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Executive Summary

We, at the Association of Abductees' Mothers, work with several human rights organizations in Yemen to advocate human rights, expose violations against civilians, demand accountability for perpetrators of violations, and ensure that they are not exempt from punishment. We hope to mobilize local and international community efforts to address the issue of our abducted and arbitrarily detained offspring. Therefore, we have been vigilant in monitoring and documenting these violations and issuing human rights reports that include testimonies from victims or their families, in order to convey a message to the international community to take serious action to rescue the victims of abduction, detention, and enforced disappearance, in all their humanitarian and political endeavors.

The Association of Abductees' Mothers documented the following violations against the abducted, detained, and forcibly disappeared individuals in various Yemeni cities including Sana’a, Aden, Taiz, Ma’rib, Dhamar, Hodeida, Hajjah, Ibb, Lahj, and Sa’dah during the year 2022:

- Regarding the violation of the right to life, the Association confirmed the death of the abductee Aziz Dabwan, who was held in the Saleh detention center in Taiz, due to medical negligence. The abductee fell into a coma for three months.

- In terms of the violation of the right to freedom, the Association documented the abduction and arrest of 442 civilians during the year 2022, including 324 civilians abducted by the Houthi group in Sana’a, Taiz, Hodeida, Dhamar, Ibb, Hajjah, Amran, and Sa’dah. The Association also documented the arrest of 102 civilians by the Security Belt Forces affiliated with the Transitional Council in Aden, Shabwa, and Lahj and 8 civilians by the security forces affiliated with the recognized government in Ma’rib and Taiz. Additionally, 8 civilians were arrested by the Joint Forces in the Western Coast in the areas under their control in Hodeida.

- Concerning enforced disappearance, the Association documented the forced disappearance of 56 civilians by violating parties, including 41 individuals disappeared by the Houthi group, 8 individuals disappeared by the Security Belt Forces affiliated with the Transitional Council, 3 individuals disappeared by the security forces affiliated with the recognized government in Ma’rib, and 4 individuals disappeared by the Joint Forces in the Western Coast.

- Regarding torture and ill-treatment, the Association documented 33 cases of torture of abducted and detained individuals by violating parties, including 25 cases of torture by the Houthi group, 6 cases of torture by the Security Belt Forces affiliated with the Transitional Council, and 2 cases of torture by the security forces affiliated with the recognized government.
The Association of Abductees’ Mothers also led 14 protest rallies distributed across 3 provinces (Sana’a, Taiz, Aden) and issued 28 press releases and human rights statements. They also held 45 meetings with international and human rights figures within Yemen and abroad and sent 19 official messages and legal memoranda to various local and international figures.

The Association of Abductees’ Mothers issued 12 monthly E-newsletters and produced 4 videos and 140 designs to raise awareness about abducted individuals and advocate for their just cause. It organized two-panel discussions, one in Taiz and another in partnership with the American Center for Justice on the occasion of Yemeni Abductees Day. It also conducted two listening sessions, one with survivors of the Community College bombing and some relatives of the deceased in that incident, and the second session to listen to female relatives of abducted and detained individuals regarding the violations they experienced while searching for their loved ones.

Furthermore, in the field of psychological support, the Abductees’ Mothers Association held (3) courses and psychological support sessions for the released abductees, (5) self-development and psychological support courses for the abductees’ families, a ceremony honoring the mothers of the forcibly disappeared in Aden, an entertainment program for (60) children of the abductees, and a course was held Psychological support for the work team through the Center for Victims of Torture.
Introduction

Freedom, security, and safety are rights guaranteed by all religions, local and international laws. To draw attention to this right, we, the working women in the Association of Abductees’ Mothers, have dedicated since its inception to secure this right for our kidnapped and arbitrarily detained offspring. We have worked through various means to make our voices heard both domestically and internationally, through numerous events and activities, to shed light on this humanitarian issue.

One of the most notable actions taken by the Association of Abductees’ Mothers is the monitoring and documentation of violations suffered by civilians, including abductions, arbitrary detentions, enforced disappearances, torture, and mistreatment. As a result, the association has issued human rights reports to provide a clear picture of the human rights situation in Yemen. These reports serve as a reminder to the conflict parties committing these violations of the legal protection granted by national laws, foremost among them the Yemeni constitution, and international laws, particularly international humanitarian law. They also highlight the relevant provisions of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which protect individuals’ rights to life, freedom, security, and a fair trial.

Despite the challenging and complex nature of human rights work in a country like Yemen, especially in the midst of armed conflicts and grave and blatant human rights violations, the Association of Abductees’ Mothers has diligently advocated for rights and freedoms, opposed arbitrary detention, and fought for the preservation of freedoms. Its work has had a noticeable impact in the field of human rights, and it hopes that its efforts will contribute to raising awareness of human rights, protecting the rights of victims, combating impunity, and improving the human rights situation in Yemen as a whole.
Report Methodology

The monitoring team of the Association of Abductees’ Mothers documented cases of violations against civilian citizens during the year 2022 in the cities of Sana’a, Aden, Taiz, Ma’rib, Dhamar, Hodeida, Hajjah, Amran, Shabwa, Ibb, Lahj, and Sa’dah. The team relied on testimonies from 74 victims or their relatives obtained from information sources or witnesses.

The team is committed to the principles of non-harm, ensuring the safety of witnesses and victims, integrity, objectivity, and transparency. The monitoring team has made efforts to monitor and document violations committed by all parties to the conflict, maintaining an impartial stance towards all parties.

Since each violating party exercises control over a specific area, it is easy for us to identify the perpetrators of violations and determine their affiliation, as there is no interference between the violators that would cause suspicion in their identification.

Despite the restrictions imposed on accessing victims or witnesses due to the fear instilled by threatening parties, which discourages victims and their families from reporting the violations they have endured to the media or human rights organizations, the team has diligently worked to document such violations. This has been achieved by conducting face-to-face interviews with victims and witnesses whenever possible and listening to the statements of informants.
• The incidents mentioned in the report were selected based on the consent of the victims or their relatives for publication, taking into consideration the principle of non-harming witnesses or victims, as well as ensuring the diversity of cases according to the parties involved in the violations, neglecting none of them.

• The Mothers of Abductees’ Association held regular meetings throughout the year with representatives of the Office of the High Commissioner for Human Rights and human rights officials in the Commissioner’s office. They also had meetings with protection officials from the International Committee of the Red Cross, where violations related to abduction, detention, and other abuses suffered by the kidnapped and detained in places of detention were presented.

• The Mothers of Abductees’ Association held meetings with authorities in Aden, Ma’rib, and Taiz, where they presented complaints from victims and addressed violations related to abduction and detention. They strongly urged the authorities to ensure that detained victims are able to exercise their natural rights and be released if no evidence of their involvement in any crime is found. These demands were based on reports received by the association from the families of the victims.

• In its report, the association shared data on its monitoring and documentation activities throughout 2022. It also highlighted a selection of documented incidents as a representative sample of the violations committed against civilian abducted victims by all parties involved in the conflict.

• It’s important to note that the numbers mentioned in the report reflect the monitoring and documentation efforts conducted by the monitoring teams. However, they do not provide a comprehensive reflection of the actual reality and extent of the violations on the ground. Nonetheless, they contribute significantly to forming a more accurate understanding of the violators and their inhumane practices against the victims.

• The initial draft of this report underwent thorough preparation, review, and verification before its finalization.
A Concise Background

The Houthi group announced its control over the capital, Sana’a, on September 21, 2014, and began expanding its control to other Yemeni provinces in alliance with former President Ali Abdullah Saleh. After Houthi forces reached Aden and President Abd Rabbu Mansour Hadi fled Yemen, a military coalition led by Saudi Arabia and the United Arab Emirates was formed. They initiated airstrikes under the name “Decisive Storm”, which were followed by ground confrontations that spread across most Yemeni provinces.

During the armed conflict, severe violations of human rights became widespread, particularly in areas controlled by the Houthi armed group. They carried out extensive abduction campaigns against civilians in several cities and transformed captured opponents’ homes into secret prisons for the purpose of political concealment, torture, and mistreatment. They also utilized public facilities such as schools, hospitals, mosques, camps, and other places for the same purposes.
After Houthi and Saleh’s forces ended their control over the southern provinces of Yemen, security forces supported by the United Arab Emirates took over the administration of these areas, known as the “Security Belts.” Subsequently, they committed violations against civilians, including arbitrary arrests, enforced disappearances, and torture in the detention centers established to hide and torture dissidents.

Even in the areas controlled by the recognized government, such as Ma’rib City and parts of Taiz, violations against civilians, arbitrary arrests, enforced disappearances, and torture continued to occur.

In early December 2017, the alliance between the Houthi group and former President Ali Abdullah Saleh and his supporters collapsed, resulting in armed clashes that led to the death of the former president and a number of his supporters. Afterward, Houthi forces launched a widespread campaign of pursuit and abduction targeting Saleh’s supporters, both men and women, who were then imprisoned in secret jails and subjected to harsh physical and psychological torture.

After the establishment of General Tariq Saleh, the nephew of the former president, the forces of the "National Resistance" and the "Republican Guards" were formed and integrated into what is known as the Joint Forces in the western coast. They spread into areas belonging to the governorates of Taiz and Hodeida. These forces began committing violations against civilians, ranging from arbitrary detention, and enforced disappearance, to physical and psychological torture.

Since the establishment of the Abductees’ Mothers Association in April 2016, it has worked on monitoring and documenting violations against civilians and issuing human rights reports. These reports have contributed to forming a clear image of the violations suffered by civilians related to abduction, arbitrary detention, enforced disappearance, and torture. They have also highlighted the issue of unfair trials imposed on them, which adhere to none of the fair trials’ principles.

The treatment of arbitrarily detained victims by violating entities is as follows:

- People are arbitrarily arrested, detained, hidden, tortured, and ill-treated, including sexual violence, without any charges being brought against them for long periods of time and without any legal proceedings. The residents
live in fear of arrest or being targeted in any form for being opponents.

- Violating entities in Yemen have consistently violated the freedom of opinion and expression, with journalists and social media activists being at the top of their target list.

- Opponents’ homes are raided late at night, and physical violence is used during the arrests, often extending to assaulting their family members and using force to take them away.

- Victims are not informed about the nature and reasons for their detention, and they remain detained for years without appearing before the public prosecutor or undergoing any judicial investigation, without access to any form of legal assistance.

- Checkpoints are distributed at the entrances of cities and districts, and people are abducted on the pretext of being opponents. Their detention continues for years without any legal procedures being followed, resulting in restrictions on the people and diminishing their right to freedom of movement between Yemeni cities.

- Enforced disappearance is widely practiced, and the majority of abducted or detained individuals experience varying periods of enforced disappearance. The Houthi group has utilized a significant number of secret detention places to hide the abductees, including confiscated houses of their opponents who have left the country or relocated to other cities, as well as mosques, Quranic schools, and basement floors of several civilian establishments.

- This has led many individuals claiming connections with Houthi group leaders to falsely claim that they have the ability to disclose the whereabouts of the hidden individuals in exchange for large sums of money obtained from the families of the hidden abductees. However, such attempts have proven futile, as the abductees remain hidden for several months, and the duration of enforced disappearance can extend to several years.

- The Security Belt forces have used the houses of some of their leaders to hide detainees, and a number of them have been transferred to a detention center in the city of Asmara, Eritrea, which is run by forces affiliated with the United Arab Emirates. Dozens of families are concerned due to the lack of communication between them and their detained children at the Security Belt authorities for years. Their anxiety increases when they hear reports of the
torture and burial of those hidden detainees within the detention facilities.

- Torture and other forms of cruel, inhuman, or degrading treatment are strictly prohibited under international human rights law and international humanitarian law. However, the violating entities in Yemen systematically employ torture to extract confessions and to arbitrarily punish the abductees and detainees for their opposition.

- Civilian abductees are subjected to severe physical and psychological torture, especially during prolonged enforced disappearances that can last for months in most detention facilities. The League has documented cases of abductees who suffered from chronic disabilities, such as paralysis, hearing loss, or blindness within the detention facilities.

- Detainees are subjected to prolonged interrogations while their hands are bound and their eyes blindfolded. They may be suspended from the ceiling or hung on a rack (grill-like structure). They are repeatedly beaten with metal cables, subjected to electric shocks, their nails forcibly removed, and are subjected to forced nudity and threats of rape, either against themselves or their spouses, in order to humiliate them and coerce them into confessing.

- The conditions of detention have been and continue to be extremely poor in prisons and detention facilities. Medical care is not provided, proper ventilation is lacking, and the victims are deprived of exposure to sunlight for extended periods up to a year, and are provided with poor-quality food in terms of cleanliness and nutritional value.

- Several abducted and detained individuals died shortly after their release from detention centers controlled by the Houthi group and the Security Belt Forces in Aden. It is difficult to determine the exact circumstances that led to their deaths, as medical reports do not establish the cause, and forensic reports are rarely available. However, it is believed that torture, at least, contributed to the deaths of these detainees.

- Organizations and human rights bodies are not allowed to visit detention centers or access information about the hidden detainees, including the International Committee of the Red Cross.
- The abducted and detained individuals were arbitrarily brought before the judiciary after being subjected to periods of enforced disappearance and intentional torture, aimed at extracting confessions from them. They were not granted their legal rights to a fair trial according to the procedures stipulated in the national constitution and the criminal procedure law.

- The Houthi group issued collective death sentences against the abductees, executing nine of them in September 2021. They were accused of facilitating an airstrike that resulted in the killing of a Houthi leader. The United Nations High Commissioner for Human Rights described that trial as a judicial process that did not respect the standards of a fair trial under international law.

