. The Appeals Division upheld the initial verdict and issued its decision on December 15, 2019, which upheld the death sentence against him.



At that time, his lawyer painfully spoke, saying: "A final death sentence." Currently his health condition is very bad as he has a stroke and internal bleeding in the brain; and he mainly suffers from hypertension and diabetes. He was subjected to an enforced disappearance and violent torture. The prosecution and the court did not prove the effects of torture on his body in its records, but they decided to manifest him to the forensic doctor. A note was issued to the Public Prosecutor's office, but the former Political Security Agency, currently known the Security and Intelligence Agency, did not allow the forensic doctor to have an access and examine him.

Abdul-Majeed was then transferred to the Science and Technology Hospital in Sana'a following another stroke while he was in the Security and Intelligence Prison in Shamlan, Sana'a Governorate. On Tuesday, November 23, 2021, the kidnapped "Abdul Majeed Allous" died at the age of 60 after five days of admission in the intensive care, and after a long journey of severe torture and deliberate health negligence inside the prison.

One of the released eye-witness abductees said: "Abdul-Majeed Allous died, and God is a witness that they did not even respect his old age. They put him in a solitary confinement and deprived him of his medicine. He was placed in a cell with terrorists who were beating him, claiming that he was an atheist. The scene is still in front of me when the prison director, Yahya Sari'a was beating him in front of the prisoners while Abdul-Majeed was appealing to him: "I am like your father" but Sari'a, the prison director, did not consider his help scream!



B: Assault on the Right to Freedom

1- Abduction and Detention

The right to freedom is one of the most sacred rights that have been protected by all international laws, agreements and treaties related to human rights, foremost of which is the Universal Declaration of Human Rights. Local laws and the country's constitution have not overlooked them too. The Yemeni constitution stipulates in Article (48 / A): "The state guarantees to citizens their personal freedom and preserves their dignity and security. The law defines the cases in which the citizen's freedom is restricted. It is not permissible to restrict anyone's freedom except with a verdict from a competent court." The constitution prohibits arrests, inspection and detention other than those who are caught red-handed, based on a judicial order or an order from the Public Prosecution Office.



- Article (11) of the Criminal Procedures Law states: "Personal freedom is guaranteed. A citizen may not be accused of committing a crime. His freedom is not restricted except by order of the competent authorities."
- Article (3) of the Universal Declaration of Human Rights stated: "Everyone has the right to life, liberty, and the safety of his person."
- The International Covenant on Civil and Political Rights, Article (91/) asserts: "Everyone has the right to freedom and security of his person. No one may be arrested or detained, and no one may be deprived of his freedom except for reasons stipulated by law, and in accordance with the procedures established therein."
- The Yemeni Criminal Code also stipulates: "Imposing a prison sentence of up to five years against the officials who mistakenly deprive people of their liberties."

Meanwhile, the incidents of kidnappings and arrests of civilians by all violating parties continue (the Houthi group, as well as the Security Belt Forces of the Transitional Council, the security forces of the legitimate government in the governorates that fall under their control and the Western Coast Forces). Abductees' Mothers Association has recorded (586) assaults to persons in the year

2021, including (422) kidnapped by the Houthi group. Among the kidnapped were a woman and (13) children. The Security Belt Forces of the Transitional Council detained (109) civilians. The security forces of the legitimate government arrested (48) civilians, including a woman. However, (7) civilians were detained by the National Resistance Forces on the western coast.



Table (4) shows the kidnapped and detained cases as per the violating party

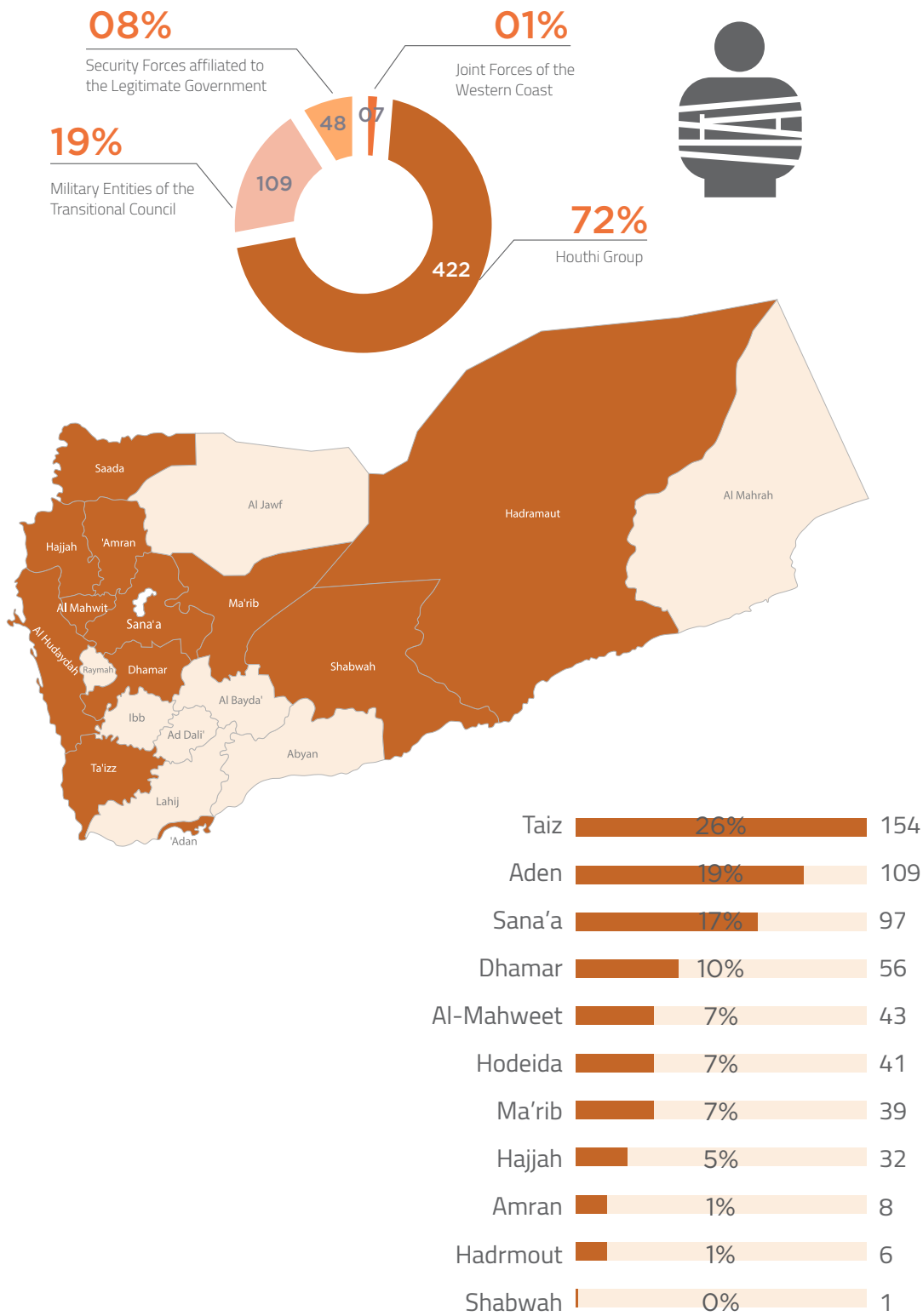
S. No	Violating Party	Number
1	Houthi Group	422
2	Military Entities of the Transitional Council	109
3	Security Forces affiliated to the Legitimate Government	48
4	Joint Forces of the Western Coast	7
Total		586

Table (5) indicates the Kidnapping and detention cases as per the governorates

S. No	Governorate	Number
1	Taiz	154
2	Aden	109
3	Sana'a	97
4	Dhamar	56
5	Al-Mahweet	43
6	Hodeida	41
7	Ma'rib	39
8	Hajjah	32
9	Amran	8
10	Hadrmout	6
11	Shabwah	1
Total		586



Infographic indicates the Kidnapping and detention cases as per the governorates and the violating party





INCIDENTS:

(N. A. M)

- **Governorate: Taiz**
- **Age: 18**
- **Profession: Unemployed**

On the date of 25/2021/3/ while the victim was in Taiz Governorate, Mudhaffar District, Saila Al-Hindi area, when the security committee was going down to arrest one of those accused of selling drugs, the victim asked them and inquired about what was happening, they arrested him on a military vehicle and took him to an unknown destination. His family went to Taiz Police Department to search for their son. They told them that he was being held by them. After a month of follow-up, his family went to visit him again at Taiz Police Department, but they said that he had been transferred to the bloc on the accusation that he belongs to the Houthi group and that he belongs to Al-Qaeda. When the family went to search about him in the bloc (al-Mehwar) prison, they said that he is not there. The family has been searching for their son for two months and does not know where he is.

The Association in Taiz issued a letter on 20/2021/6/ to the Director General of the Taiz Governorate Police, requesting his directives to release the victim or refer him to the judiciary if he was accused of committing a legal criminal act, allow his family to visit him and investigate the incident of depriving him of his freedom in violation of the law. Thereafter he was allowed to call his family, telling them that he is detained in Al-Mehwar prison. When his family went to the prison, the investigator told them that the victim is innocent, but his imprisonment was a security measure. They refused to release him except with a guarantee. When the family brought the guarantee after three weeks, they released him on 19/2021/7/.



(M. M. A)

- **Governorate: Taiz**
- **Age: 44**
- **Profession: Teacher**

on 16/2021/03/, at 8 am. The victim was going to his work in Ben Masoud School in the village of Al-Kadahyya, Jabal Habashi district, Taiz governorate. Two militants, belonging to the Houthi group came to the class in which the teacher



was teaching, arrested him and forcefully detained him in front of his students. They took him on a motor bike to an unknown destination. He was hidden from his family for three consecutive months. He, then, was allowed to call his family and told them that he was in Al-Saleh prison.

(S. A. N)

- **Governorate: Taiz**
- **Age: 41**
- **Profession: Teacher**

On 13, 3, 2021, a group of armed men belonging to the Houthi group led by Abdulrahman Al-shamiri came to search for the victim in the school in which he works, but they did not find him. They went on a military wheeler to his house located in Hajda village, Maqbana district – Taiz governorate. They forcefully detained him and took him to Maqbana court located in Maqbana district and is used by the Houthi groups to temporarily hold the kidnapped. They held him there for a whole day. When his brother went to search for him in the court, they told him that he had been transferred to Al-Saleh prison. The victim was not allowed to communicate with his family for a month. He was allowed to communicate later on.

(R. A. Sh)

- **Governorate: Ma'rib**
- **Age: 34**
- **Profession: Soldier**

The victim's father says "My son was arrested on 052021/31/ by the security forces in Ma'rib. He was detained in the Political Security prison in Ma'rib. We contacted a number of personalities who all confirmed to us and asked us to be patient for two days to complete the investigation with him. We did not know his charges. We submitted a statement to Political Security as well as to the Appeals Prosecution.

(M. A. M)

- **Governorate: Sana'a**
- **Age: 29**
- **Profession: Reporter**

The victim suffers from depression, psychological attacks and obsessive-compulsive disorder. He usually goes out for walks and recreation. On Wednesday evening, 42021/8/ he went out and did not come back. His family tried to reach him out on his phone, but his phone was switched off. Next day, one of the victim's relatives rang on



the victim's phone; a person replied and told him that he is detained in the Security and Intelligence Agency in Sana'a. The family was able to visit him, but he has not been release till the moment of writing this report.

(E. M. A)

- **Governorate: Hodeida**
- **Age: 25**
- **Profession: Vendor**

He fled with his family from the hell of war, the compulsory recurring service by the Houthi group, and the difficult life, to settle in Al-Anad camp, Lahj governorate. On 10/20/24, a group of armed men belonging to the Security Belt Forces of the Transitional Council came to the camp and took him with a group of others to the Qahl area prison next to Al-Anad Airport. On the next day, six detainees were released, while five remained under detention. He and three of his relatives were kept detained.

When his family came to know that they were detained in "Qahl" prison, they went to visit them. They stayed for nine days in this prison. The victim was subjected to severe torture, as iron was put on the finger tips and the jailer trampled on them until his limbs swollen and cracked. He was also electrocuted and beaten up with an electric cable. During the visit, his family saw the scars of torture on various parts his body.

His family tried to find out what their accusations were and what they wanted from them. A member of the Security Belt told them that they wanted a bus owned by the family. "Bring the bus, we will release the five." They told them. The family rejected giving them the bus because it is all they own and there is no reason to give it to them. Consequently, the security belt hid the five detainees; and their families don't know if they are still alive or not. A month later, the detainees were, somehow, able to contact with their families; telling them that they are detained in Al-Asifah (Storm) Prison in Tawwahi district, Aden governorate.