- The conflict parties have not acknowledged their responsibility for any violations and have refused to take any steps to rectify the situations that have resulted in severe violations of the rights of civilians. Perpetrators are being shielded, which encourages further disregard for the rights of Yemeni civilians and incites impunity for crimes committed in Yemen.

- The Houthi group forces the detainees in their custody to sign statements warning them against reporting their detention or torture. Victims and witnesses fear being under surveillance.

- The Houthi group has resorted to practices outside the judicial system to release detainees, including obtaining signed guarantees from individuals who become responsible for returning the abductee to the Houthi security authority if requested in the future. This has hindered the release of many abductees due to people's reluctance to provide such guarantees out of fear of being detained themselves if they fail to produce the promised person.

- Another practice outside the judicial system is forcing the abductees to pay hefty ransoms, reaching millions of Yemeni rials, or relinquishing their houses and properties in order to secure their release, especially if they are businessmen or property owners.

- The Houthi group has also used the exchange method as the only option in many kidnapping cases. Civilian abductees are released on the condition of exchanging them for detainees held by the recognized government forces. This type of release exchange forces the abductees to be relocated to areas under the control of the recognized government and are prohibited from returning to their own cities.
Arbitrary violations suffered by the abducted and detained individuals
First: Violating the Right to a Fair Trial.
The right to a fair trial

Fair trial is a fundamental right for every person whose freedom is restricted or who faces criminal charges. International human rights law guarantees this right, as stated in Article 10 of the Universal Declaration of Human Rights: "Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him."

The Constitution of the Republic of Yemen, in Article (48/I), affirms the right of every person whose freedom is restricted to present themselves before the judiciary. It states that: “anyone who is temporarily detained on suspicion of committing a crime must be brought before the judiciary within a maximum of twenty-four hours from the time of their arrest. The judge or public prosecutor must inform them of the reasons for the arrest, conduct the interrogation, enable them to present their defense and objections, and promptly issue an order either to continue the detention or release the person. In all cases, the public prosecutor is not allowed to extend the detention for more than seven days without a judicial order, and the maximum period of pretrial detention is determined by law.”

However, during the year 2022, dozens of abducted and detained individuals were arbitrarily brought to trial in the specialized criminal court after spending years in detention, in violation of the provisions of the Yemeni Constitution and the Criminal Procedure Law.
The Special Criminal Court:

An exceptional court that was established in violation of the constitution, existing laws, conventions, and international treaties. Article 150 of the Yemeni Constitution explicitly states that “the establishment of exceptional courts is not permitted under any circumstances.” This contradicts 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 their natural judge.

Furthermore, this establishment contradicts the provisions of Article 6 of the constitution, which affirms Yemen’s commitment to the Universal Declaration of Human Rights and the principles of international law that prohibit the creation of exceptional courts and require equal rights for all citizens, including the right to a fair trial before a natural judge. The Judicial Authority Law, in its article 8, also confirms the prohibition of establishing exceptional courts.
1- The Special Criminal Court in the capital city of Sana’a

This court, in addition to its impermissible establishment, lacks jurisdiction and its mandate was terminated by a decision of the Supreme Judicial Council dated April 20, 2018. The decision concluded the duties and jurisdiction of this court in the capital and transferred them to the specialized primary criminal court in Ma’rib Governorate.

As for the appointed judges in the criminal courts, they are carefully selected to serve the agenda of the ruling authority and pledge loyalty to it. This became evident after the Houthi group seized control of the state and its institutions, including the judiciary. The overall trial procedures conducted before these courts are security and political trials that disregard any principles of a fair trial. They lack the basic elements of a just trial, making them characterized by a lack of neutrality, independence, and complete bias towards the public prosecution, executing the will of the ruling authority.

Here, we present the most prominent cases brought before the Special Criminal Court in Sana’a:
First: Cases in which the Special Criminal Court issued death sentences

A. Case No. 24 of 1443 AH (The Kidnapping Case of Sons of Saada):

The Special Primary Criminal Court in Sana’a issued a death sentence on Wednesday, 13 Jumada Al-Awwal 1444 AH, corresponding to December 7, 2022, for seven individuals who were kidnapped from Sa’dah Governorate. The individuals are:

1. Mohammed Yahya Mohsen Al-Maleki
2. Mohammed Ahsan Hassan Hilal
3. Salem Ahmed Ali Da’il Rashed
4. Abdul Razzaq Rajab Ali Al-Muharraq
5. Mohammed Hussein Yahya Nasser Al-Ghawi
6. Fahd Yahya Jubran Swaydan Al-Suwaidi
7. Walid Yahya Hussein Saleh Al-A’yzeri

The verdict convicted the aforementioned detainees of assisting the Saudi-Emirati aggression and spying on them to harm the military, political, and economic center of the Republic of Yemen, as stated in the indictment. Each one of the detainees was sentenced to death by firing squad.

The same court verdict sentenced the following detainees in the same case to fifteen years in prison:

1. Ahmed Hussein Ahmed Yahya Al-Abqori
2. Saleem Matar Qasim Qathan
3. Mohammed Naji Ahmed Mohammed Swaydan Al-Ghawi
4. Khalid Rashid Mohammed Al-Sadiq
5. Musfir Hamoud Mohammed Hilal
6. Adel Ali Ahmed Jaber Farwan
7. Al-Zubair Mohammed Ahmed Al-Ghawi

The court ruling convicted the above-mentioned detainees of assisting the aggression and spying on them. Every detainee was sentenced to fifteen years in prison, with three years of police supervision following the completion of their original prison term. They are also required to sign a written undertaking accompanied by a guarantee from a financially capable
sponsor, who will pay a sum of fifteen million Yemeni riyals to the General Treasury of the State in case any of the abductees commit any crime related to assisting the aggression or engage in unlawful contact with a foreign country within two years after the completion of their original prison term.

Furthermore, the verdict sentenced the following individuals to ten years in prison each:

1. Abdul Khaliq Hamoud Yahya Seraj
2. Abdul Razzaq Ahmed Mohammed Swaydan Al-Ghawi
3. Abdullah Yahya Mohammed Al-Ayzeri
4. Mohammed Ahmed Ali Al-Andouli
5. Fares Suwadi Hussein Al-Razehi
6. Hussein Mabkhot Mohammed Hamlan

The court ruling convicted the aforementioned six detainees of arbitrary detention and charged them with the crimes of assisting the aggression and spying on them. Each of them was sentenced to ten years in prison, with three years of police supervision following the completion of their original prison term. They are also required to sign a written undertaking accompanied by a guarantee from a financially capable sponsor, who will pay a sum of ten million Yemeni riyals to the General Treasury of the State if any of them commit any crimes related to assisting the aggression or engage in unlawful contact with a foreign country within two years after the completion of their original prison term.

**B- Case No: 32 of the year 1443 AH, known as the Ismail Abu Al-Ghaith and Others from Mahweet Governorate**

The Special Criminal Court in Sana’a issued a verdict on December 31, 2022, sentencing three kidnapped individuals from Mahweet Governorate to death. The convicted individuals are:

1. Ismail Mohammed Abu Al-Ghaith
2. Saghir Ahmed Fare
3. Abdul Aziz Ahmed Al-Aqeeli

They were abducted in the year 2015. The first was arrested on July 20, 2015, while the second and third were apprehended on September 29, 2015. They were forcibly concealed for more than five years, and their families had no knowledge of their whereabouts until they reappeared on March 13, 2021, when they were allowed to communicate with their families. Their families were granted permission to visit them after having lost hope of their survival due to the prolonged period of their disappearance, which lasted for more than five years.
The defendants were referred to the specialized criminal prosecution in Sana’a on April 3, 2021, and were interrogated by the prosecution before being brought to court on October 2, 2021. They were charged with forming an armed gang to attack state officials, military personnel, security forces, social figures, and citizens. They were also accused of the murder of Ahmed Mohammed Al-Mahdi and Khaled Yahya Farhan, the security supervisor of Mahweet Governorate at the time, as well as Abdullah Yahya Farhan. These crimes took place in the Lahima area of Mahweet Governorate on August 4, 2015. Additionally, they were charged with attacking security checkpoints belonging to the popular committees affiliated with the Houthi group in Mahweet Governorate and Bajil District in Hodeida Governorate.

This case was reserved for judgment by the court until the session on December 31, 2022, during which the following verdict was pronounced:

- Ismail Mohammed Abu Al-Ghaith Abdullah, Saghir Ahmed Saleh Fare’a, and Abdul Aziz Ahmed Ahmed Al-Aqeeli were found guilty of participating in an armed gang that attacked a group of people, resulting in the killing of the deceased Ahmed Mohammed Al-Mahdi, Khaled Yahya Ahmed Farhan, and Abdullah Yahya Ahmed Farhan. They were sentenced to death by firing squad.
- The aforementioned convicted individuals are equally obligated to pay a sum of 3,000,000 Yemeni riyals to the heirs of the deceased Ahmed Mohammed Al-Mahdi, Khaled Yahya Farhan, and Abdullah Yahya Ahmed Farhan as compensation for fines and litigation expenses.
- The charges of assisting the enemy and spying on behalf of them against Ismail Mohammed Abu Al-Ghaith Abdullah, Saghir Ahmed Saleh Fare’a, Abdul Aziz Ahmed Ahmed Al-Aqeeli, and others were dropped. They were acquitted of the crime of assisting the enemy attributed to them in paragraph (b) of the indictment decision, as stated in the verdict.

C. Case number (222) for the year 2019, the specialized criminal prosecution department of the Municipality, registered under number (541) for the year 2018, the specialized primary criminal prosecution department of the Municipality:

The Specialized Criminal Court in Sana’a issued a death sentence against:

1. Fahd Abdullah Mohammed Al-Salami
2. Sadiq Mohammed Al-Hajj Al-Majydi

The first accused was the Director of Al-Nahda Al-Haditha School, one of the largest schools in the capital, Sana’a. The second accused was a teacher at one of the schools in the capital, Sana’a, as well. The third accused was released on August 27, 2020, in an exchange operation with one of the detainees from the Houthi group.
The names of the defendants in this case are:

1. Ahmed Abdullah Ahmed Al-Qatta’a
2. Fouad Nu’man Sharyan Al-Awadhi
3. Nabil Mohammed Mohammed Al-Sadawi
4. Fahd Abdullah Mohammed Al-Salami
5. Mansour Mansour Yahya Al-Faqih
6. Issam Mohammed Ahmed Al-Zindani
7. Asim Thabit Derhim Radman
8. Sadiq Mohammed Al-Hajj Al-Majydi
9. Mohammed Abdo Ahmed Salah Al-Harazi
10. Mokhtar Abdullah Yahya Al-Jabali
11. Mahdani Ali Ahmed Mahdani
12. Habib Yahya Mohammed Al-Udaini

In this case, a preliminary judgment was issued on February 22, 2022, stating the following:

1. Acceptance of the defense's formal objections and rejection of their substantive objections for the reasons we have stated.


4. Sentencing Ahmed Abdullah Ahmed Al-Qatta’a, Fuad Nu’man Sharyan Al-Awadhi, Nabil Mohammed Mohammed Al-Sadawi, and Asim Thabit Darham Hazem Radman to eight years in prison, starting from the date of their arrest.


6. Sentencing Habib Yahya Mohammed Osman Al-Odaini to five years in prison, starting from the date of his arrest.
7. Placing the convicted individuals mentioned in paragraphs (46-5-) of this judgment under supervision for three years, prohibiting them from frequenting suspicious places and communicating with criminals and individuals with criminal records, as stated in the judgment.

Despite the court’s ruling, which stated in its sixth paragraph that the detained Habib Al-Odini should be sentenced to five years in prison starting from the date of his arrest and be released immediately after the verdict, the judgment has not been implemented as of the writing of this report. Habib Yahya Mohammed Al-Odini remains in custody.

Additionally, there are other detainees who were sentenced to seven years in prison from the date of their arrest, which expired in October 2022, as they were covered under the fifth paragraph of the verdict. Although requests for their release were submitted upon the completion of their sentence, they have not been released on the grounds that the prosecution has appealed the initial judgment. The defense team has also filed an appeal after the verdict was announced within the legal timeframe.

However, the case is still pending with public prosecution, and it has not yet been sent to the Court of Appeal for the appeal process, which is expected to begin in January 2023.
Second: the cases in which initial death sentences were issued and appealed before the Court of Appeals. These cases are still pending before the specialized appellate branch in the capital, Sana’a. These cases include:

A. Case No. (141) of the year 1438 AH, known as the "30 / Nasr Mohammed Mohammed Al-Salami and others, involving 30 detainees."

In this case, an initial judgment was issued by the specialized primary criminal court in the capital, bearing No. (101 of the year 1440 AH), dated July 9, 2019. The judgment was appealed, seeking its annulment and acquittal of the detainees who were sentenced to death in this case. The case is still pending before the specialized criminal appellate branch in the capital.

It is worth noting that eight detainees who were sentenced to death, in this case, were released in a prisoner exchange operation between the recognized government and the Houthi group, which took place under the auspices of the United Nations and the International Red Cross on October 15, 2020.

B. Case No. (176) of the year 1441 AH, the of the journalists Abdul Khaliq Omran, Akram Al-Walidi, Tawfiq Al-Mansouri, and Al-Harith Humaid:

In this case, ten journalists were detained and tried before the specialized primary criminal court in the capital. On April 11, 2020, a verdict was issued sentencing four of the journalists to death. The journalists who received the death penalty are Abdul Khaliq Ahmed Abdo Omaran, Akram Saleh Musa’id Al-Walidi, Al-Harith Saleh Saleh Humaid, and Tawfiq Mohammed Thabit Al-Mansouri. The remaining six journalists were sentenced to imprisonment, with a report recommending their release. However, they were not released based on the court’s judgment. Instead, their names were included in the prisoner exchange operation between the Houthi group and the recognized government, facilitated by the United Nations and the International Red Cross on October 15, 2020.