Their family went to Aden to search for them and submit a statement to the Administration of Aden Security. They went to Al-Asifa prison, but they were not allowed to access. They were asked to leave the letter in the prison mail, so they left the statement letter in the prison mail box, but their message was not replied. They were deprived of visits or calls.



2- Mass Kidnappings and Detentions

The Association monitored (2) mass kidnapping campaigns were carried out by the Houthis group in areas it stormed during the year 2021 in Ma'rib and Taiz governorates, in which 142 civilians were kidnapped. Another mass detention campaign was carried out by military formations affiliated to the Transitional Council in Aden governorate, in which more than (36) civilians were arrested.



INCIDENTS:

Al-Abdyah District, Ma'rib Governorate

The Houthi group carried out a mass kidnapping campaign against the people of the Al-Abdyah district in Ma'rib governorate when it took control of the district in mid-October 2021, accompanied by several violations. After the siege was imposed on the district, and was later on stormed by the Houthi armed groups. It raided homes and kidnapped civilians under a media blackout. The Houthis discontinued communications of the district from time to time and closed the entrances and exits of the district, except the entrances that lay under its controlled.

The Association of Abductees' Mothers monitored preliminary statistics of (47) civilians kidnapping cases from Al-Abdyah District, some of whom were transferred to unknown destinations. It was expected that the number would be more than that. The Association also received several reports from the people of the district in which they state that the Houthis carried out continuous mass kidnappings accompanied by violations, including storming their homes, terrorizing their families, detaining children and interrogating them to pressure them to reveal the presence of their parents and relatives. They also converted schools into places of detention, and kidnapped the wounded person. Later on, they were released after an amnesty was issued by the leader of the Houthi group. They also undertook not to speak to any media body.



Al-Haymah District, Taiz Governorate

The Houthi group has kidnapped tens of Al-Hayma individuals, northeast of Taiz city, including children. They stormed their area on January 5, 2021 and put them in its jails without legal justification. The association monitored the kidnapping of (95) civilians, including (13) children. The detentions were accompanied by other violations, including storming the houses, demolishing and burning some of them. They, then, were all released later time.



Crater District, Aden Governorate

Against the background of the Crater events in Aden governorate, military formations affiliated with the Transitional Council launched a mass arrest campaign. The Association monitored the arrest of more than (36) citizens in Aden without legal justification, including the elderly and children. It was expected that the number was more than that.

A witness tells that in October, 2021 there were continuous demonstrations due to the deteriorating economic situation accompanied by clashes and kidnappings of civilians participating in these demonstrations, specifically on the date of 22/10/2021, which reached its climax. Armed clashes erupted in which three brigades participated against the background of a difference between leaders in the Transitional Council, twisting this timing as a justification. After a bloody day, many victims on both sides were killed and wounded. This was followed with raiding homes and arresting their members without any legal arrest warrants. They used to kidnap anyone from the family members instead of the targeted ones. They detained all, whether participated or did not participate in the demonstrations.

One of the victims says: I was placed in the "cooker" room - a prison like a grave - in which we could not move or breathe well. I stayed there for two days. After that I was interrogated and tortured. The victims refused to document their torture for fear of being arrested again.

We draw attention to the fact that (35) citizens have been released and one of them is still kidnapped.



3- Forcible Disappearance

Enforced or forcible disappearance is one of the worst forms of human rights violations. It is a crime under international law. Enforced disappearance is a double human rights violation as it often involves psychological and physical torture of the victim and constitutes a serious threat to the right to life of the disappeared person. It is a violation of the right of his family as well because they are unable to insure on his life or health.





“

It is prohibited to detain or abduct any person in places other than subject to the Prison Regulation Law. Torture and inhuman treatment are prohibited upon arrest, during the period of detention or imprisonment

The Yemeni constitution prohibited detention in places other than those governed by the Prisons Organization Law. Article (48/B) states that: “It is prohibited to detain or abduct any person in places other than subject to the Prison Regulation Law. Torture and inhuman treatment are prohibited upon arrest, during the period of detention or imprisonment.

The International Convention for the Protection of all Persons from Enforced Disappearance stipulated in its article (17) “No one may be imprisoned in an unknown location.” The United Nations Declaration on the Protection of All Persons from Enforced Disappearance included a number of provisions aimed at preventing disappearances. Article (10) stipulates that: “Detainees must be detained in officially known places of detention, their families must be notified about them immediately, and they must be allowed to meet with lawyers. Every detention center should include a recent record of all deprived persons of their freedom in it.”

“

monitoring team of the Abductees' Mothers Association, a number of (134) civilian abductees were subjected to enforced disappearance in the year 2021

According to the monitoring team of the Abductees' Mothers Association, a number of (134) civilian abductees were subjected to enforced disappearance in the year 2021, of whom (62) civilian detainees were hidden in places of detention belonging to the Houthi group, (59) were hidden in the prisons of the Security Belt Forces of the Transitional Council, (8) civilian detainees were subjected to disappearance in the prisons of the legitimate government and (5) civilians were subjected to disappearance by the National Resistance Forces of the Western Coast.



Table (6) shows the cases of forcible disappearance and the violating party

S. No	Violating Party	Number
1	Houthi Group	62
2	Military Entities of the Transitional Council	59
3	Security Forces affiliated to the Legitimate Government	8
4	Joint Forces of the Western Coast	5
Total		134



134

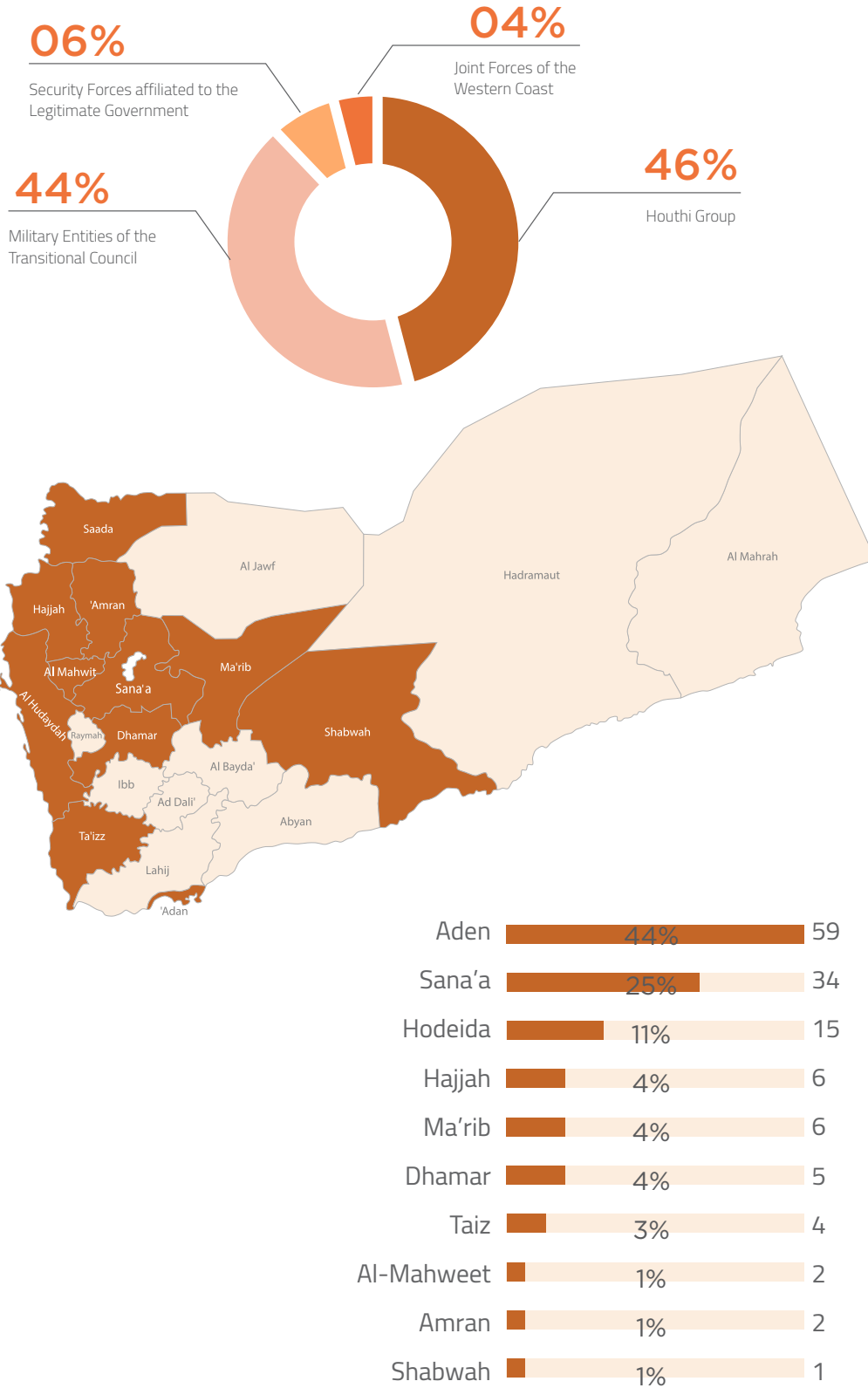


Table (7) indicates the recorded forcible disappearance cases according to governorates

S. No	Governorate	Number
1	Aden	59
2	Sana'a	34
3	Hodeida	15
4	Hajjah	6
5	Ma'rib	6
6	Dhamar	5
7	Taiz	4
8	Al-Mahweet	2
9	Amran	2
10	Shabwah	1
Total		134



Infographic indicates the recorded forcible disappearance cases according to governorates and the violating party





INCIDENTS:

(Mohammed Ahmed Hersy)

- **Governorate: Aden**
- **Age: 45**
- **Profession: Leader in the Southern Movement**

At midnight on 32021/5/, and upon his return after his meeting with a visiting European envoy to Aden, he and his a colleague were stopped on his car at a security checkpoint belonging to the Commander of the Storm Forces in the Security Belt "Awsan Al-Anshali" and others affiliated to the Anti-terrorism squad. They, then, arrested him with his friend. A day later, his friend was released, but he was not released despite the mediation and the attempt in sending statements to the Anti-Terrorism squad regarding his detention and his need for treatment. All these trials were in vain. The concerned party that arrested him has been denying his presence there till this day. His family says that the reason for his arrest is the posts he was writing on his Facebook account and his criticism of the Transitional Council and members of the city of Aden. He was also accused of participating in the starving people's demonstrations.



(E. H. A)

- **Governorate: Taiz**
- **Age: 21**
- **Profession: Soldier**

On Sunday, 262021/05/, while the victim was travelling from Taiz city into his al-Hareeqah village of Shara'b Al-Rawnah district, and upon his arrival at Al-Ayyar area checkpoint in Jabal Habashi district, the car he was in was stopped by armed men belonging to the Houthi group. Those who were in the car were sought and their personal identification proofs were taken. They took off the victim, took his personal identification proof, his phone, and the amount he was having, and detained him there, according to the testimony of those who were with him on the car.

His family searched for him in Al-Saleh prison. They were told that he was not there. While the association was documenting with them, some of those released from Al-Saleh prison said that they met him in Al-Saleh prison. But to this day, officials from Al-Saleh prison still deny that he is in their custody. He is not allowed to contact or communicate with his family.



(T. S. C)

- **Governorate: Taiz**
- **Age: 43**
- **Profession: Electrical Engineer**

On Sunday midnight, 1106.2021/, the accommodation of the company he belongs to in Almakha (Mocha) was stormed by seven armed men in a military uniform belonging to the Central Security Forces of Tariq Saleh. They detained the victim and transferred him into unknown place. Till now, his family knows nothing about him. His friends informed the security administration of the area. They also went to quest for him in Ambarah prison, which is a place of detention in a camp in Al-Khoukha area, Hodeida governorate, and is affiliated to Tariq Saleh's forces, but they said that he is not detained with them.

(M. M. A)

- **Governorate: Taiz**
- **Age: 42**
- **Profession: Soldier**

On 42021/15/, when the victim traveled from Taiz Governorate to Sana'a city for the purpose of conducting transactions in order to perform an open heart operation for his father, his last contact with his family was at five in the afternoon. He told his family that he was in Dhamar Governorate on his way to Sana'a city. His family contacted him again later on, but his phone was switched off. After two hours, a call came to the family from a strange number; telling them that the victim was being held by the Houthi group. The family searched for him in several prisons, but they did not find any information about him and where he was being held. He is still hidden to till date.



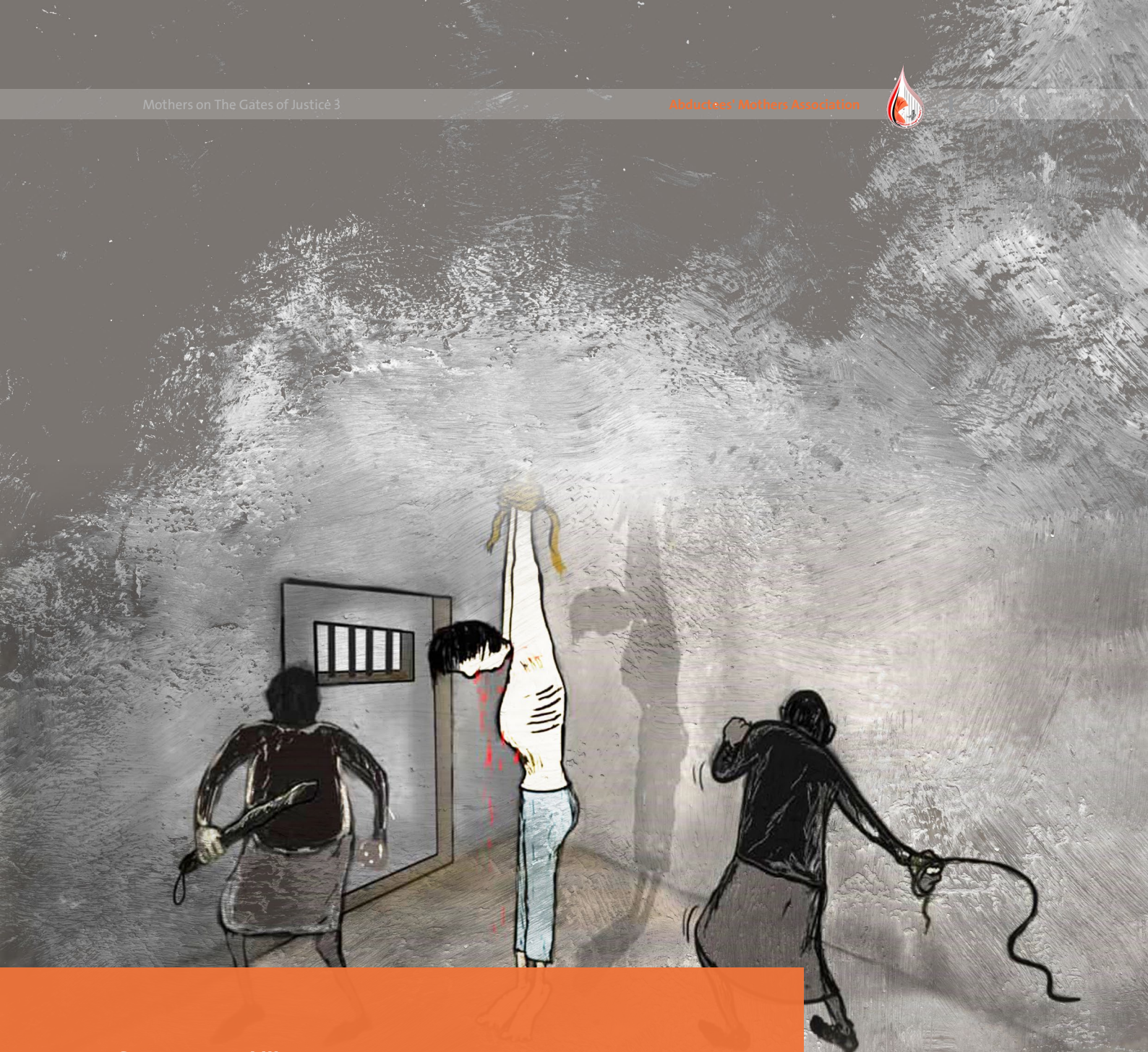
(Hani Ali Sa'eed)

- **Governorate: Aden**
- **Age: 22**
- **Profession: Student**

Hani's mother says: "My son went to Sana'a to visit his aunt who lives in Sana'a. He went there to help her with her affairs, as she is old and sick. On May 22, 2017, Hani went out with young friends from Aden. He knew some of them. While they were roaming in a street in Sana'a, they were all kidnapped. They, then, were all released except Hani. We started searching for him and submitted reports to the Political Security, National Security and Prosecution Office in Sana'a until we obtained an order to visit Hani in the Political Security prison. We were asking what Hani's charge was, but they only told us that he was a mercenary. Here, our journey of suffering began. A period of time passed and we were at loss. We could not visit Hani because of the economic conditions. Then Hani called and asked me to visit the prison in Sana'a. I told him that I did not have the travelling cost to afford. He called again to ask me why I did not come to visit him. I told him that I was sick.

Two days have passed since the last call. Then, I received a message to my cell phone saying that my son was on his way to Aden. I was very surprised, but my son did not arrive. I expected that this message was incorrect. A day later, my phone rang, and it was one of the Houthis, who told me that Hani had already been released in the prisoner exchange process. He also gave me the number of the exchange operation official, who in turn gave me the number of one of the local intermediaries.

Hani's mother goes ahead and says: "I called this person, who assured me that my son and another person were exchanged for two Houthis. When they reached a security point in Yafi'a, they were stopped for investigation. Then they were left except for my son. "Why didn't they leave him? Where is he now?" I shockingly asked this person. He said: "They took him to Aden to Anti- terrorism squad and that he was reported. "Why did you let them take him while he was under your protection? My son is under your responsibility" I told him. "What can I do" he replied to me. The victim's uncle went twice to ask about Hani in the Anti-terrorism squad, but they deny his presence there till the moment of issuing this report.



C: Torture and ill-treatment

Torture is absolutely prohibited in the International Law, even in times of war or emergency. It is one of the most heinous crimes that can be committed

against a human being. The violating party often aims to extract statements

and confessions from the victims under pressure and torture. The victims are stripped of their human dignity by committing cruel and deliberate acts against them.



- **The kidnapped civilians are subjected to torture and ill-treatment from**

the first moments of their abduction. The violating parties (the Houthi armed group, the Security Belt Forces of the Aden Transitional Council and the Security Authorities of the Legitimate Government) practice physical as well as psychological torture to force the kidnapped and detainees to say what is dictated to them and sign on blank papers, which later on, are filled with accusations by the kidnapping parties. Torture and assault recurs by the violating parties for months and sometimes spans into years.

According to the monitoring team of the Association of the Abductees' Mothers, a number of 490 civilians were tortured in the year 2021. This includes 367 civilians tortured in prisons managed by the Houthi group, (98) civilians tortured by the military formations of the Transitional Council, (25) detainees tortured by the security forces of the Legitimate Government.

- Administrations of Prisons and detention centers of the warring parties practice beatings and ill-treatment as a means of violating the dignity and humiliation of the kidnapped person. This greatly affects their psyches during and after the kidnapping period. They are humiliated, tortured and are forcibly silenced from demanding their natural rights. Torture is also practiced as a result of the detainees' objection on the inhuman and illegal imprisonment procedures implemented by the jails' administrations. The prison and detention authorities still deprive the abductees and detainees of adequate food and safe drinking water at varying intervals. They continuously deprive them of education, heating in the winter and cooling in the summer in a number of prisons they run or supervise. They never care about the detainees' health status. They also don't care about the health condition of the detainees, nor do

they provide them with the necessary medical care, medicines and medical examination. Rather, they often use medical negligence as a punishment against these detainees; leaving them to cry out of pain and

suffering without paying attention to their suffering or even respecting their humanity.

It is worth noting that there has been a modest improvement in the detention conditions in a small number of prisons and detention places in the year 2021.



The Association, however, has monitored (689) cases of ill-treatment and medical negligence, including (601) cases in the prisons of the Houthi group, (62) cases in the prisons of the military formations of the Transitional Council, and (26) cases in the prisons of the security services of the legitimate government.

Table (8) highlights the torture cases according to the assaulting parties

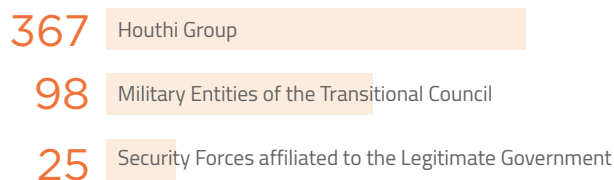
S. No	Violating Party	Number
1	Houthi Group	367
2	Military Entities of the Transitional Council	98
3	Security Forces affiliated to the Legitimate Government	25
Total		490

Table (9) indicates torture case as per governments

S. No	Governorate	Number
1	Aden	98
2	Sana'a	94
3	Taiz	83
4	Dhamar	67
5	Al-Mahweet	43
6	Hodeida	41
7	Hajjah	32
8	Ma'rib	19
9	Amran	8
10	Hadrmut	4
11	Shabwah	1
Total		490



490





Infographic highlights the torture cases according to the assaulting parties and governorates

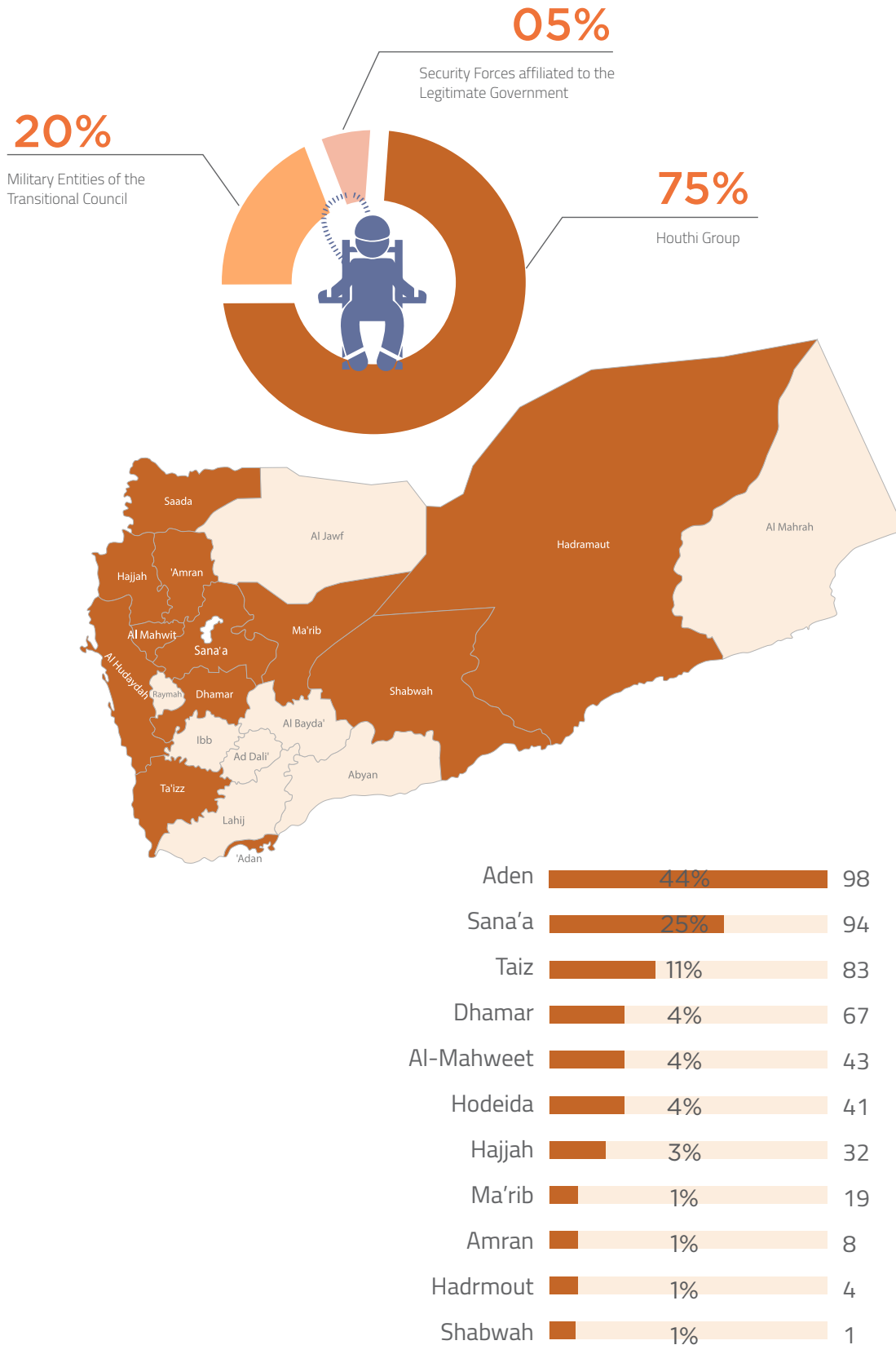




Table (10) highlights the case of bad treatment and the assaulting parties

S. No	Violating Party	Number
1	Houthi Group	601
2	Military Entities of the Transitional Council	62
3	Security Forces affiliated to the Legitimate Government	26
Total		689