Regarding those sentenced to death, an appeal was filed against the verdict before the specialized criminal appellate branch in the capital, and the case is still pending before the branch.

It is worth noting that the mentioned journalists have been transferred to the Central Security Prison of the Houthi group for over two and a half years, and the branch continues to consider the appeal without bringing them to the trial sessions. The defense team had previously argued that the branch and the specialized primary criminal court in the capital do not have the specific jurisdiction to hear their case since the Press and Publications Court is the competent authority to handle their case due to their work as journalists, and the charges against them are related to their journalistic activities. However, the branch has not yet ruled on this jurisdictional objection.
Third: Pending trial cases before the specialized primary criminal court in the capital, known as Al-Amanah Court, are as follows:

A. Case No. (168) of the year 2018, the case of Abdul-Ilah Sailan and others, registered with the specialized criminal appellate prosecution in the capital as No. (205) of the year 2018 and with the specialized primary criminal prosecution in the capital:

The defendants in this case are:

1. Abdul-Ilah Ali Ayedh Sailan
2. Abdul Aziz Ahmed Abdo Mohammed Al-Hutami
3. Abdul Rahman Ali Abdullah Al-Selwi
4. Majid Hassan Ali Al-Bazli
5. Abdul Hakim Mohammed Ahmed Ali Bishr
6. Amer Ali Ahmed Al-Mekhlafi
7. Suhaib Sinan Qayid Al-Jaradi
8. Shuaib Ahmed Hezam Al-Shayemi
10. Badr Al-Din Abdullah Ali Al-Nuwayrah
11. Jameel Hassan Hussein Dayl
12. Shahab Al-Din Mansour Ali Al-Salemi
13. Majid Ahmed Musleh Al-Ba’wah
14. Al-Hassan Abdul Rahman Yahya Al-Serari
15. Mohammed Ahmed Saleh Al-Rada’i
16. Ha’zaa Saleh Abdullah Al-Qumami

Three of them have been released in exchange operations with captives affiliated with the Houthi group. They are Abdul Hakim Bishr, Jameel Dayl, and Majid Al-Ba’wah.

The case of these kidnapped individuals was initially transferred from the specialized primary criminal prosecution to the specialized primary criminal court in 2019. It was then sent back to the prosecution to complete some procedures according to the court’s decision. It was sent to the court again, but due to the lack of evidence, the court had instructed the prosecution to present evidence. However, the prosecution failed to do so. Therefore, the court decided to return the case to the prosecution for a second time, although this procedure contradicts the law, as the court is obliged to rule on the case in its current state as presented by the prosecution. In the absence of evidence, the law requires the court to acquit the defendants of the charges against them. The case is still within the jurisdiction of the specialized primary criminal prosecution, and the detainees are still detained in the prisons of the Houthi group.
B. In case No. 596 of the year 1441 AH, of Hamoud Al-Qushibi and others, (12 detainees):

This case is still pending before the specialized criminal court in Sana’a. The defense team has presented several procedural and substantive arguments to invalidate the indictment. It should be noted that five of the defendants, in this case, have been released through exchange deals with detained fighters from the Houthi group, despite being civilian detainees who were arrested from their homes and workplaces in the Sana’a Capital city of Sana’a.

C. In case No. 51 of the year 1440 AH, of Ali Ali Sherhan and others (13 detainees):

This case was pending before Judge Mohammed Mufleh Mohammed Mufleh, who had decided to allow the parties to present their final arguments on March 29, 2022. However, he was transferred from the court in May 2022, and the case was assigned to Judge Abdullah Al-Dawas, who was appointed to the criminal court in June 2022, replacing the former judge, Mohammed Mufleh. The case is still pending before this new judge.

It should be noted that all the detainees, in this case, have been released through exchange operations with detained fighters from the Houthi group, and some of them have been released on commercial guarantees, except for one detainee who remains in custody, Abdulhakim Al-Anesi.

Fourth: New cases referred to the prosecution and the specialized criminal court in Sana’a during the year 2022:

A. The case of detainee Nabil Abdo Mohammed Ja’arah:

The detainee was arrested on March 7, 2021, in Raymah governorate and was kept hidden for more than two months. After being transferred from the security authorities in Raymah to the security and intelligence administration in Sana’a, he was referred to the specialized criminal prosecution in Sana’a on May 23, 2021. He was interrogated by the prosecution and, subsequently, his case file was referred to the specialized primary court in Sana’a in August 2022. Several sessions were held before the court, and his case is still pending before the court.

B. The case of Samir Hussein Mohammed Al-Omari and others, (31 detainees):

They were arrested in 2020 and remained forcibly hidden for a period ranging from 6 to 8 months. Their families had no knowledge of their whereabouts until they discovered that they were detained in the prisons of the Houthi group. Later on, they came to know that they were held in the security and intelligence apparatus in Sana’a, affiliated with the Houthi group. In October 2022, they were referred to the specialized primary criminal prosecution in Sana’a on charges of forming an armed gang and assisting the enemy. Their case is still under investigation before the prosecution at the time of writing this report.
Violations accompanying these trials:

There have been serious procedural violations and infractions against the defendants in these cases, starting from their arrest and prolonged periods of enforced disappearance ranging from two months to five years, as seen in the case of Ismail Abu Al-Ghaith and others. During their period of disappearance, the detainees were subjected to various forms of persecution, physical and psychological torture, and they remained in the custody of security agencies for more than five years, which is a violation of the provisions of the constitution and the applicable laws. According to Article (48/J) of the constitution, “the right of security agencies to detain an individual does not exceed twenty-four hours, as it states that “anyone who is arrested due to suspicion of committing a crime must be presented to the judiciary within twenty-four hours at most.”
Therefore, the investigative procedures, which involved extracting statements from the abductees under torture and coercion, render those procedures null and void. It is not permissible to rely on them in attributing any charges. The investigations conducted by the prosecution were merely superficial, and the prosecution did not fulfill its legal role in investigating and examining the charges and allegations attributed to them by the security agencies. Instead, the role of the prosecution was to act upon what was presented to them by the security agencies.

Consequently, the investigation procedures of the prosecution were also in violation of the legal procedures stipulated in the Criminal Procedure Law, which makes the referral from the prosecution to the court a violation of legal procedures, in addition to the rights related to the charges assigned to them and examining their validity. The Public Prosecution failed to fulfill its role as an investigative authority and functioned merely as a transfer station, without carrying out its mandated role in investigating and examining the truth, making the actions of the prosecution ineffective for the detainees and rendering the referral decision from the prosecution to the court invalid due to its violation of the most basic legal procedural requirements.

Although the violations committed by the security authorities and the public prosecution are severe, we will focus here on mentioning the most significant procedural violations that occurred in court proceedings:

1. The court does not operate based on the legal principles and rules related to the presumption of innocence, which is considered a fundamental principle of fair and impartial trials. The constitution, in Article 47, states that “every accused person is innocent until proven guilty by a final judicial verdict.”

2. The court does not adhere to the procedures outlined in the Criminal Procedure Law regarding the filing of criminal charges and the court’s steps, including recording the accused’s statements, informing them of the charges, reading them out, questioning them, allowing them to present legal arguments to refute the charges, and their right to remain silent and refrain from answering.

3. The court has not granted the defendants the right to meet with their lawyers and consult them before taking any action against them. This right is guaranteed to the accused by the constitution and the law, regardless of the charges against them. Article 49 of the Constitution states that “the right to defense, whether in person or through a representative, is guaranteed at all stages of the investigation and the trial.”

4. All the evidence presented by the specialized public prosecution, which they refer to as proof in the public case file, is invalid and obtained from the detainees during the period of enforced disappearance. However, the specialized criminal court overlooks all of these violations and legal infringements, even though the detainees and their lawyers argue
before the court the invalidity of all the procedures taken by the security agencies and relied upon by the public prosecution. The court bases its judgments on inadmissible evidence and ignores these arguments.

5. The court has repeatedly expressed its prejudice against the detainees, labeling them as traitors and demanding their repentance. This is contrary to the law because the court, in this case, is no longer impartial but has become a party against them.

6. The court ignores the defenses and arguments presented by the detainees and their lawyers and does not take them into consideration, despite their legal validity. The court does not provide them with sufficient opportunities to present their defenses, counter-arguments, and observations regarding the public prosecution's case and its evidence.

7. Some detainees have raised complaints before the court about being subjected to torture and humiliation by the security apparatus, but the court has not shown any interest in addressing this, even though Article 6 of the Criminal Procedure Law states: “Torturing the accused or treating them in an inhumane manner or subjecting them to physical or psychological harm to force them to confess is prohibited. Any statement proven to have been obtained from one of the accused or witnesses under the influence of any of the mentioned circumstances shall be disregarded and not relied upon.”

8. Some detainees have complained about diseases resulting from torture and their need for medical treatment. Although the court sometimes decides to refer them to a specialist doctor, these decisions are not implemented by the security agencies and those responsible for their detention. The court does not take any legal action if its health-related decisions are not implemented and only issues decisions without following them up with legally binding enforcement according to the law.

9. The detainees and their lawyers are unable to fully document the case files of each accused and detainee, and some documents are withheld under the pretext of being related to security secrets.

10. Although the court is legally obligated to release them since they have already spent between four to five years in prison, it is unable to make the decision to release them. The court has approved the release of some detainees, but these decisions have not been implemented by the security authorities. Some detainees have been released in exchange for fighters or through commercial bail, which goes against the law.
2- Special Criminal Court in Aden:

Criminal case number 37 of 2019, filed by the Appellate Prosecutor of the Special Criminal Court in Aden, registered with the Primary Prosecution bearing number 287 of 2018.

The defendants in this case are:

1. Abdullah Ahmed Al-Tairi
2. Waqas Fatehi Ali Hassan
3. Mohammed Saleh Abdullah Al-Omari
4. Alaa Ali bin Ali Sakran
5. Ahmed Fahd Sa’ad Al-Tairi
6. Hani Ali Shamsan
7. Fajr Ahmed Abdulqadir
8. Mohammed Awad Alawi
9. Ahmed Luqman Mohammed
10. Ahmed Waleed Aldabaj
11. Salem Abdulqawi Al-Marfadi
12. Othman Ali Othman
13. Fahd Ahmed Al-Azzani
14. Akram Mohammed Nasser Hadi

They are accused by the prosecution of forming an armed gang during the year 2018, which attacked people, resisted public authorities, and carried out assassinations of mosque imams and other individuals.

The detainees were presented for trial on August 19, 2020. The court disregarded the defendants’ complaint that they were subjected to torture and that all charges were baseless and fabricated. They demanded a speedy and fair trial. The court ignored the defendants' and their lawyers' arguments of invalidity and lack of validity. The medical report issued by forensic specialist Dr. Yazid Mohsen Atroush on November 7, 2018, proving the physical and psychological torture inflicted on the defendants, was hidden. After several sessions, the Chief Prosecutor presented an exact copy of the report.

The trial came to a halt in 2021 despite the detainees and defendants declaring a hunger strike in protest against the trial's suspension.

However, in 2022, after several strikes by the detainees and multiple complaints from their families to the relevant authorities, including the National Committee for Investigating Human Rights Violations, and attempted suicide by one of them (Fahd Al-Azzani) on February 10, 2022, intensive action was taken. The files were submitted on March 29, 2022, with the intention of resuming the trial sessions under the presidency of Judge Yahya Mohammed Al-Sa’adi. The first session was held under his presidency.

After the formation of the Presidential Council, which in turn appointed a Supreme Judicial Council including Judge Sabah Al-Alwani as the first woman to hold this position, the third session was held, during which the verdict was pronounced. The judge acquitted the 14 detainees of the charges.
against them on August 22, 2022, and accepted the claim against the fourteenth defendant. The lawyers began to complete the remaining legal procedures related to the judgment, especially after the prosecution’s appeal request was restricted.

The 14 detainees announced a hunger strike on September 4, 2022, demanding their release. Some of them were taken to the hospital, and the families who managed to visit them on September 9, 2022, tried to convince them to end the strike due to their deteriorating health conditions. However, they insisted on continuing until their release orders were executed. Five of them were released on September 18, 2022, followed by the gradual release of the remaining detainees, on the condition that they attend court sessions when summoned.

The main violations which accompanied the trial of the 14 detainees in the Special Criminal Court in the city of Aden are below highlighted:

1. The arrest of the defendants by a group of unidentified individuals who lack legal authority or jurisdiction.
2. The detainees were forcibly disappeared and held in secret prisons without the detainees knowing the reason for their arrest and without informing their families of the arrest incident. They were not allowed to contact any of their relatives or appoint a lawyer for themselves. They remained hidden for several months, with no one knowing anything about them. Their families searched for them in all security, military, official prisons, hospitals, and other locations, but in vain.
3. During their period of disappearance, the defendants were subjected to harsh methods of torture and humiliating treatment, to the extent that some of them attempted suicide, as they stated during the trial sessions.
4. The defendants were defamed in the media and social media platforms, accusing them of being a terrorist ISIS cell that committed the murder of mosque imams and others, with the intention of defaming and tarnishing the reputation of the defendants and their families.
5. The legitimization of the violations committed by the group of unidentified individuals and the adoption of everything that was issued by them. The prosecution did not fulfill its duties according to the law but rather contented itself with gathering evidence that is marred by invalidity from all aspects and relying on statements attributed to the defendants, despite their clarification that these statements were extracted from them under the coercion of torture.
6. The insistence of the court not to schedule the case in the session schedules for consideration and judgment. The case file remained stagnant within the court for nearly a year, in flagrant violation of the defendant’s right to be tried within a reasonable timeframe.
Standards of Fair and Just Trial and their Conditions:

A fair trial is a fundamental right of every human being. The international community has established a diverse set of standards to ensure a fair and just trial. These standards aim to protect the rights of individuals from the moment of their arrest, during their detention, prior to their trial, during their trial, and throughout the stages of appeal and review.

International charters, Yemeni constitutional provisions, and national laws related to human rights have incorporated principles and foundations concerning respect for the individual and principles of justice. They have paved the way for establishing a system that ensures a fair and just trial, outlining specific provisions and criteria discussed as follows:

1) The presumption of innocence:

"The presumption of innocence" is the principle that every person accused of a crime is considered innocent until proven guilty in a public trial where they are provided with all necessary safeguards for their defense. This right is enshrined in Article 11, paragraph 1, of the Universal Declaration of Human Rights, which states: "Everyone charged with a penal offense has the right to be presumed innocent until proven guilty according to the law in a public trial at which he has had all the guarantees necessary for his defense." This right is also stipulated in Article 36 of the Basic Principles and Article 14 of the International Covenant on Civil and Political Rights.

The presumption of innocence should be applicable from the moment of arrest until the final conviction is confirmed in the trial phase. Therefore, the burden of proof rests on the prosecution. The Human Rights Committee further explained the meaning of the presumption of innocence, stating that the burden of proof lies with the prosecution and that doubt should be interpreted in favor of the accused.

It cannot be presumed that the accused is guilty until the charge is proven beyond a reasonable doubt. This principle is affirmed by the Yemeni Constitution in Article 46, which states, "Every accused person is innocent until proven guilty by a final judicial judgment," and by Article 4 of the Code of Criminal Procedure.
2) 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 courts. Everyone should have equal opportunities, free from any form of discrimination, to access the judiciary, and receive equal guarantees of a fair trial. This principle is also stipulated in Article 5 of the Code of Criminal Procedure and Article 26 of the Civil Proceedings Law.

3) The Right to Appear before a Competent, Independent, and Impartial Court Established by Law:

Article 14 of the International Covenant on Civil and Political Rights states that legal proceedings in any criminal case should be entrusted to a competent, independent, and impartial court established by law. This principle is affirmed by the provisions of Article 147 of the Yemeni Constitution and Article 1 of the Judicial Authority Law.

4) The Prohibition of Physical and Mental Torture:

International law prohibits, in all circumstances, the infliction of torture on any person. Article 5 of the Universal Declaration of Human Rights states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Similar provisions exist in international treaties, including the Convention against Torture and Article 7 of the International Covenant on Civil and Political Rights. The Yemeni lawmaker has affirmed this principle in paragraph (B) of Article (47) of the Constitution and Article (6) of the Code of Criminal Procedure.
5) The Inadmissibility of Evidence Obtained under Physical and Mental Torture:

Article 15 of the Convention against Torture states that every state party must ensure that no statement made as a result of torture shall be invoked as evidence in any proceedings, except against a person accused of torture as evidence of that torture. Similarly, Article 12 of the same convention states: "If there is evidence that a confession was made as a result of torture or other cruel, inhuman or degrading treatment or punishment, it shall not be invoked as evidence against the concerned person or against any other person in any proceedings." Article 14 of the International Covenant on Civil and Political Rights emphasizes the necessity of rejecting compelled confessions. The Yemeni law also affirms this principle in Article 322 of the Code of Criminal Procedure.

6) The Right to a Speedy Fair Trial:

Article 9 of the International Covenant on Civil and Political Rights states: "Everyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release." This principle is further reiterated in Article 14 of the same covenant, which states that individuals should be tried without undue delay. The Yemeni legislator affirms this principle in paragraph (J) of Article 47 of the Constitution.
7) The Public Trial:

Every accused person has the right to sufficient time and facilities to prepare their defense by themselves and to communicate with a lawyer of their choosing. Principle 7 of the Basic Principles on the Role of Lawyers stipulates that the 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. Furthermore, every detainee has the right to consult with their lawyer without being overheard by anyone, and this right extends throughout the trial proceedings. In addition to all of this, there are other standards.

8) Family Contact, the Right to Legal Representation, and the Provision of Medical Care during Detention and Trial:

Every person has the right to appoint a lawyer to represent them and safeguard their interests, enabling them to have access to knowledge of the law and its possibilities, serving and advancing the interests of their client. This principle is affirmed by the Yemeni Constitution in Article 48 and Article 9 of the Criminal Procedure Law.

9) The Right to Sufficient Time and Facilities for Defense:

Every accused person has the right to sufficient time and facilities to prepare their defense by themselves and to communicate with a lawyer of their choosing.

Article 14, paragraph 1, of the International Covenant on Civil and Political Rights, guarantees this as an essential element of a fair and just trial. The rule is that the trial should be oral and public, with the information provided about the trial, its timing, location, and the presence of the public and media, except when it poses a danger or harm to the personal or state interests. This principle is also stated in Article 263, paragraph 1, of the Criminal Procedure Law.
proceedings. In addition to all of this, there are other standards.

No criminal trial can be described as fair and just unless two conditions are met:

First: the trial proceedings, starting from arrest and initial investigation to the first-instance and appellate trial, until the final verdict by the Court of Cassation, must be in accordance with the covenants and standards of fair trial established by the international community, as well as the procedures outlined in the Yemeni Constitution, the Criminal Procedure Law, and relevant national laws.

Second, the judiciary must be independent and impartial according to the law, applying the provisions of international covenants and domestic laws established by law.

Table: Names of the kidnapped individuals against whom the specialized primary criminal court in Sana’a issued death sentences during the year 2022.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Age</th>
<th>Profession</th>
<th>Province</th>
<th>Abduction date</th>
<th>Death sentence date</th>
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<tr>
<td>1</td>
<td>Fahd Abdullah Mohammad Al-salami</td>
<td>44</td>
<td>Schoolmaster</td>
<td>Sana’a</td>
<td>062015-10-</td>
<td>222022-02-</td>
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<tr>
<td>2</td>
<td>Sadeq Mohammed Alhaj Mohammed Al-Majidi</td>
<td>45</td>
<td>Teacher</td>
<td>Sana’a</td>
<td>252015-10-</td>
<td>222022-02-</td>
</tr>
<tr>
<td>3</td>
<td>Khalid Mohammed Ismail Al-Ulufi</td>
<td>43</td>
<td>Bank employee</td>
<td>Sana’a</td>
<td>032016-10-</td>
<td>222022-02-</td>
</tr>
<tr>
<td>4</td>
<td>Mohammed Yahya Muhsin Al-Maliki</td>
<td>39</td>
<td>Farmer</td>
<td>Sa’dah</td>
<td>122020-05-</td>
<td>072022-12-</td>
</tr>
<tr>
<td>5</td>
<td>Mohammed Ahsan Hassan Hilal</td>
<td>43</td>
<td>Dy schoolmaster</td>
<td>Sa’dah</td>
<td>122020-05-</td>
<td>072022-12-</td>
</tr>
<tr>
<td>6</td>
<td>Salim Ahmed Ali Dail</td>
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<td>Schoolmaster</td>
<td>Sa’dah</td>
<td>122020-05-</td>
<td>072022-12-</td>
</tr>
<tr>
<td>7</td>
<td>Abdulrazzaq Rajab Ali Almuharaq</td>
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<td>Farmer</td>
<td>Sa’dah</td>
<td>102020-05-</td>
<td>072022-12-</td>
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<td>Sa’dah</td>
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<td>Cattles’s broker</td>
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<td>Sa’dah</td>
<td>122020-05-</td>
<td>072022-12-</td>
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<td>312022-12-</td>
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<tr>
<td>12</td>
<td>Saghir Ahmed Saleh Farea’</td>
<td>45</td>
<td>Teacher</td>
<td>Mahweet</td>
<td>292015-09-</td>
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<td>13</td>
<td>Abdulaziz Ahmed Ahmed Alaqili</td>
<td>47</td>
<td>Teacher</td>
<td>Mahweet</td>
<td>292015-09-</td>
<td>312022-12-</td>
</tr>
</tbody>
</table>
Second:
Violation of the Right to Life

Article 3 of the Universal Declaration of Human Rights states: “Everyone has the right to life, liberty, and security of person.” Article 6 of the International Covenant on Civil and Political Rights also states: “The right to life is inherent to every human being, and the law shall protect this right and no one shall be arbitrarily deprived of their life.”

Medical negligence has been adopted as a punitive method by the violators, which has resulted in the death of some of the detainees due to delayed medical care and denial of necessary medical attention.
Incidents:

On Saturday, November 12, 2022, the kidnapped individual Aziz Dabwan Mohammed Nagi (35 years old), who was held at the Saleh Detention Center in Taiz, died.

On April 15, 2022, at 10:00 Am, when Aziz was traveling from his village, Al-Mekhlaf (Al-Juhaim), to Taiz city, he was stopped at the Al-’Ayar checkpoint in Jabal Habashi district, Taiz governorate. Someone contacted Aziz’s father-in-law and informed him that Aziz was kidnapped by the Houthi group. Aziz and his brother were on a motorcycle when they were stopped by armed individuals affiliated with the Houthi group. They abducted Aziz along with his motorcycle and left his brother behind. The victim's family went to the Saleh Detention Center to inquire about him, but the authorities initially denied his presence. The victim remained hidden forcibly for a month and a half, and then the authorities acknowledged his presence and allowed only one member of his family to visit him. Aziz informed his family that he was being tortured and verbally abused and pleaded with his family to find a way to get him released.

On August 6, 2022, Aziz was admitted to Al-Rafa’i Hospital in Al-Hawban. According to the medical report, which the association keeps a copy of, when Aziz arrived at the hospital, he was suffering from severe cerebral hypoxia, and it was possible that he would remain in a coma for a period of up to three months. The victim was admitted to the intensive care unit (ICU) and received artificial respiration. The authorities in the Saleh Detention Center contacted the victim's family and informed them that he was sick and had been transferred to the hospital. His wife visited him in the hospital while he was in a coma, after enduring the hardship of traveling for six hours from Taiz city to Al-Hawban area on a rough road. She mentioned that Aziz appeared to be sick and emaciated, although he did not have any illness before being kidnapped. How did he reach such a condition that led him into a coma?

Aziz remained in a coma until November 12, 2022, when he passed away, causing immense pain to his family, especially his wife, who was in a very bad condition due to what happened to her husband. She demands that those responsible for the medical negligence that her husband endured be brought to trial, especially since he was in good health before being kidnapped.
Medical negligence in the prisons of the Houthi group:

During the period (2018-2022), the association documented the death of four kidnapped individuals in the Saleh prison. It also documented four cases where the abductees died after being released from the same prison, as a result of the medical negligence they suffered during their detention.

One of the abducted individuals, Tawfiq Ahmed Mohammed Al-Lahji (23 years old), passed away in December 2018. He was suffering from sickle cell anemia, and he was not allowed to bring his own medications. His mother says: "When I went to receive my son's body, they took me first to the court and gave me papers to sign without my knowledge of what was written on those papers because I am illiterate and cannot read. When I went to take my son's body, I noticed a discoloration around his eyes and traces of blood on his mouth."

In August 2018, another abductee, Ibrahim Mahyoub Mqbel Al-Salahi, died inside the cell after the prison supervisors refused to provide him with medical assistance. One of his fellow detainees says: "Ibrahim was in severe pain, screaming, and we knocked on the door to alert the guards to save him. We told them that if he is not provided with medical help, he will die, but the guard said, 'Let him die.' Half an hour later, Ibrahim died in my hands precisely at noon on Sunday, August 5, 2018, after being detained in the Saleh prison for over 11 months."

Abdo Saleh Swaylih (40 years old), who belonged to the marginalized category, also died after the prison supervisors refused to provide him with medical assistance. One of his fellow detainees says: "Three days before his death, he suffered from a severe fever and was screaming in pain, but they refused to take him to the hospital. On the night of his death, he was in pain, his voice was loud due to the intensity of the pain, and he couldn't sleep. At 10 o'clock in the morning on June 2, 2020, his fellow inmates came to wake him up, but he had already passed away."

As for the journalist and activist Anwar Al-Rukn, he died just two days after his release from the Saleh prison. The abducted individual Nashwan Moqbel, who belonged to the marginalized category, also died after being released from the Saleh prison, affected by the torture he endured and the medical negligence he experienced during his detention.
Similarly, the abducted individual Mohammed Saeed Thabit died after his release. He had contracted pulmonary tuberculosis during his detention in the Saleh prison.

Due to his tuberculosis and the lack of medical care, the abducted individual Hilal Al-Jarf died in the Community College prison in February 2019.

Khaled Mahmoud Al-Hayth passed away in November 2019 while being held in the central prison in Sana’a. Additionally, the abducted individual Abdulmajeed Allous died in November 2021 after suffering a second stroke. He was over sixty years old.

**Medical Negligence in the Political Security Prison in Ma’rib:**

In the Political Security Prison in the city of Ma’rib, which is under the control of the recognized government, survivors have informed us about the spread of tuberculosis among the detainees.

(N.Q.), a 34-year-old who was arrested in January 2020, underwent some tests after his release, confirming that he was infected with tuberculosis. He showed us the medical report issued by the National Tuberculosis Control Program in Sana’a, which proves his tuberculosis diagnosis. He also mentioned the death of his colleague Sadeq Al-Qasimi in 2020 after contracting tuberculosis in the Political Security Prison. Another detained colleague, Mohammed Al-Dhamari, also died due to tuberculosis and the lack of medical care inside the prison.

(A.A.) stated that he contracted pulmonary tuberculosis during his period of detention and that the number of tuberculosis cases in the Political Security Prison in Ma’rib could reach up to 30. He provided us with the names of three of his colleagues whose tuberculosis diagnosis was confirmed. He mentioned that the number of detainees in one cell could reach 50 persons, with insufficient access to proper nutrition and safe drinking water. Additionally, the water supply was intermittent in the bathrooms, and the poor ventilation in the prison created an environment conducive to the spread of diseases, particularly tuberculosis.