Table (11) highlights the bad treatment as per governments

S. No	Governorate	Number
1	Sana'a	168
2	Taiz	151
3	Hodeida	120
4	Dhamar	72
5	Aden	62
6	Amran	38
7	Hajjah	34
8	Ma'rib	22
9	Al-Mahweet	18
10	Hadrmout	3
11	Shabwah	1
Total		689

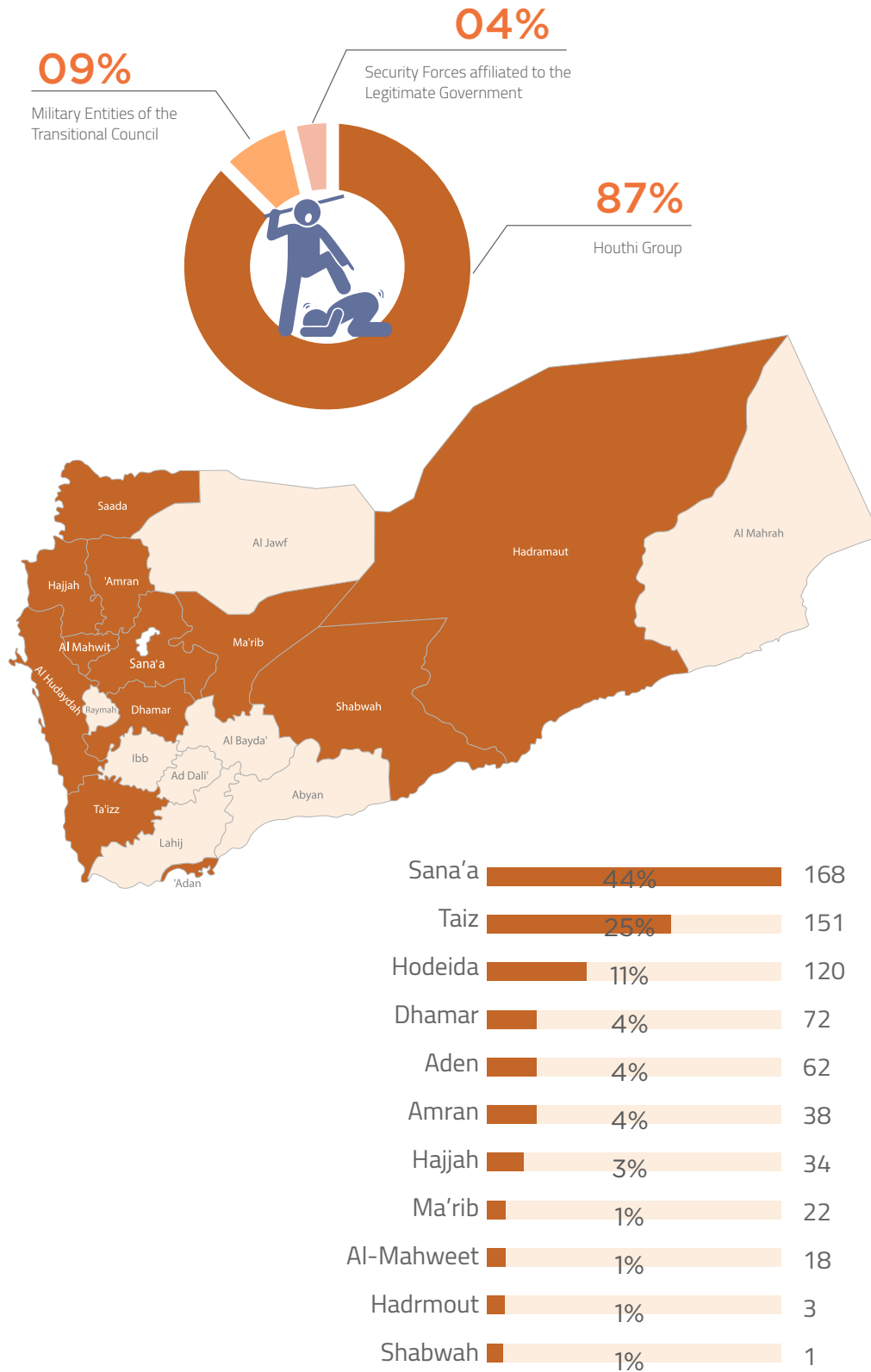


689

- 601 Houthi Group
- 62 Military Entities of the Transitional Council
- 26 Security Forces affiliated to the Legitimate Government



Infographic highlights the case of bad treatment according to the assaulting parties and governments





INCIDENTS:

Jalalu-Deen Mohammed Al-Khawlani

- **Governorate: Taiz**
- **Age: 32**
- **Profession: Right Activist**

Jalal says: "On 072021/23/ at 4:30 p.m. I was going with one of my friends called "Madian Al-Ziyadi" to the Cairo fort, located in Taiz city in southern Yemen, to attend an art festival that was being held there. While I was passing through the Nusiriyah area, Mudhaffar district, I was stopped. An armed group of around ten people affiliated to the 170th Brigade directed their weapons at me and my friend. Then they opened the door of the car I was in. Three people came in and told me to move and another car followed us. When I asked them about their identity and who they are, they told me that they belong to the brigade headquarter and that I am reported. While I was resisting them, they took me to the back seat of the car and one of them drove the car instead of me.

When they moved on with my car, my friend, Madian, screamed out telling them that he did nothing. They released him from the car and let him go after taking his phone. They kept moving while my eyes were tied. When they lifted the lid on my eyes, I recognized one of the people who kidnapped me called "Ahmed Mura'ei." They took me to a villa in Wadi Al-Qadhi and put me there until eleven o'clock at night. Other people came, one of whom was "Osama Al-Qardai" and "Hisham Al-Qayadhi". They were accompanied with more than twenty armed men. They asked me first to decode my phone, but I refused. They took me to a closed room and Osama hit me with the butt of his gun on my back. They, then, interrogated with me until one o'clock after midnight.

Once again, they covered my eyes, tied my hands and feet, and put me in a car. They then put me in a very dirty place, smelling so filthy, without food or drink until the next day. With my eyes closed, I was moved into another place. They put me in a dark room and then left my eyes untied. I asked them to allow me to pray. They took me to the bathroom for ablution; giving me one bottle of water for abolition. They, then, gave me water and two pieces of bread called "kidam"



to eat. Thereafter, another group came and moved me to another place with my eyes covered and my hands tied. They started interrogating me, beating me with electric wires and sticks, taking off my nails, putting salt on my back on the scars of the wounds, and cursing and accusing me that I am spying on Taiz. I was also accused of being a freemason working in prostitution and a children rapist.

The interrogation continued with me from the evening till the next morning. I was prevented from praying. I was also forced to open Al-Kuraimi app from my mobile. They transferred sums of money from my account to their personal accounts. They took off all my clothes and threatened me with rape and to publish my photos.

My stay used to continue for five days in one place. After that I was transferred to another place. My physical torture continued for a month. In the second month, the torture was only psychological. They handed me over to the criminal investigation on 92021/24/. I stayed in the criminal investigation for a week. I was not investigated for a week, so I went on a food strike for two days. Later, the officer of al-Mudhaffar Police came to me. They interrogated me for a week. My treatment was improved during that period. I was, then, released on 72021/10/.



(N. M. E) narrates his story

One of the kidnapped, who is being held in my cell in the Political Security Prison in Ibb Governorate, was tortured in a repulsive way. They hung him from seven o'clock in the evening till nine o'clock in the next morning. They did not even allow him to pray. After that, they brought him into the investigation and assaulted him by beating, insulting and slapping him until he fainted. They used to pour ice water on him and keep him outside. They continued doing so for a whole week until he fell seriously ill. The victim's family contacted some of their friends. After that, a committee from Sana'a came to Ibb and interrogated with him, me and some prisoners. The committee also arrested the investigations officer and one of his assistants for three months.

**The released detainee (M. S. S) says:**

In the Political Security prison in Ibb governorate, where I was detained, the prison administration brought in individuals affiliating to them in disguise, as if they were abductees, in order to spy on us and create problems to justify beating and punishing us.

**The wife of the detainee (B. M. N) says:**

In Bier Ahmed prison in Aden, detainees are denied access to the prison yard or the exposure to the sun. They are denied contact with their families. The detainees see that they are completely isolated from the world, which worsens their psychological condition. When the prisoners requested providing them with a television screen so that they could follow the news, the prison administration did not respond to that, even though the detainees' families provided this screen for the prisoners!

Additionally, there is a significant shortage of some treatment materials. There is a need for a doctor to be available there in prison. During the outbreak of the Covid-19 pandemic, visits were completely prohibited in Bier Ahmed Prison, and detainees were not even allowed to communicate.

When my husband fell ill, he was transferred into isolation in a hospital, and I did not know this until one of the nurses called me at the request of my husband. He asked me to provide medicine because the prison administration did not give them medicine. This is not the only thing they lack in the detention centre. They lack even clean drinking water, which is provided to them in small and insufficient quantities. There is no ventilation in their detention as well.



The sister of the abductee (N. A. J) says:

The administration of the Security and Intelligence Prison in Sana'a has completely withdrawn the abductees' clothes with the onset of the winter season. This led to the abductees complaining of persistent cold diseases such as colds, chest, throat infections, cough, fever and kidneys. They also did neither get the necessary medicines, nor provided with adequate heating, blankets and woolen clothes. They were stripped off all their clothes. The detainees' personal clothes were handed over to their families after the Association of Abductees' Mothers issued a statement denouncing the removal of the detainees' clothes.

The prison administration also deliberately delayed the entry of medicines that the abductees' families bring to their abductees under the pretext of referring these medicines to a consulted doctor. This procedure worsens the health condition of the abductees. On the other hand, the prison administration does not provide a medical examination or prescription of the medicines that the administration approves. My brother endures the pain and we cannot even give him sedatives.



Sister of the Abductee (B. M. R) says:

In the Security and Intelligence Prison in Sana'a, the Houthi group celebrated on 9/20/21/ and forced the abductees to celebrate with them. The abductees refused to repeat the Houthi chant, known as the Houthi slogan. So, the prison administration threatened them with punishment for their refusal. They actually began to practice arbitrary measures, including distributing these detainees in cells with terrorist groups and depriving them taking their personal items with them to the other cells, even their eye glasses. Others were transferred to the Security and Intelligence Prison, which was known for its bad reputation and ill-treatment.



Sister of the Abductee (A. F. A) says:

My brother is imprisoned in Bier Ahmed prison. He asks me for fruits, simple medicines, and vitamin C. It is not available to them there in jail. He even asked me to bring a blanket because he needed it. I did not have money to buy him a new blanket, as he was the main source of income. I took my own blanket and gave it to him where he is detained in a dark and cold place. In the winter season, cold increases at night.



The Released Abductee (M. M. A)

(M. M. A) narrates about his colleague in the National Security Prison in Al-Saleh Residential City, belonging to the Houthi group. He was suffering from friction in one of his neck vertebrae. One day the pain intensified and he kept screaming without being rescued by the guards. When his kidnapped friends threatened to hold a strike, he was taken to the hospital, subjected to paying the cost at his own expense. He agreed to afford the expenses. When he came back from the hospital, he was summoned at one o'clock at midnight. They took him eye folded and handcuffed to the investigation. Although he could not move, they punched him hard and forced him to do hard exercises in addition to the insults and scolds that were directed at him. As a result, his pain increased a lot. He was arrested during the interrogation, which lasted for almost two hours, after which he was put in a solitary cell without a mattress or cover and was kept there for three days. He was, then, brought back to our group cell. As soon as a week passed and al-Wilayah day (a religious occasion for the Houthi group) came, the officer of the prison, "Sami Abu Talib", called the victim and proceeded with him with threats, offensive words and insults. "If one word comes out from your mouth, I will empty the shots of this pistol in your head", Abu Talib threatened the victim, while he was holding his pistol.



The released Abductee (A. M. H) says:

Often the administration of the Security and Intelligence Prison in Sana'a decides arbitrary decisions like forbidding raising our voices even when reciting the Holy Qur'an. He, whose voice rises for any reason, such as he is not well, asks for help or to request a sedative, they take him out, gather to beat him up, and pour ice water on him after taking off his clothes, his hand tied and is kept shivering.