The Association also listened to the wife of (A.K.), who mentioned that her husband was released from the Political Security Prison in Ma’rib while suffering from severe emaciation. After a medical examination, it was revealed that he had pulmonary tuberculosis. He also experienced psychological distress due to the inhumane treatment he endured in prison, which led her to leave him in Ma’rib and return with her children to her hometown in Dhamar Governorate.
The Association’s team continued to communicate with the employees of the International Committee of the Red Cross office in Ma’rib. The office staff informed them that they were not allowed to visit the Political Security Prison and assess the conditions of the detainees there.

Further, the Association of Abductees’ Mothers held a workshop in the city of Ma’rib to discuss the preliminary findings of the seventh annual report titled “Mothers at the Doors of Justice 4”. The workshop was attended by the Assistant Director of Security in Ma’rib Governorate, the Director of the Central Security Prison, the Assistant Director of Criminal Investigation, as well as several judges, lawyers, and human rights activists.

During the workshop, the Monitoring Team of the Association presented their observations and documentation of cases of medical neglect in the political security detention center in Ma’rib throughout the year 2022. The security authorities pledged to provide medical care for the detainees and improve the conditions of their confinement in the detention center. to visit the Political Security Prison and assess the conditions of the detainees there.

**Medical Negligence in the Security Belt Detention Centers:**

In October 2021, a young man, (M.Y.H.), seventeen years old, died while arbitrarily detained in the detention center supervised by Saleh Al-Sayed, one of the leaders of the Security Belt forces in the city of Aden. The victim was suffering from liver cirrhosis, and his family brought his medication, but the authorities in the detention center refused to provide him with the medicine. Consequently, he died in the arms of his fellow detainee.

Thus, it becomes evident to us that medical negligence leading to death is a pattern of behavior adopted by the violators (such as the Houthi group, the recognized government, and the Security Belt forces) in the places of detention they use to imprison and hide their opponents.
Third: Violation of the Right to Freedom

A. Kidnapping and Arbitrary Detention:

The Association of Abductees’ Mothers has documented the abduction and arbitrary detention of 442 civilians during the year 2022. Among them, 324 civilians were abducted by the Houthi group in various locations, including Sana’a, Taiz, Hodeida, Dhamar, Ibb, Hajjah, Amran, and Sa’dah. This includes one woman. Additionally, it documented 102 civilians were detained by the Security Belt forces affiliated with the Transitional Council in Aden, Shabwa, and Lahj. Furthermore, 8 civilians were detained by the security apparatus of the legitimate government in Ma’rib and Taiz. Lastly, 8 civilians were detained by the Joint Forces in the west coast areas under their control in Hodeida Governorate.
### Abduction and forcible disappearance during the year 2022

<table>
<thead>
<tr>
<th>S. No</th>
<th>Governorate</th>
<th>Houthi group</th>
<th>Security Belt</th>
<th>Recognized government</th>
<th>Western coast forces</th>
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<td>Lahj</td>
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<td>Sa’dah</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>324</strong></td>
<td><strong>102</strong></td>
<td><strong>8</strong></td>
<td><strong>8</strong></td>
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</tbody>
</table>

442

**Abduction and forcible disappearance during the year 2022**
People are being arbitrarily arrested, detained, and forcibly disappeared in Yemen. They are subjected to torture and ill-treatment without any charges being brought against them for extended periods of time, and without any legal proceedings being undertaken. Violators in Yemen have consistently violated the freedom of opinion and expression, with journalists and social media activists being among their primary targets.

The below table indicates the violators and the number of forcibly abducted during 2022:

<table>
<thead>
<tr>
<th>S. No</th>
<th>Violators</th>
<th>Forcibly Abducted</th>
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<tbody>
<tr>
<td>1</td>
<td>Houthis Group</td>
<td>324</td>
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<td>2</td>
<td>Security Belt Forces</td>
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<td>3</td>
<td>Legitimate Government</td>
<td>8</td>
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<td>4</td>
<td>Joint Forces in the western coast</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>442</td>
</tr>
</tbody>
</table>

Abductees’ Mothers Association

SEVENTH ANNUAL REPORT
ABDUCTEES’ MOTHERS ASSOCIATION
Incidents:

On Saturday, August 6, 2022, the Security Belt Forces in Aden arrested the journalist Ahmed Maher and his brother.

Journalist Ahmed Maher was arrested on August 6, 2022, in front of his house in the Sheikh Othman neighborhood in Aden. His brother, Mayyas, was lured out of the house and detained by armed men who were waiting outside the house for Ahmed’s exit. When Ahmed came out to check on his brother, who was delayed in returning home, he was arrested by the armed men affiliated with the Security Belt and taken to the Security Administration building in Aden. However, their family was not allowed to visit or communicate with them. Ahmed had previously posted on social media criticizing the de facto authorities in Aden and mentioned on one occasion that he had received threats to his life due to his posts.

The family was surprised to see a circulation of a video recording of the detained journalist confessing to committing illegal acts. His family states that he appeared coerced and exhausted during the confession, leading them to believe that these statements were obtained under torture and duress. The victim was later transferred to the central prison of Bir Ahmed on September 17, 2022. The public prosecution visited him and conducted an investigation in the presence of the police department director accused of his arrest and torture. The prosecution decided to bring the victim to trial, but the sessions were repeatedly postponed for trivial reasons related to the financial allowances of the security personnel or their feeding.

On July 22, 2022, the academician (A.A. K) was kidnapped from his home in Sana’a after he posted on his Facebook account demanding the payment of employees’ salaries from the Houthi group. He was taken to the National Security Detention Center on charges of incitement to sedition.

On December 27, 2022, at 6:30 PM, the activist (A.G.A.) was arrested while sitting with a friend in a café on Al-Full Street. Masked gunmen dressed in military uniforms surrounded the place and threatened those present. Some of the gunmen then proceeded to abduct the victim and took him to one of the vehicles where the armed men were present. The friend then informed the police and notified the victim’s family, who also filed a report with the police.

However, the police department director informed them that he could not do anything because the forces that arrested the victim were affiliated with the counter-terrorism unit and the Storm Brigade, which is affiliated with the Transitional Council. The victim’s wife
mentioned that her husband received threatening messages from one of the Transitional Council leaders, urging him to join the council, which the victim, who was a peaceful activist in the southern movement, refused to do.

In late October 2022, (M.A.Q) was arbitrarily detained in the third security zone in the city of Ma’rib, without any legal justification. The victim had a contract with an organization to provide some training courses in Ma’rib. When he entered the city coming from Sana’a - his place of residence - some security personnel informed him that he was an undesirable person in Ma’rib. However, he disregarded it because he entered the city properly in order to carry out his work. After three days of starting his work, armed men came and detained him for a week until some intermediaries intervened. As a result, he was released and returned to Sana’a.

In addition, the Houthi group has abducted some civilians who differ in belief or do not agree with certain religious rituals they adhere to.

The Association of Abductees’ Mothers documented the Houthi group’s abduction of civilians who demanded the release of (Al-Hasan Al-Tihami), who was detained in the city of Sa’dah after announcing himself as the awaited Mahdi. The Houthi group did not stop at kidnapping dozens of people who went out to demand the release of Al-Tihami, but the violations also targeted some sympathizers with him.

In mid-October, (M.A.M) was summoned to the police station in the neighborhood where he resides in the capital Sana’a, and his family did not know the reason for his detention. After ten days of his detention, he called his wife and informed her that he would be transferred to the Security and Intelligence detention center. The family was unable to visit him. The family was also informed that the victim was detained due to a WhatsApp status in which he showed solidarity with Hassan Al-Tihami (who declared himself as the awaited Mahdi) detained by the Houthis.

On September 5, 2022, (M.T.S) was summoned to the police station in the neighborhood where he resides. When he went, communication was cut off between him and his family. The family tried to inquire about him through Houthi intermediaries, and they were informed that he was being held in Political Security due to his statements about the heretic innovation of the noble Prophet’s birthday, which the Houthi group celebrates annually.
Violation of the sanctity of residences:

Homes are raided without a warrant from the prosecutor, and physical violence is used during arrests, which may extend to assault on family members, and force is used to escort them.

The Association of Abductees’ Mothers documented the violation suffered by (M.A.G) on June 6, 2022, by the forces affiliated with the Security Belt in Aden. Security forces came to arrest the victim from his house while he was on the rooftop. He refused to come down and surrender to the security forces, so they stormed the house and beat the women in the house to the extent of tearing their clothes, terrorized the children by firing shots, and damaged electrical appliances in the house. When the victim came down, they assaulted and brutally beat him. They, then, forcibly took him to the police station, where he remained detained for several days.

On March 14, 2022, at 8:30 PM, while (M.S.A) was near his house in the city of Aden, Security Belt forces came and raided the house, searched it, confiscated his mobile phone, and humiliatingly took the victim to an unknown location amidst the screams of his mother, who was asking them, "What did my son do? Why are you arresting him?" But the gunmen ignored the cries and longing of the victim’s mother. After following up, it became clear to the family that he was held in the Camp of Victory. They were allowed to visit him four times, then they were prevented from visiting him without knowing the reasons for that.

Homes of civilians are also raided on official holidays, as happened with the victim (A.M.H). His house was raided on Friday at 8:00 AM on the first of July 2022 by masked gunmen. The victim was then taken to an unknown location. After the family searched for him, they found out that he was being held by the Joint Forces Intelligence in the western coast in Abu Musa Al-Ash’ari Camp. His family was only allowed to visit him after three months.

These actions violate Article 52 of the Constitution, which states that "residences, places of worship, and educational institutions shall be inviolable, and they may not be monitored or searched except in cases specified by the law."

Furthermore, Article 80 of the Criminal Procedure Law stipulates that "if there are women in the residence, the prevailing customs shall be observed in their treatment."
Kidnapping for financial extortion of victims:

Blackmail, as defined by Yemeni law in Article (313) of the Penal Code, is intentionally causing fear in a person or any other person concerned about their affairs, and coercing them, with malicious intent, to deliver money, legal documents, or anything that can be transformed into a legal document, either to the blackmailer or to another person.
The purpose of the crime of extortion is the threat that is imposed on the victim or any of their relatives up to the fourth degree. The same article stipulates the punishment for extortion committed in this manner, stating, “(Anyone who intentionally commits extortion shall be punished by imprisonment for a term not exceeding five years or by a fine for intentionally causing fear in a person or any other person concerned about their affairs, and coercing them, with malicious intent, to deliver money, legal documents, or anything that can be transformed into a legal document, either to the blackmailer or to another person)."

According to Yemeni Criminal Procedure Law, extortion in this form is a serious crime, as its punishment exceeds three years. Article (2) of the Criminal Procedure Law defines serious crimes as those that are punishable by the absolute maximum penalty, capital punishment, or imprisonment exceeding three years.

The Association of Abductees’ Mothers has documented several cases of financial extortion targeting businessmen, traders, and property owners. Violators detain some civilians with the aim of forcing them to pay amounts that can reach millions of Yemeni rials or demanding them to relinquish some of their properties, such as houses or real estate.

For example, the Association documented the kidnapping of a businessman (M.Z.S) and his son (Q.M.Z) from a hotel in the city of Hodeida in mid-October. They were transferred to the Criminal Investigation Department in Sana’a, where they were interrogated and subjected to torture under the pretext of suspicion. They were released after paying a financial ransom (the value of which was not disclosed) and providing an excuse for their detention, claiming it was a case of mistaken identity with individuals who were wanted.

Furthermore, (A.S.A.) was also kidnapped in Sana’a due to a dispute between his father, who is a merchant, and a Houthi supervisor. The Houthi supervisor demanded the victim’s father pay a sum of 50,000 rials to benefit the Houthi group. When the father refused to pay the amount, the Houthi supervisor threatened him and abducted the victim. The victim was subjected to beatings, bound with chains, and deprived of food and access to the bathroom for 22 hours. Eventually, the victim’s father paid a ransom of 150,000 rials and was forced to pay a monthly amount of 70,000 rials for the benefit of the Houthi military effort.
The Association also documented the abduction of (M.S.S), a businessman who owns a currency exchange and financial transfer shop. The victim’s house was raided at the beginning of November under the pretext of searching for his son, who was accused of firing shots in front of his financial rival’s house. When they couldn’t find the wanted suspect, they kidnapped his father after assaulting him and humiliatingly taking him from his home to a police station south of the capital, Sana’a. Pressure was applied on him to pay a ransom for his release, which was indeed paid the following day.

This is a clear violation of the constitutional provision stated in Article (47), which states that “criminal liability is personal, and no crime or punishment can be imposed except based on a legal or statutory provision.”

In early April, (A.A.Q) was kidnapped from his workplace at a restaurant in the capital, Sana’a, on the pretext that he tore a picture of the founder of the Houthi group, Hussein al-Houthi. He was beaten and insulted. The victim tried to explain that he tore the picture because it was old, and he was willing to hang a new picture, but the Houthi supervisor rejected that. The victim was imprisoned for four days, and the restaurant owner was forced to pay a sum of 150,000 rials. The victim was also coerced into signing documents without knowing their content.
Prolonged Arbitrary Detention on Grounds of Suspicion

Both (A.M.S, 19 years old) and (A.M.G, 18 years old) were summoned by the security administration in Khokha district, under the administration of the Joint Forces in the West Coast - Hodeida Governorate, on August 8, 2022, at 5:00 PM. They were accompanied by their neighborhood leader. The security personnel informed them that they were summoned for questioning and would be released immediately. However, this questioning continued for several months at the Abu Musa al-Ash’ari Camp in Khokha district. They were released after spending five months in detention without any charges being brought against them except for suspicion.