D- Assault on the Right of a Fair Trial

A. During the year 2021, the Specialized Criminal Court of First Instance in Sana'a issued verdicts for the release of (93) political detainees. Only (4) detainees were released in reality, and (44) detainees in the so-called cell, "He thwarted their works" were released with a commercial guarantee, and their trial is still underway. They attend the court session hearings.



The Specialized Criminal Court in (Sana'a – Hodeida – Sa'dah) issued 53 death sentences against political opponents of the Houthi group during the past year, 2021. 9 death sentences were executed against civilians accused of assassinating Saleh Ali Al-Sammad, Head of the Supreme Political Council and his companions, who were killed in Hodeida Governorate in a raid by the Arab coalition aircraft on April 19, 2018.

- The lawyers of the detainees refer to the trial procedures for the detainees' cases that took place during 2021 in Sana'a in general, and through the trial procedures before the Specialized Criminal Court. It is an exceptional court that serves as state security and was established in violation of the constitution, applicable laws, charters and international treaties. Whereas Article (150) of the Yemeni Constitution affirms that "Exceptional courts may not be established in any way" and in violation of Article (40) of the Constitution, which stipulates that "all citizens are equal in rights and duties, including the right to litigation and to be tried before its authorized judge". In addition to violating the text of Article (6) of the Constitution, which affirmed "Yemen's commitment to the Universal Declaration of Human Rights and the rules of international law that prevent the establishment of exceptional courts and require that all citizens be equal in their rights and have a fair trial before an authorized judge".

Further, the Judicial Authority Law in its Article (8) emphasized that exceptional courts may not be established. Yet, the appointed judges in the criminal courts are carefully chosen to serve the agenda of the ruling authority of Houthis and credit their loyalty to it. This was crystal clear after Ansar Allah group (Houthis) over controlled of the reins of the state and its institutions, including the judiciary. The overall procedures for trial that take place are basically security and political procedures. Trials do not take into account any of the principles of a fair trial. It also lacks the most basic elements of a fair trial, which makes them characterized by lack of Neutrality and independence. The exceptional court is totally bias towards the public prosecution, as it implements the desire of the ruling authority, the de facto authority of Houthis.



Some of the most important constitutional and legal violations and abuses that took place before the court are:

1. All the political detainees' cases are referred to after the enforced disappearance of detainees in the Security and Intelligence Agency previously called the Political Security squad and the National Security squad. They were merged into one agency under the name of the Security and Intelligence Agency. In this agency, all rights of the abductees during enforced disappearance are violated. They are tortured by various methods of torture, cruel and inhuman treatment in violation of human rights. This court, and before that the trials in the first instance prosecution, is nothing but devices that legitimize the violations that detainees are exposed to during the period of enforced disappearance in the Security Agencies, and extracting statements from the detainees which contradict the truth and reality as is dictated to them by the Security authorities.
2. All the evidences upon which the Specialized Criminal Prosecution relies in what it calls of as evidentiary proofs in the list of the public case are invalid and non-existent evidences because they were extracted from the detainees during the period of enforced disappearance and were fabricated and falsified by the security authorities. It is not permissible to rely or pass verdicts on such evidences. However, the Specialized Criminal Court condones all these assaults and legal violations, even though the kidnapped and their lawyers bring before the court the invalidity of all the measures taken by the security authorities upon which the Public Prosecution relies on the list of evidences. Rather, the court further builds its verdicts on those legally not permissible evidences and deliberately turns a blind eye, neglecting those defenses.
3. The Specialized Criminal Court does not enable detainees to meet with their lawyers privately in accordance with the law, despite the demands of the accused detainees to do so.
4. The inability of the kidnapped and their lawyers to Xerox the entire case file papers for each defendant and detainee. Withholding some case file papers on the pretext that they are engaged with security secrets.



5. Most of the abductees and those accused in political cases raise their complaints before the court about the lack of health care in their prisons. Some detainees contracted diseases during the arrests. As a result, their health deteriorated and resulted in the death of some of the detainees in prison. However, others suffered from chronic diseases that led to their inability to move, half paralysis and the loss of some of their senses such as hearing and sight. In some cases, decisions are issued to refer the abductees to doctors and provide health care, but these decisions are not implemented.
6. Some of the kidnapped were subjected to torture and insults after their return from the court sessions. This is brought before the court by some of the detainees, but the court ignores this and has not taken any action to protect the detainees. Further, some kidnapped are hidden and are not brought to the sessions as a form of punishment. Detainees' families and relatives are deprived of visiting them as well.
7. The court disregards the defenses presented by the kidnapped and their lawyers. It does not take their opinions into consideration despite their legal merit.
8. Failure to give the abductees and their lawyers adequate opportunities to prepare and present their defenses, responses, and observations to the public lawsuit filed by the Public Prosecution and its evidences.
9. The kidnapped and their lawyers are not tolerated to have the right to oral arguments, as it is the basis for criminal proceedings.
10. Threatening the lawyers of the kidnapped inside the hearing rooms in view of the court. Lawyers are called "mercenary lawyers" by the specialized criminal prosecutor. Besides, the security men attack them without the court moving a finger or intervention.
11. The court does not take any legal action in case of non-implementation of its decisions related to the health aspect or the release on bail of the kidnapped. It is satisfied with issuing the decision without issuing the decisions that are bound to be implemented in accordance with the law.



12. Secrecy of sessions in some cases, such as the case of the assassination of Saleh Ali Al-Samad, the head of the Supreme Political Council and his companions. After the Specialized Criminal Court in Hodeida Governorate transferred its sessions to the Capital city of Sana'a for security reasons, it was said, the court held its sessions in a very secret manner. They lawyers were notified of the date of the session a day prior to the session. A specific place was assigned to them in the capital city to attend. Their eyes were folded; they were taken to cars with darkened windows. They were taken to an unknown place, and their eye covers were not lifted unless they were in the courtroom. The same method was used with the kidnapped. They were brought to the courtroom with their eyes folded and were returned also with their eyes folded. The same court holds its sessions in the trial of another group of civilian abductees from Hodeida governorate in complete secrecy and without the presence of any lawyer for the kidnapped in a building belonging to the Security and Intelligence prison in Sana'a, to which they were transferred from several detention centers in Hodeida Governorate.
13. Some of the kidnapped who are acquitted or the period they spent in prison is satisfied are not released and the court decisions are not implemented. Rather, they are exchanged as prisoners of war. Only few are released with commercial guarantee. This guarantee is a behavior that violates the law as long as a verdict is issued of their innocence or time of their detention is sufficient.
14. Judgment to confiscate the money and property of the convicts in some cases. This procedure is against the law. The purpose of doing so is to control and loot the money and property of political opponents and to seize them through the judicial system in this court.



Specimen of Detainees' Trials in Sana'a during the year 2021

The execution case of the detainees accused of killing Saleh Al-Sammad, Head of the Political Council and his companions

On Thursday, April 19, 2018, the Head of the so-called Supreme Political Council of the Houthi group, "Saleh Ali Al-Sammad" and his companions were killed in an air raid carried out by the Arab coalition to restore legitimacy in Yemen, in Hodeida Governorate. To take advantage of the incident, the security agencies of the Houthi group kidnapped and forcibly hidden a number of their opponents in Hodeida Governorate. The listed nine civilians were kidnapped:

- Ali Ali Ibrahim Al-Quzi
- Abdul Malik Ahmed Hameed
- Mohamed Khaled Haij
- Mohammed Ibrahim Al-Quzi
- Mohammed Yahya Mohammed Noah
- Ibrahim Mohammad Abdullah A'qil
- Mohammed Mohammed Ali Al-Mashkhari
- Abdulaziz Ali Al-Aswad
- Moa'dh Abdul-Rahman Abdullah Abbas

All of them belong to Al-Qanawis district, Hodeida governorate. After the sessions of the Specialized Criminal Court in Hodeida governorate were transferred to the Sana'a for security reasons, according to the claim. The court held its first session on 17/2019/4/. After six months of enforced disappearance, the above-mentioned nine appeared behind the bars in the murder of Saleh Al-Sammad and his companions' case. 62 defendants were included in the indictment filed by the Criminal Prosecution, including Arab and foreign presidents and officials, and 47 leaders in the legitimate government. But only the aforementioned nine defendants from Hodeida were actually imprisoned and tried.

On Monday, 24/2020/8/, the initial verdict was issued in this case, to execute all the defendants, except the foreigners accused in the case. Their papers were sent back to the Public Prosecution. Months later, on Monday 5/2021/4/ to be exact, the Specialized Criminal Appeals Division in Hodeida issued its final verdict supporting the initial verdict. The pronounced verdict was:

1. Convicting the defendants of the charges against them in the indictment; which are criminal deal, aiding and spying with aggression, as detailed in the indictment.
2. 16 of the defendants were sentenced to death by retribution.
3. Confiscating all the defendants' properties. Among those imprisoned, are the nine defendants mentioned above. On Sunday, September 12, 2021, the Supreme Court of the Houthi group upheld the verdict. However, on Saturday morning, September 18, 2021, the



Houthi group executed the death sentence against the nine kidnapped in Tahrir Square in the down town of the capital, Sana'a. The execution took place in a humiliating manner, before the arrival of the victims' relatives to bid them farewell. The execution of this verdict came after a sham trial that lacked the minimum standards of fair trial, and by illegal court.

Before execution, the abductees were subjected to many assaults; among which:

- The abductees were subjected to enforced disappearance for a period of six months immediately after their abduction. Their relatives did not know anything about them until 172019/4/, which was the date of the first court sessions. This session was accompanied by a media campaign directed against the abductees; their names and pictures were published and were pre-judged that they were the killers of Saleh Al-Sammad and his companions, by all media affiliated with the Houthi group.
- During the period of enforced disappearance, the nine detainees were subjected to the most severe types of physical and psychological torture, including beatings with an electric cable all over the body, and were put on a horse back-like iron until the nerves are almost cut off, washing with cold water on the cold nights of the winter, deprivation of sleep that reaches ten days, and an individual confinement in the bathrooms for eight months.
- Failure to give the adequate time to the defense team to review the case file and prepare petitions and defenses on behalf of their clients. Despite the gravity of the case, the large size of the case file and the large number of papers the case has been granted, the lawyers were granted a one week period only. This procedure is a grave breach of the right of defense and against the confrontation principle.
- The defense lawyers were not handed over the papers of the case file in full, but some papers and documents were deliberately hidden.
- The abductees were held in a secret detention places unknown to their lawyers and relatives. Their relatives were not allowed to contact or visit them except when they attended the court session and after obtaining permission from the court. The interview takes place inside the court while the soldiers are listening to everything that is going on between the detainees and their relative. Further, the abductees are brought to the courtroom eye-covered and in the same way their relatives were treated.
- Detainees' relatives were unable to visit or contact them prior to the execution.

The violations suffered by the abductees were numerous and varied at all stages of the trial. The verdicts issued against them lacked the minimum elements of a fair trial. In fact, such verdicts are not considered judicial rulings in the legal sense of the word.



The actualities of abducting some of the accused victims in this case (Saleh Al-Sammad's Assassination Case)



The victim, Mohammed Mashkhari

- **Age: 46 years old**
- **Occupation: Director of a literacy center**

On August 18, 2018, after performing the Maghrib prayer in the mosque, he came back to his house. As usual, he sat with his wife and children, listening to them. Their conversations are full with the young laughter and the adults' smiles. At 7 pm, someone knocked the door. Mohammed went to open the door and see who the knocker was, but did not come back. His family knew nothings about him or who kidnapped their father in front of the house. As he was late to return, they followed him, wondering why he did not return?! They found the door open but they did not find a trace of their father or anyone else.

They were stunned and frightened, and their night lasted as if it were years. The arduous search for him began. His brother searched for him everywhere he could be. When he despaired, he began searching in the police stations and prisons in their district, but to no avail. His wife spared no effort in searching for her other half. She went to the sheikh of their village, who was asking her to be patient for a month or two. A whole year passed, and they knew nothing about him.

His mother spent her days and nights screaming, "Give me back the light of my eyes and my life. Assure me about him". She, unfortunately, died one year after he was kidnapped before her wish fulfilled, with her heart still aching. About a year later, in October, 2019, the victim appeared on TV talking about Al-Sammad's assassination case. A few days later his family was allowed to visit him. They were very happy.

They had to travel to Sana'a, to visit him, where he was being held. First visit took place. They were able to hear his voice and see part of his face that was hidden behind bars. The soldiers around them were carefully watching them and listening to their conversation. Their visits continued in this way; for a few minutes, and from behind bars. They could not shake hands with him nor could they enjoy seeing him. They were not allowed to give him anything of food,



medicine or anything else. They were allowed to see him only seven visits within two years.

He was accused of participating in Al-Sammad's assassination. His family was compelled to appoint a lawyer for the case. They were also forced to go out to the labor market to earn their living and pay the lawyer's costs after the victim's salary was cut. The philanthropists of the family and friends helped them. They lived difficult economic conditions with all these burdens.

In court, a lot of information disclosed that they were not aware of. He talked about forcing him to confess to participating in the killing of Al-Sammad under severe torture. The judge did not pay attention to that. The court took a decision to execute him by gunshot. He called his family on Friday to inform them that the death sentence would be carried out the next day. They were shocked and started wailing and crying. They contacted mediators, personalities, lawyers and organizations. Everyone tried to stop this matter, especially in light of the trial conditions that lack the most basic standards of justice. On Saturday, 18/2021/09/, the execution was carried out by gunshot, in full view of the world and human rights organizations. The case was closed in the eyes of the Houthis.



The Victim, Mohammed Nouh

- **Age: 48**
- **Profession: Teacher**

On October 15, 2018, Mohammed went out with his car, which he intended to sell. On his way, the so called "Abu Bashar", who is the Houthi supervisor of the "Al-Qanawis" district in Hodeida, cut off his road and hid the car with him under the pretext of his will to buy the car. They stopped nearby one of the restaurant and had their lunch together. They, then, went to al-Qat market and sat together in a session that seemed to be friendly.

Abu Bashar asked him to go together with him to the security administration of Al-Dhahi district. There, he handed him over to the prison officials. His wife and nine children waited for him until evening. "Where is dinner?" his children began screaming of hunger. The mother was trying to entertain them until their father arrives and to have their dinner together. But he did neither return to them nor did he call, as usual, to tell them where he was or the reason for his delay.



The eldest son, 20 years old, went out to ask about his father. He did not find him. The next morning, the victim's brother went to ask about him and search everywhere. He went to the Houthis and asked them about him, but they completely denied his existence. He continued to search for him for a period of six months, the period of his disappearing from his family, but his search was in vain.

In October, 2019, Mohammed appeared on TV, and was accused in Al-Sammad's assassination case. Those moments were of mixed feelings for his wife; she was happy to see him alive, and was sad at the same time because he was accused even though he was undoubtedly innocent.

A few days passed, they received a phone call. His wife answered. "I heard his voice that it was my husband's." She shed tears. He told her that they had allowed him to call and told them that the visit was allowed while he was in the Security and Intelligence Prison in Sana'a. Finally, they allowed them to see him. They saw him from behind bar. They were not allowed neither to shake hands with him nor hug him. The security guards who stayed with them throughout the visit announced the end of the visit.

The court in Sana'a sentenced him to death disregarding the pleas and the evidences presented by the lawyers, the major flaws that accompanied the kidnapping and disappearance processes, and despite the course of the trial.

On Friday 17/2021/9/ the victim called his wife, reassured them and told them that the death sentence would be carried out the next day. A terrible silence filled the house, and after the call, it turned into wailing, crying and screaming. The family contacted many people to stop the implementation, but to no avail. Next Saturday i.e. 9/2021/18/, the execution was carried out by gunshot, in view of the entire world. His family received his corpse and took it back to his village to be buried there.



Sufiyan Al-Fatehi's case, the detainee who blood vomited in the court session

The Houthi armed group kidnapped Sufiyan Ali Qasem Al-Fatehi, 29, seven years ago, on July 15, 2015 to be exact. He was detained in one of the cells of the Political Security Prison in Sana'a, currently Security and Intelligence Agency. His health has recently deteriorated severely. He has been plagued with diseases



such as tuberculosis, chronic asthma, in addition to a hernia and a spine slippage. So, in one of his trial sessions before the Specialized Criminal Appeals Division in the Sana'a on June 7, 2021, he fell into the dock and in front of the members of the court while bleeding. In view of this humanitarian situation, all those present in the courtroom expected him to be released so that he could be treated. But the court decision was shocking as if nothing had happened. The court directed the Prosecution to quickly write a letter to the Security and Intelligence agency to refer the prisoner to a specialized doctor. It also requested postponing the session for one week.

On June 14, 2021, before the Specialized Criminal Appeals Division, the elderly parents of the detainee "Sufiyan" along with his wife and children attended, asking the court to consider the deteriorating health condition of Sufiyan with an eye of mercy. They asked for his release in order to be treated so that his life could be saved. The court decided to release Sufiyan with a commercial guarantee, and be treated on his own cost. But, the family rejoice did not last long because his release was cancelled. With remarkable coordination between members of the judicial authority in the Specialized Criminal Appeals Division, the Public Prosecution appealed the ruling and Sufiyan was not released. He was returned to his cell to struggle the pain of illness without minimal health care. Until the moment of writing this report, "Sofiyani Ali Qassem Al-Fatehi" is still "detained" and has not been released.

B. Southern Judges Club announced a complete strike in the trial and prosecutions in the south on 4/2021/2/. Then partial lifting of the strike was held from 19/2021/8/. Work in the courts and prosecutions took place two days a week; on Sunday and Monday. Court sessions were held in several cases. In the criminal Case no. 37 of 2019, of the Specialized Criminal Appeal Prosecution Aden governorate, and is registered with the Specialized Criminal

Prosecution of First Instance no. 287 of 2018, was postponed. At that time, it was said to the families of the detainees and their lawyers that the reason for the delay was the refusal of the judge / "Waheeb Fadhl" to hand over the case file to his successor judge appointed after him. Fadhl seized the files and court seal until the year 2021 is over.



Specimen of the Abductees' Trials in Aden in the year, 2021

Criminal Case No. 37 of 2019 Specialized Criminal Appeal Prosecution, Aden governorate

Criminal Case No. 37 of 2019 the Specialized Criminal Appeal Prosecution Aden governorate

Criminal Case No. 37 of 2019 the Specialized Criminal Appeal Prosecution, Aden governorate, is registered with the Specialized Criminal First Instance Prosecution no. 287 of 2018. The accused abductees are:

- Abdullah Ahmed Al-Tairi.
- Waqqas Fatehi Ali.
- Mohammed Salem Abdullah Al-Omari.
- Ala'a Ali bin Ali.
- Fajr Ahmed Abdulqader.
- Hani Ali Shamsan.
- Ahmed Fahd Sa'ad Al-Tairi.
- Mohammed Awad Alawi.
- Ahmed Luqman Mohammed.
- Ahmed Walid Al-Dabaj.
- Salem Abdulqawi Al-Marfadi.
- Othman Ali Othman.
- Fahd Ahmed Al-Azzani.
- Akram Mohammed Naser Hadi.

The Prosecution accuses the abductees of participating in an armed gang; which attacked people, resisted security authority, and carried out assassinations of mosque imams and personalities in the year 2018.

This decision was issued by the First Instance Public Prosecution Office, where the aforementioned defendants were charged with the murder of a number of people, many of which are unknown. These charges are essentially lacking in evidence and have been marred by nullity since their inception.

A group of unidentified persons without any legal capacity or jurisdiction have arrested, kidnapped and forcibly disappeared the accused detainees without the accused knowing the reason for their arrest. They were also not

being allowed to contact or appoint a lawyer for them. Rather, the accused remained hidden and none knows anything about them except their kidnapers. During that period, which extended for several months, they were subjected to the most ruthless types of humiliation and torture.

After the abductees' families and human rights organizations kept pressurizing them, they were shown and transferred to Bier Ahmed Prison. There, they heard the fabrication of all the false accusations. The fabricated file was referred to the Specialized Primary Prosecution after several months. It also did not carry out its work in accordance with the law. The abductees' freedom was restricted in violation of the law. Not only this, they were subjected to torture and this was crystal clear on their bodies.



The Public Prosecution attributed the accusations to the accused without legal evidence, claiming that they had confessed in the evidence-gathering report, which is unknown in all respects. The issuing authority, its writer and its date were not indicated. It was mere an ink on paper and could not be described as the official document. It was further submitted in a print form and this is an exceptional violating practice in this regard.

The case file remained in the shelves of the court for nearly a year. This is in violation of the provisions of the Criminal Procedure Code. It scheduled the case file in the session schedule to consider the case and decide on it, later on.

The detainees were brought to trial on August 19, 2020. The court ignored the defendants' complaint that they had been tortured as well as all the false and fabricated charges. They were asking for the case to be resolved and for their justice as soon as possible. The court ignored the invalidity and unsuitability of the defendants and their lawyers. The medical report issued by the Forensic specialist Dr. Yazid Mohsen Atroush, dated 72018/11/, was hidden. It was through that report the defendants were proven to have been subjected to physical and moral torture. After several sessions, the Chief Prosecutor brought a true copy of the same report.

During the year 2021, the detainees declared a hunger strike twice; first in March, 2021 and the second in November of the same year. They declared their strike in protest against the suspension of considering of their case. Their case was halted as a result of the complete strike of the southern judges; then because Judge Waheeb Fadhl refused to hand over their files, as stated earlier by the families and their lawyers.

On Wednesday, February 30, 2021, the deputy director of the prison came and took the detainees "Othman Ali" and "Ahmed Walid Al-Dabbaj" to the prison yard. There, he threatened and terrified them with weapons. He, then, took out "Abdullah Al-Tairi", beat him ruthlessly, and threatened the rest of the detainees with bringing police dogs into their detention cells.

In a statement issued by the Association of Abductees' Mothers in Aden on August 22, 2021, it referred to the deterioration of the detainees' health with the spread of Covid-19. It called on the Red Cross and the High Commissioner to pressure the administration of Bier Ahmed Prison to take the necessary medical procedures and allow the necessary examinations to be carried out. A week later, two detainees were placed in quarantine, one of whom belongs to the fourteen detainees of this pending case.

02 SECOND

Violations to which the Detainees and
Abductees' Families were subjected





A- Psychological and Financial Blackmail

The families of the kidnapped, detainees and forcibly disappeared abductees, young and old, live an immense anguish from the moment of kidnapping and detaining their relatives. Their suffering increases with the inhuman practices they are subjected to, particularly the psychological and financial blackmail. Here are some of the blackmailing forms:

- The jailers blackmail the abductees' families in order to allow them visit or to get in touch with their relative abductees.
- Money is requested from the abductees' families in order to transfer their sick abductees to a hospital for treatment. They are even subjected pay the costs of their treatment.
- Money is requested for investigators so that they do not fabricate accusations against their families or involving them in offenses they did not commit.
- Abductees' families are subjected to ill-treatment when visiting their relatives to prison. They, sometimes, are subjected to humiliating searches or suddenly prevented from visiting their relatives after obtaining their visit approval.
- Jailers also accuse the abductees' families of negligence and not doing everything possible to help their detainees' relatives. They, repeats the same on the victims in order to increase psychological pressure on the detainees and their families alike.
- Jailers deliberately falsify information to the detainees' families that their detained relatives are accused of serious crimes and will not be released no matter what the families do. Such deeds increase the sorrow of the detainees' families, especially mothers.



INCIDENTS



The mother of the abductees (A.M. Z) says:

"The official of the Security and Intelligence Reformatory prison in Sana'a told me frankly that my son's attendance of their religious sessions and his repeating their chant "the slogan of the Houthis" would not expose him to any punishment. Doing so would rather guarantee his release. I appealed to my son to do as they wanted.



The wife of the abductee (M. M. A) says:

Whenever I visit my husband, I bring him some of the food and juice that I make at home. The prison guards refuse to let the food be in to my husband in the jail on the pretext that it is too much or that it is manufactured in the aggression countries (they mean the Saudi and Emirati industry). Although this juice is the only available option in the market, if I object, they start accusing me that I receive sums of money from the legitimate government forces; threatening me with this accusation (that I am from the fifth column). This makes me feel afraid even of bringing food in. Sometimes I reduce the food quantity despite the request of my husband and his kidnapped colleagues for me to increase the quantity because of their suffering from starvation and lack of inadequate meals.