On July 8, 2022, at 11:00 AM, in the city of Aden, (M.M.S), who belongs to the marginalized category and works as a motorcycle driver owned by his uncle, was arrested by security personnel affiliated with the Dar Sa’ad Police in Aden. After his arrest, his uncle and some members of his family went to the police station, but they did not receive any cooperation from the police officers present at the station. When his family asked one of the security personnel at the police station about the charges against the victim, they were informed that he was detained on suspicion.
Abduction from Checkpoints

Checkpoints are spread at the entrances of cities and districts, and people are abducted under the pretext of being opposition members. They are held for years without any legal procedures being followed against them. This has led to the restriction of residents and the deprivation of their right to freedom of movement between Yemeni cities. Article (57) of the Yemeni Constitution states that “freedom of movement from one place to another within Yemeni territories is guaranteed to every citizen. It may not be restricted except in cases determined by the law for the requirements of the security and safety of citizens. The law regulates the freedom to enter and leave the Republic. No citizen may be deported from Yemeni territories or prevented from returning to them.”

The Universal Declaration of Human Rights also recognizes the right to freedom of movement, which is considered a fundamental human right. Article (13) of the Declaration states that “everyone has the right to freedom of movement and residence within the borders of a state.”

Furthermore, Article (12) of the International Covenant on Civil and Political Rights states: “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.”

The Mothers of the Abductees’ Association has documented twelve cases of arbitrary abduction and detention from checkpoints in the cities of Taiz and Ma’rib. These include eleven cases of abduction by the Houthi group in Taiz Governorate and one case of arbitrary arrest by security agencies in the city of Ma’rib.

Among the documented incidents by the Association’s team:

On January 29, 2022, at 9:00 AM, while (A.S.M) was returning from Hawban area to the city of Taiz, he was stopped at Al-Aqroodh checkpoint while riding a motorcycle with a friend. The armed men affiliated with the Houthi group took their personal IDs and returned the ID card of his friend. Then they transferred the victim to the security administration in Dumnat Khadir and kept him there for two days before transferring him to the Saleh detention center.

On July 9, 2022, (Y.M.H) was detained at the Alliance checkpoint at the entrance of the city of Ma’rib. He was held for 9 days and then released, but he was not allowed to enter Ma’rib, so he returned to Sana’a.

On July 8, 2022, (J.I.K) was detained at the Naqil Al-Ibil checkpoint in Taiz Governorate while traveling from Taiz Governorate, Hawban area, to the city of Taiz, Sala District. He was taken
to the security administration in Dumnat Khadir, where he remained hidden for 11 days in the security administration. Then he was transferred to the Saleh detention center, and he was allowed to contact his family and inform them that he was in the Saleh detention center before being released after four months of detention.

The Dumnat Khadir checkpoint tops the list of cases held at checkpoints, and it is located on the main road connecting Taiz Governorate to Aden Governorate.

On March 20, 2022, (M.S.H) went to his village in Shara’ab Al-Rawna District, Al-Hayajim - Taiz Governorate, to visit his mother. He was detained at the Dumnat Khadir checkpoint belonging to the Houthi group on charges of belonging to the resistance. He remained hidden for fifteen days, and then he was allowed to contact his family and inform them that he was held in the Saleh detention center.

On February 10, 2022, (Sh. S.N) was detained while on his way from Al-Hayma area - Taiz Governorate to Aden Governorate at the Dumnat Khadir checkpoint. The victim managed to contact his family and inform them that he was detained at a checkpoint in Dumnat Khadir. The family went to search for him at the Saleh detention center, and the officials in the detention center admitted to having him in their custody.

On May 20, 2022, at twelve noon, (S.A.W) was detained at the Dumnat Khadir checkpoint, which is controlled by armed members of the Houthi group. He intended to travel to Sana’a to work there. After the family followed up, they found that he was being held in Al-Saleh detention center.

On July 22, 2022, (B.H.Q) was on his way from Al-Misrakh District - Taiz Governorate to Al-Hawban area, which is under the control of the Houthi group, in search of work. He is a daily wage laborer. He was detained at the Dumnat Khadir checkpoint and was taken to the security administration, where he spent one day before being transferred to Al-Saleh detention center. He was not allowed to communicate with his family until after a month and a half.

On June 4, 2022, (L.M.A) was detained at the Dumnat Khadir checkpoint while on his way to Mukalla, the capital of Hadramout Governorate. Three days later, the bus driver contacted the victim’s family and informed them that he had been abducted in the Al-Saleh detention place.
B - Enforced Disappearance

The International Convention for the Protection of All Persons from Enforced Disappearance states in Article (1) that:

1. No one shall be subjected to enforced disappearance.
2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for enforced disappearance.

Article (17) of the Convention stipulates:

1. No one shall be held in secret detention.
2. Paragraph (D) ensures that every person deprived of liberty shall be authorized to communicate with their family, counsel, or any other person of their choice, and to receive visits from them.
In the year 2022, the Association of Abductees’ Mothers recorded 56 cases of forcible disappearance for civilians disappeared by violators. Among them, 41 civilians disappeared by the Houthi group, 8 civilians disappeared by the security forces of the Southern Transitional Council, 3 civilians disappeared by the security agencies affiliated with the legitimate government in the city of Ma’rib, and 4 civilians disappeared by the joint forces in the western coast.

<table>
<thead>
<tr>
<th>S. No</th>
<th>Violators</th>
<th>Forcibly abducted detainees</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Houthi group</td>
<td>41</td>
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<tr>
<td>2</td>
<td>Security Belt Forces</td>
<td>8</td>
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<tr>
<td>3</td>
<td>Legitimate Government</td>
<td>3</td>
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<tr>
<td>4</td>
<td>Joint Forces of the Western Coast</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>56</td>
</tr>
</tbody>
</table>

Widespread enforced disappearances are practiced. The majority of detainees are subjected to arbitrary treatment. They endure varying periods of enforced disappearance, with numerous secret detention facilities utilized by violators to conceal the detainees. Confiscated houses of dissidents, following their departure from the country or relocation to other cities, as well as schools, mosques, and underground floors of several civilian establishments, have been used for this purpose.
Incidents:

On November 3, 2022, the victim (B.M.A) was forcibly disappeared while in his way to the Shara’b district-Taiz Governorate, intended to his family. His brother attempted to call him that evening, but his phone was unreachable. He then contacted the driver of the car the victim was traveling in, who informed them that he had been stopped at the Al-Harir checkpoint and the victim was taken to an unknown location. The victim's brother went to inquire about him at Al-Saleh detention center, yet, jailers denied having him in their custody.

On September 28, 2022, (T.N.S) disappeared after contacting his father while returning from Hadramout to Taiz. He informed his father that he was in the Dhikra area, but communication between them was abruptly cut off. His father tried to reach him on that day and in the following days, but his phone was switched off. The family searched for the victim but to no avail. After three weeks, someone working with the Houthi group contacted the family and informed them that the victim had been questioned about his work. This prompted the family to inquire about him at the Saleh detention center. However, when his brother-in-law went to inquire about him there, they found his name listed but were not allowed to communicate with him or see him.

In January 2022, (A.A.Q) traveled to Sana’a for medical treatment. After staying in Sana’a for a week, he contacted his family and informed them that he had received news from his friends that he was suspected by the Houthi group. This suspicion arose due to his frequent travel from Taiz to Sana’a for treatment. He mentioned the possibility of being interrogated. Three hours after his call, his family tried to contact him to check on him, but his phone was switched off. Since then, they have had no information about him.

In May 2022, (A.Sh.W) embarked on a sea trip from Khokha Port in Hodeida, heading to Midi Port in Hajjah Governorate. He and four of his companions were detained in the Luhayyah area in Hodeida. They were taken to an unknown location. The last communication between him and his family was on May 25, 2022, when he sent them a text message stating that he and his companions had been abducted. The family attempted to reach out to him, but his phone was switched off. As of writing this report, the family has not received any news about the victim or his companions.
In April 2022, (A.A.M) returned from Hodeida to Aden, his family's place of residence. Two days later, on April 5, 2022, at 3:30 PM, he left the house, and news about him disappeared. Following up on the matter, one of the detainees was released from the Fifth Brigade prison and informed the family about their son's presence in the prison. The family filed reports and continued their search, but they have not received any news about him. Their son and some other residents of Dar Sa'ad were arrested by the Fifth Brigade commander due to their allegiance to the legitimate authority.

In early March 2022, (J.M.A) was abducted from a market in Sana'a by armed individuals affiliated with the Houthi group, who were riding a military vehicle. The victim was taken to an unknown location, and his family was not allowed to visit him or communicate with him. They received threats that he would be harmed if they followed up on him or inquired about his whereabouts. The Houthi supervisor who threatened them informed them that the charge against the victim was that he was considering traveling to work in Hadramout or possibly joining the army affiliated with the recognized government. The family was subjected to financial extortion by individuals affiliated with the Houthi group, who claimed to have the ability to do something in favor of the forcibly disappeared (J.M.A), but without any success.

On June 28, 2022, (A.G.H) received a phone call informing him that he had financial assistance as a displaced person and that he needed to go to Khokha city in Hodeida Governorate to receive it. Upon arriving in the city, he received another call instructing him to head to Hayss - Al-Durayhimi triangle. Communication between him and his family was then cut off for three months. After an extensive search conducted by the family, they were informed that he was being held in the Abu Musa Al-Ash'ari Camp - the Intelligence Headquarters of the Joint Forces - on the western coast, without being informed of the charges for which he was detained.
On June 6, 2022, (H.G.M) was detained at Aqroodh checkpoint in Taiz Governorate. His ID and phone were taken, and he was taken to Al-Saleh detention center. He remained hidden for five months, and then he was allowed to contact his family to ask for his diabetes medication. When his family went to the detention center with the medication, the authorities refused to let them visit him and only took the medication from them.

On June 4, 2022, (H.A.S) was detained at the Dumnat Khadir checkpoint in the city of Taiz, and then transferred to the Saleh Detention Center, where he was hidden for three months. The family searched for him in Al-Saleh detention center through individuals affiliated with the Houthis who confirmed to them that he was being held there, but they did not know in which building he was until the victim contacted them after three months and informed them that he was in the Abu Hooriya building.

On February 2, 2022, (F.F.I) was abducted from one of the streets of the capital Sana’a and remained hidden for five months. After five months of detention, he was allowed to contact his family and inform them that he was being held in the Security and Intelligence Detention Center, where he was visited.

On January 23, 2022, at eleven o’clock in the evening, (S.S.A) was arrested from the neighboring printing office of his house in the city of Aden. None of the present individuals were able to stop the armed men who came to arrest him due to the fear imposed by the Security Belt forces in the city. When his family came to know of the arrest, his father went to the police station, but they refused to file a report because the victim was being held by the deputy commander of the Security Belt. So, the victim's father went to meet him at Al-Nasr camp, but he was treated rudely and denied permission to visit his detained son.
On April 11, 2020, the Specialized Criminal Court in Sana’a issued a death sentence for the four journalists:

1. Abdul Khaleq Ahmed Abdo Omran
2. Tawfiq Mohammed Thabit Al Mansouri
3. Akram Saleh Musa’d Al Walidi
4. Harith Saleh Saleh Humaid

In September 2020, the four journalists were transferred to the Central Security Prison in Sana’a. Their families were denied visitation rights since that date. However, they were allowed to make two phone calls per month until the beginning of August 2022. At that time, Tawfiq Al Mansouri, Abdul Khaleq Omran, and Harith Humaid were moved to individual cells on the ground floor of the prison. Each of them was isolated in a separate cell and subjected to torture in the presence of Abdulqader Al-Murtadha, the head of the Houthi Prisoners Committee, his brother Abu Shihab Al-Murtadha, and his deputy Abu Hussein. They remained forcibly disappeared for 45 days without any information about their fate, even to their fellow inmates in the collective cells known as “Al-Siyaj.”

This information was mentioned in a statement issued by the families of the three journalists on December 2, 2022, based on information provided by some who were released from the Central Security Prison.

The families added in the statement that, according to our sources, after 45 days, Tawfiq and his colleagues were transferred back to the collective cell. Signs of torture were visible on Tawfiq, including a head injury with visible stitches. Tawfiq informed them that he was personally assaulted by Abdulqader Al-Murtadha and his brother “Abu Shihab,” who is responsible for the prison.
Tawfiq was then transferred to the “medical room,” a section within the prison after his head was split open by Abdulqader Al-Murtadh’s rod. In the “medical room,” the doctor informed them that Tawfiq’s condition was critical due to severe bleeding caused by the extensive wound in his head. It was necessary to transfer him to the hospital to stop the bleeding and provide medical care.

Afterward, they were returned to the collective cells, where the three journalists reunited with their colleague Akram Al Walidi. They stayed together for two weeks in what is called “Al-Siyaj.” However, they were completely prohibited from accessing any of their daily needs, including food and prescribed medications for their chronic illnesses. They continued to share the poor ration of food provided to them in the detention center and struggled to share blankets and sleeping mats with their fellow detainees. Then, they were surprised by a decision to isolate them in a notorious cell devoid of blankets and sleeping mats. They have been confined there for over a month until today (the date of issuing the statement, December 2, 2022). The treatment towards them has become even harsher, more brutal, and worse than before. They are denied communication and are not allowed to step out into the sunlight. One of the supervisors throws their meals at them through the door without uttering a word to them.