The brother of the victim (M. W. A) says:

When we were informed of my brother's death in the Political Security Prison in Dhamar Governorate, we were shocked. On the second day, the mediation group came to us. They are: Judge Abdulwahid Al-Bukhaiti and Mr. Sinan Saeed Al-Bukhaiti. We rejected their attitude and told them that they had to show the reason for killing my brother, arresting him and hiding him for a year and a half. "He is innocent and was mistakenly killed while trying to escape from prison. He was only suspected of killing someone from Al-Wareyth family." They replied. So we referred the case to the governor of the province to take over the matter. But he referred us back to the previous mediation team. After that we referred the case to our tribe, which communicated with President Al-Mashat, the Minister of Defense, the Minister of Interior, and the Security and Intelligence Agency in the Republic. After that, some of our area Sheikhs went to Dhamar and met with the governor, the director of security, and the officials in the governorate. After that, they proposed to us "Aseeb Alqariyah" (a tribal tradition the Yemeni tribes follow for reconciliation) in order to give up the issue.



On Wednesday, 72021/28/, we went to the mortuary of Dhamar General Hospital to see our brother's body, but we were deprived to see him. They indicated to his location in the mortuary from afar. They also told us at that moment that the victim would be buried at nine o'clock in the morning on Friday, 72021/30/, in the Al-Amoudi cemetery, which is a few meters far from the hospital. They forced us at that time to sign the burial order.

On Friday, on the same time, I and all my brothers, relatives and other friends went to the hospital main gate to take out and receive the body, but they took the body on an ambulance. They allowed me and my second brother only to take off the ambulance car. When we reached to the cemetery, I tried to open the shroud to see my brother's face. I also wanted to take some snaps of his face for my mother and his wife to see him, but the group's gunmen intercepted me and prevented me from revealing his face. My brother's body was buried without ever seeing him.

After we completed the burial procedures, mediation team of a group of the Houthis, headed by Judge Abdulwahid Al-Bukhaiti and Sinan Saeed Al-Bukhaiti came back to our house in the center of the city. They sat with us and with my elderly mother, gave us a sum of money (ten million Riyals), obligated us to give up blood and accept blood money. We, in fact, refused the blood money, but we have been forced by their justifications and insinuations which hint to their threat and non-recognition of the crime by them. We are a civil family and we have no tribal support to oppose them or stand in front of them by refusing or rebelling against them for fear of the lives of our family members.



The Mother of the Victim (Hani Ali Saeed) says:

The Houthis kidnapped my son from the street when he was visiting his aunt in Sana'a. Houthis began to exploit us by asking for money, sometimes in the name of guarantee, and sometimes, on paid calls. The amounts they extorted reached to 120,000 Yemeni riyals. Then someone came to my son's aunt telling her that Hani would be released with a financial guarantee of three million riyals. "We do not have this amount and we cannot afford it." She told them.

Once, Hani called us to reassure about us. He was complaining about his condition in the detention. I told him that he would be released soon and that one of the organizations had visited me. A day later he called again and was asking me about this organization and who was with it? He, then, called a third time and asked me



to travel to him in Sana'a. "I don't have money, and the road needs money", I told him. He told me that Houthis will send me the amount of money so that I, along with my all family, could come to Sana'a. I doubted the matter and felt afraid. After few days, the Houthis called me, telling me that my son is released in an individual exchange, but my son did not reach home. The mediator told me that the anti- terrorism squad had kidnapped and detained him in Aden. However, the latter denied.

A few days later, Hani's aunt called to tell me that she had received a call from the Houthis asking her if she had visited her nephew. She told them that she had been sick for a month. They told her that she could visit him. They did not call again, so I was very surprised by this contradiction. My fear and anxiety over the fate of my son increased among all of them. The aunt told me that she feels that her house is being watched and someone is following her. Why all that!



The Father of the Detainee (A. A. S) 29 years old, from Hodeida

The Houthis kidnapped my son on Sunday, 09/20/16/03/. He was concealed from his family for five days. Then they came to his house on Friday at noon to inspect the house. Only women were there in the house. The family was shocked, as the Houthis kidnapers brought their son with them, while the scars of torture are evident on his body, and then took him again. The mother could not bear this matter. Days and months passed, and they were waiting a call to reassure them about their dear son where he was still alive. But, there was call.

Three months later, the Houthis came to the house and confiscated his motorcycle, which is the family's only source of income. They kept hiding him for another four months. After four months, they allowed him to call and visit. The family does not have the money to afford the transportation expenses. Houthis group confiscated their source of income. They also live in Hodeida while their son is detained in Sana'a and the cost of travel is exorbitant for a family that has lost its breadwinner and source of livelihood. The family had to borrow a sum of money if they wanted to see their abducted son in Sana'a.

His family arrived in Sana'a to visit him. They were all happy with his visit. They were given a few minutes, and the awaited visit and arduous journey ended without their hearts and eyes being filled with their son. He was suffering from the impact of torture and was no longer able to control urination.



Because of the fear and terror that afflicted his family after the execution of the nine victims in Al-Sammad's killing case, according to what they claimed, in light of court procedures that were marked by major irregularities. A.A.S's father suffered a stroke when he was told that his son had been sentenced to death. His family was unable to help him due to their poor economic circumstances. As a result, his health deteriorated day after day. The family borrowed an amount to help their father. He was taken to the hospital, but his health condition had reached an extent that was difficult to deal with. He continued to struggle with death while longing to see his son. He used to say:

How can I forget his memories, and in my heart there is nostalgia,

The world really discontinues on anyone's difference

I wish I could go back in time and bring back the years,

I swear to God that I never let him for a moment forever!

Every day I see his laughter, but I am cheerless.

Only those who have experienced loss, feel the solitude of loss

He died on 10/24/2021, dreaming of embracing his beloved son and to see him even in a final farewell.



The Released Abductee (M. N. S) says:

My family paid a large sum of money so that Houthis would agree to include my name in the exchange list in which I was released.



The released abductee (A.M. H) says:

They threatened my parents with detention if they tried to go to Ma'rib to meet me there after my release. My parents suffered a lot to travel secretly until they reached Ma'rib to meet me. They only had the clothes they were wearing with them. Here my parents and I start our lives from scratch, having nothing.



B- III-Treatment

The families of the abductees and detainees are subjected to ill-treatment during their search or visits for their relatives by prison administrations of all parties and authorities. Prison officials and jailers hinder visiting the families to see their detained relatives or delay their permission for long hours at the gates under the sun. The jailers badmouth at the mothers, and threaten families visiting their relatives with imprisonment. Inspection is carried out in a humiliating manner. The female inspectors frequently touch all parts of the body. This harms the mothers and women who visit their detained relatives.



INCIDENTS:

The sister of the Detainee in the Security and Intelligence Reformatory Prison in Sana'a (S.S.A.) says:

The prison guards are intransigent in the inspection. The inspection is carried out manually disregarding the Covid-19 pandemic. The inspectors sometimes break up cakes, pastries, cookies, and sometimes they drink from the mouth of a box of milk, yogurt or juice without using the cup or straw. If we object to maintain food safety and cleanliness, especially He is from the family and will not harm her son. We are screamed against and threatened to be deprived of visiting and bringing food in. Although food is allowed only once every two weeks, the guards sometimes throw the food on the ground and threaten to deprive the detainees of the food that their families bring under the pretext of our objection to the inspection manner.



The daughter of the detainee (A.M. Q) says:

The female inspectors inspect in a humiliating manner. If we object, they call on the jailers to come to insult and expel us. We bear all this so as not to be deprived of the visit, even though it hurts us the most because they insulted us in front of our father. Our father feels very sad as he is unable to do anything.



The mother of the detainee in Bier Ahmed Prison in Aden (M. M.) Painfully says:

When I am eager to hug my son and hold him to my chest, they refuse to grant me this simple right. "If this fence keeps me away from you, please do not come again" my son says. One time they closed the door and prevented me from visiting him, so I stayed in front of the door knocking for a long time till they opened the door for me.



The wife of the detainee (H. M) says:

The day of the bombing that took place in the surrounding area of the Central Security Prison in Sana'a, it was a very difficult day for me as a wife and for my children alike. When the news reached us from the media, I felt very frightened at that time because my husband was being detained there. I did not know what to do or say to my children's questions about their father.

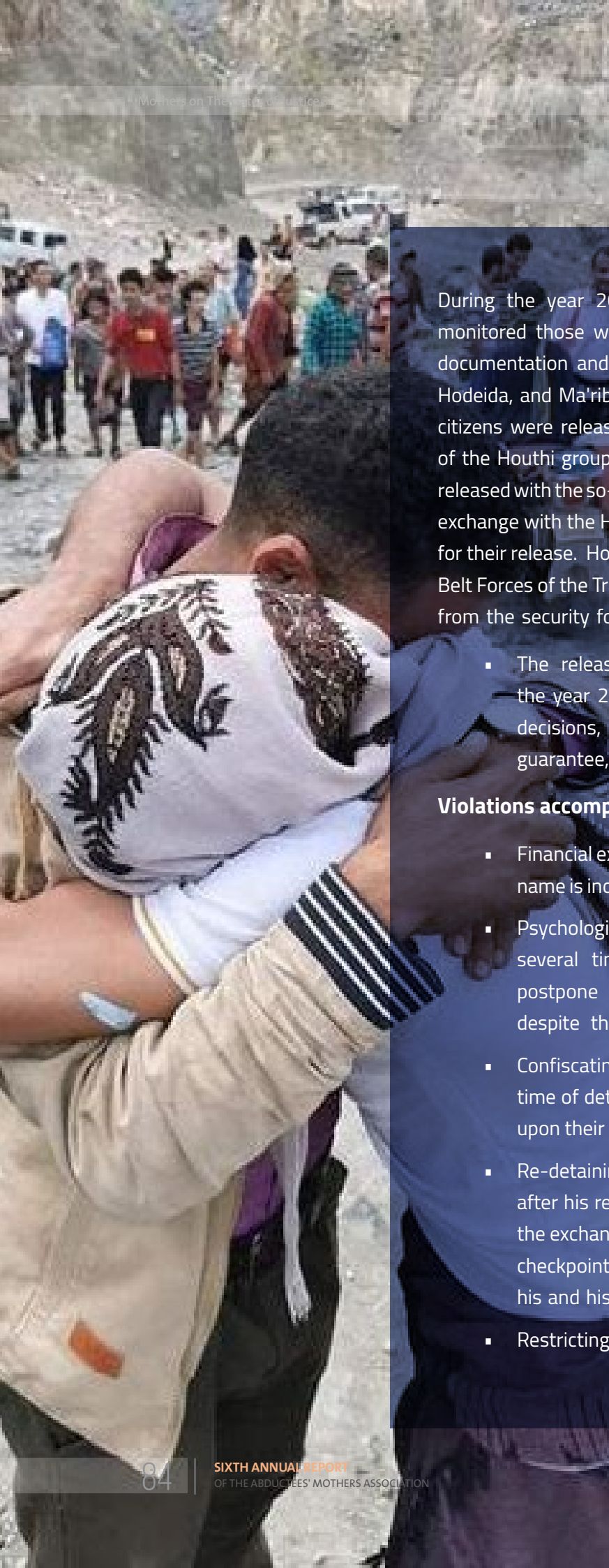
We could not contact the prison administration, since they transferred my husband to this prison. We are deprived to visit him and all we get is a call from him when the prison administration allows him to do so under its supervision, to ask us to transfer an amount of money as expenses for him. My children and I remained in a state of panic and terror for two days, after which I received a call from the central security. At that time, the blood froze in my veins. I was waiting for them to tell me that the place had been bombed, but the caller spoke coldly and said your husband wanted money.

At that time, I could not control myself; my tears flowed and I shouted "for what you want money and we do not know if he is alive or dead?!" He laughed sarcastically and said don't be afraid, he is fine, send him money. I asked him to let me visit my husband and see him at least this time, but he disconnected the call! My tears flowed and my agony increased in the caller's ill manner. On the second day, they allowed my husband to call and tell me that he was fine. Till the moment, I am not sure if it was the truth or they forced him to pretend that he was fine.

03

THIRD: RELEASES





During the year 2021, the Association of Abductees' Mothers monitored those who were released from its lists based on the documentation and follow-up of its teams in Sana'a, Aden, Taiz, Hodeida, and Ma'rib among all the various violating parties. (141) citizens were released from the prisons and the detention places of the Houthi group. Among the released are (12) abductees were released with the so-called amnesty. (80) Citizens were released in an exchange with the Houthi prisoners while (2) citizens paid a ransom for their release. However, (6) citizens were released by the Security Belt Forces of the Transitional Council in Aden, and (6) were released from the security force prisons of the Legitimate Government.

- The release processes that were implemented during the year 2021 varied between tribal mediation, amnesty decisions, and exchange for prisoners of war, offering a guarantee, and in exchange for a ransom.