Harith Humaid’s sister recalls that the last contact with Harith was on July 28, 2022. She and her family were waiting for any communication from him, but months passed without any news. They decided to visit the Red Cross and inform them about the communication blackout between them and Harith since July. She visited the headquarters of the International Committee of the Red Cross in Sana’a in late September. However, they apologized for their inability to do anything regarding the enforced disappearance of Harith and his colleagues. The following day, she was surprised to receive a message from Harith dated February 1, 2022, which had been kept in the files of the committee until late September!
Concise Background on the Case of the Four Journalists:

The Houthi group abducted the journalists (Abdul-Khaliq Omran, Tawfiq Al-Mansouri, Akram Al Walidi, and Harith Humaid) from Qasr Al-Ahlam Hotel in Sana’a on June 9, 2015. They surrounded the hotel from 9 p.m. until 4 a.m. and then raided it, looting their personal belongings, including cameras, computers, phones, and personal documents. They took them to the Al-Ahmer Police Department in Al-Hasaba neighborhood. Two days after their abduction, they were transferred to the Counterterrorism Unit under the Criminal Investigation Department. They were then taken to an unknown location on July 13, 2015, and forcibly disappeared for six months until they were found on December 3, 2015, in the Revolutionary Pretrial Detention Center.

On April 25, 2016, they were transferred to the Habrah Pretrial Detention Center. They were hidden for the third time from May 24 to August 24, 2016. Their families later learned that they were being held in the Political Security Prison in Sana’a.

The journalists have been subjected to continuous violations by the supervisors of the Houthi group in the detention centers where they were held. These violations include physical torture such as brutal beatings with sticks, electric wires, and rifle butts to the point of bloodshed. They declared a hunger strike on May 9, 2016, in protest against their continued detention and mistreatment. After the strike, they were subjected to beatings, mistreatment, threats of physical liquidation, and enforced disappearance as a means of pressuring them to abandon the strike.
After eleven months of their detention in the Political Security Prison, they were subjected to mistreatment and torture throughout this period. After that, the Houthi group decided to present them for trial in a court under its control. The case file of the ten journalists (six of them were released in early 2020) was handed over to the specialized criminal prosecution on July 10, 2017, and visitation rights were denied to them from that date until December 18, 2017. The defense lawyer requested the prosecutor’s chief to submit a request from the prosecution to the head of the Political Security Agency to allow visits to the journalists on August 10, 2017, but it was rejected. The decision was made to proceed with the investigation without allowing their families to visit them or their defense lawyers to attend.

The criminal prosecution received the case file on July 10, 2017, and decided to refer it to the criminal court on February 19, 2019. The first hearing took place on December 9, 2019, without notifying the lawyers or the families of the journalists. The minutes of the investigation were handed over to the defense lawyer on December 16, 2019.

The Specialized Criminal Court in Sana’a issued a death sentence against them, The court prevented the defense lawyers and the families of the accused from attending the sentencing session.

The Specialized Criminal Court in Sana’a issued a death sentence against them, The court prevented the defense lawyers and the families of the accused from attending the sentencing session.
Fourth: Torture and Ill-Treatment
Torture is prohibited under international law even in times of war or emergency. It is one of the most heinous crimes that can be committed against a person. The violating party usually aims to extract coerced statements and confessions from the victims, employing methods that strip them of their human dignity through deliberate and severe acts against them.

Article (5) of the Universal Declaration of Human Rights states: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

Article (2) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment stipulates that:

- No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for torture.
- An order from a superior officer or a public authority may not be invoked as a justification for torture.

Here, we find that torture and other forms of cruel, inhuman, or degrading treatment are categorically prohibited under international human rights law and international humanitarian law. It is not permissible to invoke the state of war or conflict as a justification for acts of torture. However, the violating parties in Yemen systematically employ torture to extract confessions and arbitrarily punish the abducted and detained individuals who oppose them.

In 2022, the Association of Abducted Persons' Mothers documented 33 cases of torture against abductees and detainees by the violating parties. Among them, 25 cases involved torture by the Houthi group, while 6 cases were attributed to the Security Belt Forces affiliated with the Transitional Council. Additionally, two civilians were subjected to torture by the security agencies recognized by the government.
The below table highlights the violators and cases of torture:

<table>
<thead>
<tr>
<th>S. No</th>
<th>Violators</th>
<th>Torture cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Houthi group</td>
<td>25</td>
</tr>
<tr>
<td>2</td>
<td>Security Belt Forces</td>
<td>6</td>
</tr>
<tr>
<td>3</td>
<td>Legitimate Government</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>33</td>
</tr>
</tbody>
</table>

The detainees have been subjected to arbitrary and harsh methods of physical and psychological torture, especially during enforced disappearances that can last for months in some detention centers. The abducted individuals are subjected to beatings using electric wires and electric shocks during interrogations, while investigators use derogatory insults and racist comments towards them.

In mid-March 2022, (A. M. A) was startled by loud knocks on his door at 4:00 AM. When he opened the door to see who was knocking, he was confronted by armed Houthi militants forcibly dragging him in his pajamas in front of his terrified and alarmed family. The victim was then taken to the house of one of the Houthi group’s leaders, where he was transferred to a secret detention facility for opponents and disappeared. He remained there for five days, while his family had no knowledge of his whereabouts.
The victim says: “I was beaten with rifle butts, sticks, and electric cables, and I was deprived of sleep during those days. They did not inform me of the reason for my detention; instead, they used derogatory language and offensive insults. On the sixth day, they took me in the evening and dumped me near my neighborhood where I live. At that time, the supervisor threatened me, saying: If we find out that you’re thinking of going to Ma’rib, we will execute you and your family, you ISIS member.”

The victim used to work in a workshop in Sana’a and one day he mentioned a job opportunity that was offered to him to work in a workshop in Ma’rib Governorate with a higher salary than what he was earning in his current workshop.

On July 9, 2022, (Y. M. Z) was arrested in the Second area of Ma’rib city after his phone was searched, and it contained some Houthi folk songs (zawamil) and religious lectures by members affiliated with the Houthi group. The victim remained detained for several days during which he was subjected to physical beatings and verbal insults. He mentioned that he received around 300 blows on his legs, in addition to other parts of his body. He was not released until the intervention and guarantees provided by well-known figures in Ma’rib.

In mid-February 2022, armed individuals affiliated with the Houthi group stormed the house of (M. S. Sh) and humiliatingly took him and his underage son, who was not even ten years old, to the Criminal Investigation Department in Sana’a. The child was released on the same day after crying and feeling terrified.

The victim says: “I remained detained in the Criminal Investigation Department for two months without committing any crimes. I was slapped, beaten, kicked, subjected to mistreatment, and subjected to filthy insults. They deprived me of communicating with my family and exerted psychological pressure by threatening to execute me and throw me to the dogs.”

Then they came and said to me: “You are innocent!” They didn’t even offer an apology for what they did to me and how they shattered my psychological well-being.
Efforts of the Association of Abductees’ Mothers for the year 2022

Media Advocacy:

- Organizing and conducting (14) protest demonstrations in three governorates (Sana’a, Aden, Taiz).
- Issuing (28) human rights statements and press releases.
- Publishing (151) tweets and posts on social media platforms.
- Holding two listening sessions, one for survivors of the Community College bombing and some relatives of the deceased in that incident, and the second session to listen to the relatives of the abducted and detained women regarding the violations they faced while searching for their loved ones.
- Organizing two human rights seminars, one of which was held in Taiz under the title “Yemeni Women: Builders of Peace—Reality and Aspirations” as part of their activities in the Peace-Building Campaign in partnership with the International Civil Society Network ICAN, and the other seminar was held in coincidence with the Yemeni Abductees Day in partnership with the American Center for Justice.
- Preparing and issuing (12) monthly electronic newsletters.
- Producing (4) flash videos.

Communication and Outreach

- Conducting (45) meetings with local and international personalities and organizations.
- Sending 19 official letters.
- Sending 2,590 unofficial messages.
Communicating with:

- National and international investigation committees.
- Local and international mediators.
- The High Commissioner and the Red Cross.

Providing lists of abductees to (7) local and international entities.

Psychological and Social Support:

- Conducting (5) self-development and psychological support courses for the families of the abductees.
- Organizing (3) training courses and support sessions for released abductees.
- Organizing an honorary ceremony for the mothers of forcibly disappeared individuals in Aden.
- Organizing an entertainment program for (60) children of the abductees.
- Conducting a psychological support course for the team through the Torture Victims Center.

Training and Capacity Building:

- Organizing two self-development training courses for the team.
- Training course on justice and accountability mechanisms.
- Training course on monitoring and documentation mechanisms.
The Legal Framework

- The constitution is considered the pinnacle of national legislation, guaranteeing citizens a number of rights and freedoms. These provisions establish the principles upon which society is based, such as justice, freedom, and equality for all citizens, and criminalize any violation or attack on these principles, such as the right to life and the restriction of human freedom except for reasons and justifications defined by laws and through conclusive judicial decisions.

- Article 47 stipulates that criminal responsibility is personal, and no crime or punishment can be established except based on a legal or legislative text. Every accused person is innocent until proven guilty by a conclusive judicial judgment, and no law can be enacted to punish any act retroactively.

- Article (48/A) states: "The state guarantees the personal freedom of citizens, and preserves their dignity and security. The law specifies the cases in which the freedom of citizens may be restricted. No one’s freedom shall be restricted except by a judgment of a competent court."

- This is further affirmed in paragraph (48/B), which emphasizes the preservation of the freedom and dignity of every individual whose freedom is restricted by any means. The dignity of individuals must be respected, and coercion during interrogations is prohibited. A person whose freedom is restricted has the right to refrain from making any statements except in the presence of their lawyer. Detaining or holding any individual in places not subject to prison regulations is prohibited. Torture and inhuman treatment are prohibited during arrest, detention, or imprisonment.
The article also emphasizes in paragraph (48/C) the necessity of notifying a person whose freedom is restricted about the reasons for their arrest. Anyone temporarily detained due to suspected involvement in a crime must be presented before a judge within twenty-four hours of their arrest at most. The judge or public prosecution must inform the detained person of the reasons for their arrest, interrogate them, enable them to defend themselves and raise their objections. An order must be issued immediately either to continue the detention or to release the person. Under no circumstances can the public prosecution continue detention for more than seven days without a judicial order, and the law defines the maximum duration of pretrial detention.

The article, in paragraph (48/D), included the requirement to notify the relatives of the detainee about their status as soon as they are detained. "Upon the arrest of any person for any reason, the arrested person must immediately notify the person they choose. This should also be done when a judicial order is issued to continue the detention. If the arrested person is unable to make a choice, their relatives or anyone concerned must be informed."

The article further states in paragraph (48/H) that violating the provisions of this article will result in legal punishment and that both physical and psychological torture are crimes that do not expire with the passage of time. The law specifies the punishment for anyone who violates any paragraph of this article, as well as the appropriate compensation for the damages that may be incurred by the person as a result of the violation. Physical or psychological torture during arrest, detention, or imprisonment is considered a crime that does not expire, and anyone who practices it, orders it or participates in it will be punished.

The legislator also paid special attention to the right of the accused to defense, as stated in Article (49): "The right to defense, whether personally or through a representative, is guaranteed in all stages of investigation, litigation, and before all courts in accordance with the provisions of the law. The state ensures judicial assistance for those unable to afford it, in accordance with the law."

Furthermore, the legislator established safeguards to ensure the individual's dignity, freedom, and sanctity of their residence. Article (52) states: "Residences, places of worship, and places of education are inviolable. They may not be monitored or searched except in cases defined by the law."

Article (55) addresses medical care for all citizens, including detainees and those whose freedom is restricted and who fall under the responsibility of security agencies. The article states that healthcare is a right for all citizens. The state guarantees this right by establishing various hospitals and healthcare institutions,
expanding them, regulating the medical profession, expanding free healthcare services, and promoting health awareness among citizens.

- The Yemeni laws in force confirm the provisions of the Constitution, especially Law No. 13 of the Criminal Procedures of 1994. We will mention here some of its articles that will be legally adapted to the violations mentioned in this report:

- Article (3): Criminal responsibility is personal, and a person cannot be held criminally accountable except for the acts committed by them that are punishable by law.

- Article (4): The accused is innocent until proven guilty, and doubt is interpreted in favor of the accused. Punishment is not imposed except after a trial conducted in accordance with the provisions of this law, ensuring the freedom of defense.

- Article (6): Torturing or treating the accused in an inhumane manner, physically or mentally harming them to force a confession, is prohibited. Any statement proven to have been made by one of the accused or witnesses under duress shall be disregarded and not relied upon.

- Article (7): Arrests are not permitted except in relation to acts punishable by law, and they must be based on the law.

- Article (11): Personal freedom is guaranteed, and a citizen cannot be accused of a crime or have their freedom restricted except by an order from the competent authorities in accordance with the provisions of this law.

- Article (14): The privacy of citizens’ lives cannot be violated except in the cases permitted by this law.

- Article (16): Notwithstanding article (37), the statute of limitations does not apply to criminal cases involving the infringement of citizens’ freedom and dignity or cases involving an assault on private life.

- Article (71): The detained person shall be held in a separate place from the designated location for convicted individuals and shall be treated as innocent. It is prohibited to physically or mentally harm them to obtain a confession or for any other purpose.

- Article (73): Anyone arrested for reasons of arrest shall be immediately notified. They have the right to access the arrest warrant, contact the person they wish to inform of their situation and seek the assistance of a lawyer. They must be promptly informed of the charges against them.
• Article (76): Anyone temporarily arrested due to suspicion of committing a crime must be presented to the judiciary within a maximum of twenty-four hours from the time of their arrest. The judge or public prosecutor must inform them of the reasons for the arrest, question them, allow them to present their defense and objections, and issue an immediate order for their detention or release.

• These are some of the relevant articles from the Yemeni Criminal Procedure Law that ensure the protection of individuals’ rights and provide legal measures against violations.

• In any case, pretrial detention shall not exceed seven days except by judicial order.

• Article (80): Those who are responsible for executing the arrest warrant are allowed to enter the residence of the wanted person to search for them. They are also allowed to enter the residence of others if strong indications suggest that the accused has taken refuge there. The owner of the residence or anyone present must permit entry and provide reasonable facilitation for the search of the wanted person. If permission is denied or resistance is encountered, those executing the arrest warrant may forcefully enter the residence within the limits specified in the previous article. If there are women in the residence, customary practices in their treatment should be respected.

• Article (121): While respecting the rights of the defense, investigative procedures shall be conducted in secrecy unless otherwise specified by law. Anyone involved in these procedures is obligated not to disclose them. Those who violate this provision shall be punished according to the penalties prescribed by the Criminal Law.

• The Republican Law Decree (No. 24) of 1991 regarding the duties and powers of the police states:

• Article (12): Under no circumstances is the police allowed to use psychological or physical torture against any person, whether during questioning, detention, or imprisonment.

• Article (13): The use of firearms against minors or in situations that pose a threat to the lives of others who are not involved in the incident is prohibited.

• According to the Yemeni Law on Press and Publications, issued after the declaration of the Yemeni Republic in 1990, Law (No. 25):
• Article (6) stipulates the "protection of the rights of journalists and creators, providing the necessary legal guarantees for the exercise of their profession and their right to express themselves without facing any unlawful accountability, as guaranteed by the law unless it is in violation of its provisions."

• Article (13) states that a journalist, however, cannot be held accountable for the opinions expressed or the journalistic information published unless such actions are in violation of the law and should not be a reason to harm them.

• Article (17) states that a journalist has the right to work as a correspondent for one or more Arab or foreign media outlets, subject to obtaining a written license from the Ministry of Information and renewable every two years.

• The Republic of Yemen is a member of the international community and a party to (53 conventions and protocols), including those related to international humanitarian law regarding human rights, the most important of which is the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights. The Yemeni government has also signed several international instruments, including the Rome Statute establishing the International Criminal Court and the Convention for the Protection of All Persons from Enforced Disappearance.

• In addition to the fact that the Republic of Yemen is bound by the rules of customary international humanitarian law, also known as general international law, without the need for formal accession to those rules established by the International Committee of the Red Cross. Considering that Yemen has ratified those agreements, treaties, and international instruments, it is obliged to respect human rights related to personal dignity, as well as the obligation to respect the principles of human rights guaranteed by the Universal Declaration of Human Rights in general, in addition to the binding nature of customary international law. Prior to that, the provisions of the Yemeni Constitution and the applicable laws related to personal freedom, rights, liberties, and human dignity.

• The International Covenant on Civil and Political Rights begins with the statement: "The States Parties to the present Covenant, considering that in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world:"

• Recognizing that these rights stem from the inherent dignity of the human being and realizing that the only way to achieve the highest ideal, as stated in the
Universal Declaration of Human Rights, is for human beings to be free and to enjoy civil and political freedom, liberated from fear and poverty. It is necessary to create conditions that enable every individual to enjoy their civil and political rights, as well as their economic, social, and cultural rights.

- Furthermore, taking into consideration the obligations of states under the Charter of the United Nations to promote worldwide respect and observance of human rights and freedoms. Here are the provisions outlined in the Universal Declaration of Human Rights, adopted by the United Nations General Assembly in Paris on December 10, 1948:
  - Article 3: Everyone has the right to life, liberty, and security of person.
  - Article 5: No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment.
  - Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.
  - Article 9: No one shall be subjected to arbitrary arrest, detention or exile.
  - Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.
  - Article 11: Everyone charged with a penal offense has the right to be presumed innocent until proven guilty according to the law in a public trial at which he has had all the guarantees necessary for his defense.
  - Article 13: Everyone has the right to freedom of movement and residence within the borders of each state.

- In the International Covenant on Civil and Political Rights, which the Republic of Yemen has ratified, the following provisions are included:
  - Article 2: Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or any another opinion, national or social origin, property, birth, or other status.
  - Article 6: Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.
  - Article 7: No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. In particular, no one shall be subjected without his free
consent to medical or scientific experimentation.

- Article 9: Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedures as are established by law. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him. He shall be brought before a judge or other officer authorized by law to exercise judicial power promptly and shall be entitled to trial within a reasonable time or to release.

- Article 10: All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

- Article 14: All people are equal before the courts and have the right to a fair and public hearing by an independent and impartial tribunal established by law. Everyone charged with a criminal offense has the right to be presumed innocent until proven guilty according to law. Everyone accused of a crime is entitled to certain minimum guarantees during the consideration of his case, including:
  a. To be promptly informed in detail of the nature and causes of the accusation against him, in a language he understands.
  b. To have adequate time and facilities for the preparation of his defense and to communicate with a lawyer of his own choosing.
  c. To be tried without undue delay.
  d. To be tried in his presence and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it.

- Article 17: No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home, or correspondence, nor to unlawful attacks on his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.
In the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, which Yemen ratified:

- Article (1) states: For the purposes of this convention, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person.

- Article (2): Each State Party shall take effective legislative, administrative, judicial, or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification of torture. Nor may a superior order or public authority be invoked as a justification for torture.

- Article 4: Each State Party shall ensure that all acts of torture are offenses under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture. Each State Party shall make these offenses punishable by appropriate penalties, which shall take into account their grave nature.

- Article 12: Each State Party shall ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

- Article 13: Each State Party shall ensure that any individual who alleges being subjected to torture in any territory under its jurisdiction has the right to complain to and have his case promptly and impartially examined by its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given.

- Article 14: Each State Party guarantees, in its legal system, fair treatment for victims of torture and their right to obtain redress and adequate compensation, including means of rehabilitation to the fullest extent possible. In the event of the death of the victim as a result of an act of torture, compensation shall be paid to the persons who are entitled to support the victim.
The International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the United Nations General Assembly in Resolution (47/133) on December 18, 1992, which was implemented on December 20, 2006, states in Article 1:

1. No one shall be subjected to enforced disappearance.

2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability, or any other public emergency, may be invoked as a justification for enforced disappearance.

Article 17 of the Convention stipulates:

1. No one shall be held in secret detention.

2. Without prejudice to any other obligations of the State Party under international law regarding deprivation of liberty, each State Party shall, within its legal system, take the following measures:
   a. Establish the conditions under which orders of deprivation of liberty may be issued.
   b. Specify the competent authorities authorized to issue such orders.
   c. Ensure that the person deprived of liberty is held only in officially recognized and supervised places of detention.
   d. Guarantee that every person deprived of liberty shall have the right to communicate with his or her family, counsel, or any other person of his or her choice, and to receive visits, subject only to the conditions established by law, and ensure that foreigners have the right to communicate with consular authorities of their own State in accordance with applicable international law.
   e. Ensure that all authorities competent to take persons into custody have access to places of detention, where necessary, with prior authorization from a judicial authority.
   f. Ensure the right of every person deprived of liberty and in cases of suspected enforced disappearance, where the deprived person is unable to exercise this right personally, the right of every person with a legitimate interest, such as the relatives of the deprived person or their representatives or lawyers, in all circumstances, to appeal before a court promptly to have the legality of the deprivation of liberty reviewed and to order the release of the person if the deprivation of liberty is found to be unlawful.
3. Each state shall provide one or more official records and/or files containing the names of persons deprived of their liberty and shall promptly make them available, upon request, to any judicial authority, other competent authority, or qualified institution in accordance with the legislation of the State Party concerned or any relevant international legal instrument to which the State is a party. This information shall include at least the following:

a. Identity of the person deprived of liberty.

b. Date, time, and place of the deprivation of liberty and the authority responsible for the deprivation.

c. The authority that ordered the deprivation of liberty and the reasons for the deprivation.

d. The authority monitoring the deprivation of liberty.

e. Location of the deprivation of liberty, the date and time of entry into the place of deprivation of liberty, and the authority responsible for the deprivation.

f. Relevant information regarding the health status of the person deprived of liberty.

h. In case of death during the deprivation of liberty, the circumstances and causes of death and the authority to which the remains were transferred.

h. Date, time, and place of release or transfer to another place of detention, the place to which transferred, and the authority responsible for the transfer.

While Yemen is not a party to the Convention against Enforced Disappearances, this does not exempt it from the obligation not to subject any person to enforced disappearance in accordance with the provisions of the applicable constitution.

Therefore, all parties to the conflict in Yemen must comply with the provisions of the aforementioned agreements ratified by Yemen and others, including the provisions of the constitution and Yemeni laws concerning human rights and dignity, as well as the adherence to all principles and rules of international humanitarian law.

In light of these treaties and international agreements, international humanitarian law, the Universal Declaration of Human Rights in general, the provisions of the Constitution, and the effective Yemeni laws related to the relevant rights and freedoms, the legal description and classification of the committed violations mentioned in this report were determined.
Findings

According to the monitoring of the Association of Abductees’ Mothers, the Houthi group has topped the list of violators, as shown in the following table:

<table>
<thead>
<tr>
<th>No</th>
<th>Perpetrators</th>
<th>Death sentence issuance</th>
<th>Arbitrary detention</th>
<th>Forced disappearance</th>
<th>Torture, and ill-treatment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Houthi group</td>
<td>10</td>
<td>324</td>
<td>41</td>
<td>25</td>
</tr>
<tr>
<td>2</td>
<td>Security Belt Forces</td>
<td>----</td>
<td>102</td>
<td>08</td>
<td>06</td>
</tr>
<tr>
<td>3</td>
<td>Legitimate Government</td>
<td>----</td>
<td>8</td>
<td>03</td>
<td>02</td>
</tr>
<tr>
<td>4</td>
<td>Joint Forces of the Western Coast</td>
<td>----</td>
<td>08</td>
<td>04</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>10</td>
<td>442</td>
<td>56</td>
<td>33</td>
</tr>
</tbody>
</table>

- The Houthi group continues to issue arbitrary death sentences and carry out mass executions of detainees, disregarding any principles of fair trial, as described by their defense lawyers.

- Violating parties, particularly the Houthi group and the recognized government, practice medical negligence and fail to provide necessary medical care to detainees, resulting in the arbitrary deaths of several detainees.

- The number of arbitrarily abducted and detained individuals has increased, with many being held at checkpoints, making inter-provincial routes unsafe. The checkpoint in Dumnat Khadir in Taiz province, under the control of the Houthi group, has particularly seen a high number of abductions.

- Cases of businessmen or individuals with properties being kidnapped have been widespread, often resulting in their release only after paying a financial ransom, especially in areas under the control of the Houthi group.

- Dozens of citizens who were arrested by the Security Belt Forces in Aden remained victims of enforced disappearance for over five years, with their families concerned about the lack of response from the leadership of the Security Belt Forces regarding their whereabouts.

- All violating parties have adopted brutal methods of physical and psychological torture, intentionally demeaning the detainees and stripping them of their dignity.
Recommendations

To the United Nations and peace-sponsoring countries in Yemen:

1. Pressure all violating parties (the Houthis, Security Belt Forces affiliated with the Southern Transitional Council, the recognized government, and the Joint Forces in the West Coast) to release arbitrarily detained individuals and respect their rights according to international principles and standards of human rights, including the rights to life, liberty, dignity, protection against enforced disappearance, torture, and ill-treatment.

2. Pressure the signatory parties to the Prisoners and Detainees Exchange Agreement and the Stockholm Agreement, who are under arbitrary detention or enforced residency in Stockholm, to implement these agreements comprehensively and on a humanitarian basis without delay.

3. Emphasize the importance of all parties respecting international humanitarian law and international human rights law, and ensure accountability for any violations committed by the conflict parties in Yemen.

To the Special Envoy of the Secretary-General of the United Nations to the Republic of Yemen:

1. Separate the file of civilian abductees from the file of detained combatants and pressure the parties to release civilian abductees unconditionally.

2. Pressure for the immediate release of kidnapped women as a humanitarian commitment.

3. Pressure to halt the trials of civilian abductees on war-related grounds, revoke the verdicts issued against them, and secure their release.

4. Enhance the participation of women in the peace process, as their efforts lead in many humanitarian and human rights issues.

5. Promote dialogue and reconciliation, considering the release of arbitrarily detained individuals as the first and most crucial step towards a peaceful transition.
To all violating parties (the Houthi group, Security Belt Forces affiliated with the Southern Transitional Council, the recognized government, and the Joint Forces in the West Coast):

1. Immediately cease the practices of abduction, arbitrary detention, enforced disappearance, torture, and other forms of harsh and degrading treatment.

2. Enforce and respect the constitution and national laws, allowing the independent judiciary to monitor places of detention and inquire about the conditions of detainees.

3. Respect and implement release orders issued by the Public Prosecution.

4. Halt unfair trials against arbitrarily detained individuals and repeal the verdicts issued against them by the Specialized Criminal Court.

5. Allow human rights organizations to visit prisons and play their monitoring role regarding the rights of abductees and detainees who are subjected to violations.

6. Improve the conditions of detention immediately and ensure detainees’ enjoyment of their natural rights, including providing them with healthcare until their release procedures are completed.

7. Provide appropriate compensation to victims of abduction, arbitrary detention, enforced disappearance, and torture, with guarantees of non-repetition of such practices.

Specific Recommendations to the Recognized Government:


2. Initiate and personally pursue criminal cases, including cases of enforced disappearance and extrajudicial killings that arbitrarily targeted detainees.

3. Hold accountable and punish the perpetrators of abduction, arbitrary detention, enforced disappearance, and torture.

4. Include the families of the abducted and hidden individuals among the vulnerable cases and provide for their needs within relief programs.

5. Work towards incorporating survivors of abduction and arbitrary detention into the law on the care of martyrs’ families and Yemeni revolution activists.
**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.
MOTHERS AT THE GATES OF JUSTICE 4
SEVENTH ANNUAL REPORT
ABDUCTEES’ MOTHERS ASSOCIATION
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