Violations accompanying releases:

- Financial extortion of the detainee and his family so that his name is included in the lists of those who will be released.
- Psychological torture by re-interrogating the abductees several times, threatening to stop their release, and postpone printing and implementing the release order despite the completion of all procedures.
- Confiscating the personal properties that were seized at the time of detention, and are not given back to the detainees upon their release.
- Re-detaining. The released person cannot go back home after his release if he is from a different governorate than the exchange area, for fear of being kidnapped again at the checkpoints or when he reaches his home. This results in his and his family displacement.
- Restricting the freedom of movement of the released.



INCIDENTS:

1- The released abductee (A. H. Z) says:

Before my release, Houthis in the Security and Intelligence Prison in Sana'a brought a paper to me to sign. In that paper, it was stated that if I go to Ma'rib or contacted anyone there, the Security and Intelligence Forces have the right to re-detain me and judge me fittingly as per their opinion.

2- The local exchange process that took place in Taiz

On Wednesday, September 29, 2021, a local detainees' exchange took place in Taiz Governorate for "134" abductees and prisoners who were detained with the Houthi group, including "63" civilian abductees, in exchange for "70" Houthi prisoners of war detained by the army forces in Taiz.

Since the beginning of 2020, the team of the Abductees' Mothers Association in Taiz governorate has, upon the request of mediators, prepared lists of the kidnapped civilians from Taiz governorate with the Houthi group. The Association is the only party that owns their database and keeps in touch continuously with their families.

The team of the Abductees' Mothers Association in Taiz prepared the list, put all the civilian detainees on it, and made an important update for each stage in which the parties disagreed over some names or released any of the detainees individually.

On February 13, 2020, the association submitted a list of (353) abductees.

On March 30, 2020, the list was updated to include (363) abductees.

On June 13, 2020, the list was updated for the third time and included (319) abductees.

On 62020-16-, the list was updated for the fourth time and included (320) abductees.

On October 25, 2020, the list was updated for the fifth time and included (210) abductees.

On 112020-5-, the list was updated for the sixth time and included (209) abductees.



Then the mediators asked the association to delete the names of the kidnapped in dispute in order to make the exchange process successful. So, the list was updated for the seventh time on 112020-6- and included (142) abductees.

On May 28, 2021 the list was updated for the eighth time and included (116) abductees.

In July 2021 the list was thrice updated.

On the night of the exchange process, i.e. 282021-8-, the list was updated for the last time and included (63) abductees before the signature on it by the parties.

At six in the morning of 092021/29/, the team of the Abductees' Mothers Association in Taiz headed with the mediators' committee to the tops of the Jabal Sami' (Sami' Mountains), passing through six districts to receive the released abductees in the agreed upon exchange process between the parties under local mediation. Indeed, 63 kidnapped civilians were released in this exchange process. We also carefully monitored the obstacles that the working team faced in this exchange, including:

- Excluding the forcibly disappeared detainees and denying their existence completely, despite the danger that their fate will remain unknown.
- Excluding those who are brought to trial from the governorate, despite the need to issue release lists for them, especially in exchanges.
- A number of those released mentioned that they were subjected to massive financial blackmail by some personalities to include their names on the exchange lists signed by the parties.

The family of the released (M.M.S.) stated in this exchange that they were asked for one million riyals two days before the exchange was carried out to release their son. Else, their son would be left in the detention centre.

The mother of Nizar Tawfeeq, who was kidnapped for four years, embraced her son while her hands were trembling and words were faltering with her kisses. This date (the date of Nizar's release) became an exceptional day in her life.



3- (W.B.S) tells about his colleague:

My colleague is 53 years old. Houthis kidnapped him from the street and hid him for about two months. Then one of the prisoners informed his family. They contacted one of the authorities to check on his condition and paid him nearly half a million riyals. The mediator visited the victim while he was in a solitary cell inside the basement (ground floor). The victim told the mediator about his illness, his old age and that they [Houthis] insulted him and kicked him in his chest. As soon as the mediator left, they multiply tortured him. Later, new mediation came after the family gave them an amount of 800,000 riyals. All the abductee got was a phone call to his family three months after his kidnapping and they transferred him to the group cells. Houthis did not allow him to visit or even bring clothes or medicine from his home. His family did tries their best; going here and there till he was released on a commercial guarantee where he was not charged of any allegation.



4- The released detainee (R. A. A) says:

I was kidnapped in February 2020 from Albarmeel "(The Barrel) checkpoint in the Al-Mahjar area, Hodeida Governorate. I was on my motorbike. They took my bike, my ID card and my cell phone. I was imprisoned in the Military Intelligence Prison in Bajil district, Hodeida. Two months later, I was transferred to the Military Prison in Sana'a. When I asked them about my ID and motorcycle, they told me that it was in the custody. When I would be released, my belongings would be given back to me. Before my release, I was shifted to Al-Saleh Prison in Taiz. There I was released in an exchange deal on 29/2021/9/. But they did not give me my motorcycle or ID back. They told me to contact one of the mediators, there is no response and my belongings have not been given back to me till the moment.



Recommendations

To the United Nations and the Peace Sponsoring Countries in Yemen:

1. Pressurizing the Houthi group, the military and security formations supported by the coalition, and the legitimate government to release the kidnapped, detained and forcibly disappeared persons.
2. Pressurizing the signed parties of exchange agreement of the
3. prisoners', detainees, missing persons, detainees and forcibly
4. disappeared persons under house arrest in Stockholm, to implement it
5. comprehensively and on a humanitarian basis without delay.
6. Obliging detention authorities to empower victims of their rights
7. guaranteed to them in the constitution and humanitarian law.

To the UN Special Envoy to the Republic of Yemen:

1. Separating civilian abductees' file from the captured battlers' file, and pressurizing the parties to release the civilian abductees without restrictions and conditions.
2. The pressure for the immediate release of the abducted women as a humanitarian obligation.
3. Pressurizing to stop the trials of civilian detainees due to the war, stop the sentences issued against them, and release them.
4. Enhancing the participation of women in the peace process, as they lead a number of the humanitarian and human rights issues.

To the Yemeni Government:

1. Releasing all the detainees so speedily.
2. Allowing human rights organizations to visit prisons and play their role as a watchdog over the kidnapped and detained persons' rights from the violations they are subjected to.
3. Approving the International Convention for the Protection of All Persons from Enforced Disappearance.



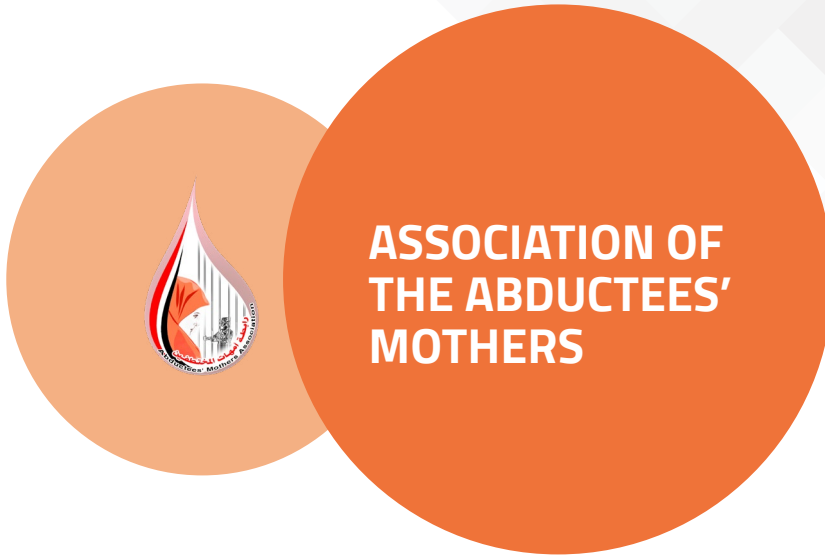
4. Pushing the criminal cases by the Public Prosecutor and initiating them himself, including the case of forcible disappearance, murder under torture, and the bombing of prisons.
5. Work seriously and decisively to unveil the fate of those forcibly disappeared by the military and security groups present in the western coast and releasing the illegally detainees.
6. Accountability and punishment of the perpetrators for kidnapping, detention, enforced disappearance, and torture. To fulfill their obligations in front of the local and international
7. community in the Yemeni constitution, the Universal Declaration of Human Rights and international humanitarian law.
8. Including the families of the kidnapped and the disappeared persons in the vulnerable cases and providing their needs within the relief programs.
9. A Fair Compensation for victims of torture and those released abductees
10. Working to include the kidnapped and the detainees in the Law of Sponsoring the Families of the Yemeni Revolution Martyrs and Fighters

To the Houthi group:

1. Swift and unconditional release of all kidnapped and detained persons both males and females.
2. Disclosing the fate of the forcibly disappeared, empowering them with their human and legal rights, and releasing them.
3. Allowing human rights organizations to visit prisons and monitor the human rights situation in them.
4. Closing all unofficial prisons and secret places of detention.
5. A fair compensation for victims of torture and released detainees.

To the transitional council:

1. Disclosing the fate of the forcibly disappeared persons, and releasing them.
2. Empowering the forcibly disappeared from their human and legal rights
3. Closing the unofficial prisons and secret detention places of the Transitional Council.
4. Compensating the victims of torture and the released detainees so fairly.



 **Definition**

Association of the Abductees' Mothers is a Yemeni human rights organization formed of mothers, wives, and relatives of the abductees and forcibly disappeared persons. It consists of female activists working in the field of freedom and human rights; and deals with the issues of the kidnapped, arbitrarily detained and forcibly disappeared persons with consideration to gender.

 **Vision**

The leading organization to gain freedom for the kidnapped and detainees.

 **Values and Principles**

Humanity, independence, transparency, neutrality, and participation.

 **The Message**

The Abductees' Mothers Association seeks to provide support for the forcibly disappeared, abductees and arbitrarily detained persons through advocacy activities to ensure their safety and release; and to alleviate the anguish of their mothers and relatives.



Strategic Objectives

Contributing to the release of the kidnapped, forcibly disappeared and arbitrarily detained persons; and the realization of their rights.

Contribute to strengthening the rule of law, raising awareness of human rights and the implementation of justice.



Activities and interventions

1. Documenting cases of kidnapping and enforced disappearance outside the law.
2. Monitoring and documenting violations of the rights of abductees, arbitrarily detained, and forcibly disappeared persons and their families.
3. Mobilizing societal and official efforts, demand to reveal the fate of the forcibly disappeared internally and externally, and releasing the kidnapped and forcibly disappeared persons.
4. Seek and demand that those responsible for the perpetrators of violations related to kidnapping, arbitrary detention, and enforced disappearance be brought to justice, and insure compensation for the victims and their families.
5. Supporting the families of the kidnapped, forcibly disappeared, and arbitrarily detained persons, through legal awareness, psychological and material support.



Achievements of the Association of Abductees' Mothers

Efforts made by the Association of Abductees' Mothers in 2021:

2021

Monitoring and Documentation:



144 

Documenting (144) released detainees.

133 

Documenting (133) cases of kidnapping, arrest and disappearance

40 

Documenting (40) cases of torture and death in the detention places.

Media Advocacy

41 Arranging and implementing (41) protest gatherings in four governorates (Sana'a, Aden, Taiz and Hodeida).

50 Issuing (50) human rights press releases and statements, and 12 press reports.

162 Posting (162) tweets and posts on social media.

02 Holding two hearings for the released abductees.

04 Holding (4) human rights seminars and (2) joint seminars with other human rights organizations.

02 Launching two workshops on rights and freedoms.

48 Preparing and issuing (48) issues of the weekly E-newsletter.

11 Producing (11) films and flashes.

03 The publicity of (3) human rights reports (The Annual Human Rights Report, The Smell of Death, and I fear I May Die Unknown).



Communication and Contact

80

Holding (80) meetings with national and international personalities and organizations



Sending

24 Official letters.
4,305 informal letters.



- Communicating with:
- National and international investigation committees
- Local and international mediators
- High Commissioner and the Red Cross.

Providing (8) local and international bodies with lists of the detainees.

Social and Psychological Support:

Holding (10) psychological support sessions for the released abductees.

10

08

Providing scholarships for (8) students of the abductees' children

75

Establishing friendly spaces for (75) children of the detainees.

Empowering (7) of the abductees' families with micro-projects

07

159

Providing medicines to (159) abductees via their families.



Training and Qualification:



- ┆ Holding two training courses in the media field.
- ┆ Training course in the accountability field.

- ┆ A training course in the advocacy field.
- ┆ A training course in documentation.

Peace-
making:

63

Contributing to the process of exchange with local mediation in Taiz governorate, in which 63 civilian abductees were released.

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